Our ref. : AB2147/LPA280521

Planning Department

London Borough of Bexley

Bexleyheath

Kent

DA6 7AT

28th July 2021

Dear Sir/Madam,

**FULL PLANNING APPLICATION AND ASSOCIