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Planning Department
Civic Offices
2 Watling Street
Bexleyheath
DA6 7AT

13th July 2021

Dear Sir/Madam

Re: Notification for Prior Approval for a change of use at Cray House, 3 Maidstone Road, Foots Cray, Sidcup, DA14 5HU

On behalf of the applicant, Kames Capital Active Value Property Unit Trust, please find enclosed an application for Prior Approval for a change of use from office (Use Class B1(a)) to residential (Use Class C3) made under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development (GDPO)) (England) Order 2015 as amended at Cray House, 3 Maidstone Road, Foots Cray, Sidcup, DA14 5HU (“the site”).

Application Documents

This application has been submitted via the Planning Portal to the London Borough of Bexley and comprises the following information:

1. Prior Approval application form;
2. CIL Form;
3. Site location plan;
4. Existing and proposed elevations and floor plans prepared by The Bush Consultancy;
5. Flood Risk Assessment prepared by Delta-Simons;
6. Flood Warning and Evacuation Plan prepared by Delta-Simons;
7. Daylight and Sunlight Assessment prepared by eb7;
8. Transport Statement prepared by Delta-Simons;
9. Noise Impact Assessment prepared by Delta-Simons;
10. Preliminary Environmental Risk Assessment prepared by Delta-Simons; and
11. Payment of £96.00 (via Planning Portal) as the statutory fee for the Prior Approval application.

Site Description

The site comprises an office building (use class B1) situated on the Five Arches Business Estate Park in Sidcup. Foots Cray High Street is located to the west of the site, which features a range of shops and services. The site is highly accessible for vehicles and benefits from the close proximity to a number of main roads including the A20, which leads directly to London (to the west). Public transport networks are accessible via the bus stop located immediately adjacent to the site from which regular services to Foots Cray Centre, Orpington, and Green Street Green operate.

The site itself is located on the northern side of Maidstone Road and adjoins a link building, River House, to the west which features a similar design and external appearance as Cray House and appears to also have been originally constructed with Cray House. River House and another building located on the opposite side of Maidstone Road,

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Progressive House, have both previously been approved under the prior approval process to undergo a change of use from office to residential under Class O of the GDPO.

An area featuring vehicular access and existing parking spaces as well as an area of green space separates the existing site from Maidstone Road. A road immediately to the east of Cray House runs to the rear of the site and provides access to the rest of the Five Arches Business Estate Park including the large car park to the north of the site.

Cray House comprises 5907sqm across four storeys. Images of the building are provided at figures 1 and 2 below. The building is structurally sound.

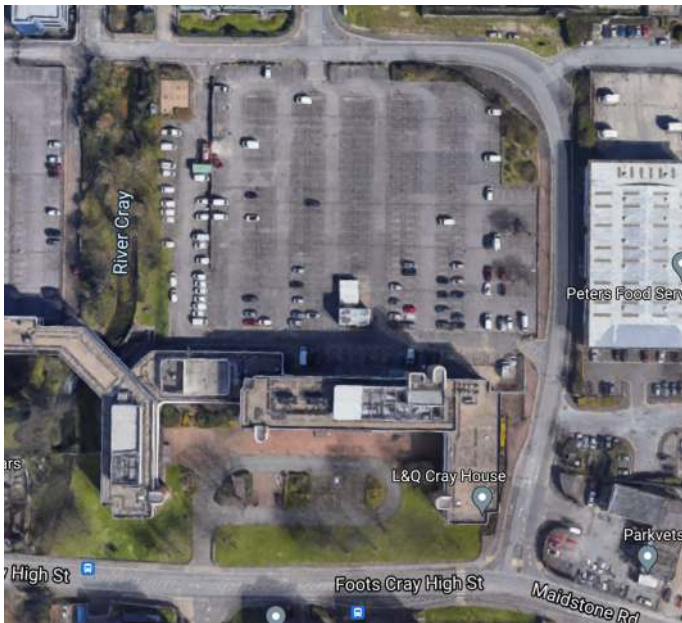


Figure 1: Aerial image of the site



Figure 2: Image of River House



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Relevant Planning History

A search of the London Borough of Bexley's online planning register did not identify any relevant planning history specific to the site.

Other Relevant Planning History

Within the wider local context, there are several applications relevant to both River House and Progressive House. These are summarised below:

River House

- 17/03164/PRIOR: Prior Approval granted on 14th February 2018 for a proposed change of use of the first and second floor from office use (Class B1) to 30 flats comprising 15x2 bed and 15x1 bed flats, with provision of car parking and secure cycle storage.
- 19/01300/PRIOR: Prior Approval not required on 23rd July 2019 for the proposed change of use from Office Use (Class B1a) to provide 15x1 and 15x2 bed self-contained flats with provision of car parking and secure cycle storage.

Progressive House

- 18/00685/PRIOR: Prior Approval granted on 22nd May 2018 for a change of use of building from Offices (Class B1(a)) to 27x1 bed, 1x2 bed and 2 studio flats (Class C3).
- 18/00685/PRIORMIN: Granted 17th November 2020 for a non-material amendment for amended internal layout to ground and first floor layout to accommodate Automatic Opening Vents, with no change to the approved number of units, mix of unit sizes or floorspace to the parent permission ref: 18/00685/PRIOR.

Proposed Development

This application seeks Prior Approval for:

Prior notification requirement for the change of use of office (class B1) to (class C3) 57 residential units at Cray House, under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

The proposed development will change the 5907sqm of B1 office floor spaces to create 57 new residential units over the four-storey building including studio, 1-bed, 2-bed and 3-bed units. The proposed development will include a number of features that will be ancillary to the proposed residential use including a shared wellbeing area, co-working and meeting space, storage and management office space.

The existing car park to the rear of Cray House will continue to be used for car parking following the proposed change of use, with enough area of the existing car park to be allocated to the proposed development site to provide 75 car parking spaces in accordance with the Council's maximum parking standards.



Assessment - Legislative Framework

Class O comprises:

Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

Exemptions

Under paragraph O.1, development is not permitted by Class O if –

<i>(a) the building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;</i>	The property is not located on article 2(5) land.
<i>(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order – (i) on 29th May 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;</i>	The building was in lawful use as B1(a) offices on the prescribed date of 29 th May 2013.
<i>(c) the site is, or forms part of, a safety hazard area;</i>	The site does not form part of a safety hazard area.
<i>(d) the site is, or forms part of, a military explosives storage area;</i>	The site does not form part of a military explosives storage area.
<i>(e) the building is a listed building or is within the curtilage of a listed building; or</i>	The site is not a listed building and does not fall within the curtilage of a listed building.
<i>(f) the site is, or contains, a scheduled monument.</i>	The site does not contain a scheduled monument.

Conditions

Under paragraph O.2, the following conditions apply:

- (1) *Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –*
 - (a) transport and highway impacts of the development,*
 - (b) contamination risks on the site,*
 - (c) flooding risks on the site;*
 - (d) impacts of noise from commercial premises on the intended occupiers of the development, and*
 - (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses.**and the provisions of paragraph W (prior approval) apply in relation to that application.*

- (2) *Development under Class O is permitted subject to the following conditions –*
- (a) *the development must be completed within a period of 3 years starting with the prior approval date;*
 - and*
 - (b) *the developer must apply for a determination under sub-paragraph (1) on or before 31st July 2021.*

Requirements under Paragraph W

Paragraph W (2) of Part 3 of Schedule 2 sets out a number of provisions for an application for determination by the local planning authority as to whether the prior approval for the proposed change of use is required. These are as follows:

The proposed development seeks to convert Cray House into 57 residential units comprising the following mix;

Housing Mix	Number of units
Studio	9
1-bed	30
2-bed	15
3-bed	3
Total	57

Table 1: Proposed housing mix

For the avoidance of doubt, all proposed units comply with the nationally described space standards.

A plan indicating the site and showing the proposed development is enclosed with the application. The following plans are also submitted as part of the suite of supporting information:

Drawing Title	Scale	Drawing & Revision Number
Site Location Plan	1:1250 at A2	3492-TBC-CRY-00-DR-A-0001 Rev.P7
Site Plan – Existing	1:200 at A0	3492-TBC-CRY-00-DR-A-0050 Rev.P4
Site Plan – Proposed	1:200 at A0	3492-TBC-CRY-00-DR-A-0002 Rev.P8
Level 00 – Existing Plans	1:100 at A0	3492-TBC-CRY-GF-DR-A-0205 Rev.P3
Level +01 – Existing Plans	1:100 at A0	3492-TBC-CRY-01-DR-A-0206 Rev.P3
Level +02 – Existing Plans	1:100 at A0	3492-TBC-CRY-02-DR-A-0207 Rev.P3
Level +03 – Existing Plans	1:100 at A0	3492-TBC-CRY-03-DR-A-0208 Rev.P3
Level 00 – Proposed Plans	1:100 at A0	3492-TBC-CRY-GF-DR-A-0200 Rev.P5
Level +01 – Proposed Plans	1:100 at A0	3492-TBC-CRY-01-DR-A-A0201 Rev.P5
Level +02 – Proposed Plans	1:100 at A0	3492-TBC-CRY-02-DR-A-0202 Rev.P6
Level +03 – Proposed Plans	1:100 at A0	3492-TBC-CRY-03-DR-A-0203 Rev.P7
Proposed SW and SE Elevations	1:100 at A0	3492-TBC-CRY-ZZ-DR-A-2000 Rev.P5
Proposed NE and NW Elevations	1:100 at A0	3492-TBC-CRY-ZZ-DR-A-2001 Rev.P3
Roof Level – Existing Plans	1:100 at A0	3492-TBC-CRY-RF-DR-A-0209 Rev.P1
Roof Level – Proposed Plans	1:100 at A0	3492-TBC-CRY-RF-DR-A-0204 Rev.P2



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The registered office of Vantage Property Limited Partnership is:

Kames Capital Active Value Property Unit Trust
The Leadenhall Building
122 Leadenhall Street
London
EC3V 4AB

The developer's email address is:

Jim.Hartley@aegonam.com

Transport and Highways Impact

A Transport Statement (TS) has been prepared by Delta-Simons to accompany the prior approval application, outlining the matters such as traffic impact, access, sustainability, car parking and servicing, and presents the proposals in relation to current guidance and data.

Pedestrian access to the properties will be taken from the existing front access point along Foots Cray High Street, while the exiting car park access points will also be retained as existing. The servicing arrangement from when Cray House operated as an office will also be retained, with the proposed internal bin store located at ground floor level in close proximity to the servicing vehicle area and access point onto the public highway. It is proposed that 75 car parking spaces, including 3 disabled spaces, will be allocated to the proposed development, falling within the range that is indicated by local standards to be appropriate for this site and development.

The Transport Statement also assesses the likely impact that the proposed development will have on traffic within the road network surrounding the site. It concludes that the proposed development will result in a reduction in trip rates than what is generated by Cray House when operating as an office, with the number of trips on to the adjacent highway network calculated to reduce by 65 in the AM peak and 49 in the PM peak. Additionally, assessment of the traffic impact from the proposed development found that the proposal may reduce the quantum of commuter traffic entering and exiting the town centre in the morning and evening.

Contamination Risk

A Preliminary Geo-Environmental Risk Assessment has been undertaken by Delta-Simons. Given its location and surroundings, the site is considered to be of a moderate environmental sensitivity. Assessment identified that there is limited potential for contamination from the current Site use. Historically, the Cray Works (wireless radio works) on-site from the 1930's to 1970's, represent a potential source of contamination. Potential historical and current sources of contamination have been identified in the surrounding area.

Though there is potential for residual contamination to remain beneath the Site, the Site is covered with the building and adjacent hardstanding with underlying low permeability deposits, resulting in restricted infiltration of rainwater and limited leaching of contaminants and ground gasses. The risk to future users of the site is therefore considered to be low. As there are no proposals to break ground on the Site as part of the proposed change of use, intrusive investigation works are not considered to be required to facilitate the proposed conversion works.



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Flood Risk

A Flood Risk Assessment (FRA) has been carried out by Delta-Simons in support of this prior approval application. The FRA explains how in the event of a flood, it is suggested for Site residents to remain within the building at first floor level and above, and how safe evacuation is available along Maidstone Road to the east of the Site which leads out of Flood Zones 2 and 3 and is deemed to be safe from river flooding. The full evacuation strategy is outlined in the separate Flood Warning and Evacuation Plan, also prepared by Delta-Simons.

The FRA also details various mitigation measures that will be implemented, including on-site drainage, waterproofing the undercroft area, liaising with the LLFA and Thames Water regarding off-site road drainage, and measures concerning the adjacent River Cray that should be implemented. The FRA concludes that the baseline risk to the Site and the impact of development on flood risk is considered to be low to moderate from fluvial and surface water sources, and low and acceptable from all other sources of flooding.

Noise Impact

A Noise Impact Assessment undertaken by Delta-Simons accompanies the Prior Approval submission has been based on an Ambient Noise Survey completed over a full weekday period to gauge the existing levels of noise at day and night around the site. The assessment includes calculations that have been undertaken to demonstrate that the proposed development which will retain its current external form, will be subject to day and night-time noise levels that accord with guidance and take into account dominant noise sources at the Site.

The assessment concludes that the predicted level of noise across the Site can be mitigated to avoid an adverse impact and that good quality acoustic design will be incorporated into the development.

Daylight and Sunlight Impact

An internal daylight assessment of the proposed residential units has been undertaken by eb7. The assessment considered the one and two bedroom units on the first floor of Cray House and has focused on the most constrained units in terms of daylight and sunlight provision. As the assessment has considered a worst case scenario, these results can be used to extrapolate a likely level of compliance throughout the remainder of the building. Calculations based on conservatively estimated obstruction angles have shown that all of the habitable rooms at first floor level are easily able to achieve levels of daylight in excess of that recommended for their use.

Although ADF calculations have not been undertaken for all habitable rooms, the results of the assessment undertaken prove that the most constrained rooms will receive levels of daylight in excess of BRE criteria and as such, the remainder of proposed units will also benefit from daylight levels in excess of BRE criteria.

Conclusion

This statement and supporting information has demonstrated that the conditions in paragraphs O1 and O2 of Part 3 of Schedule 2 of the GPDO have been satisfied. Additionally, the requirements of paragraph W in respect of the information to be submitted with the application for determination as to whether prior approval is required have been met. On this basis, we submit that prior approval is not required or, should the Council consider that it is required, it ought to be granted (subject to conditions).



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Yours faithfully,



Ellie Burrough
Senior Planner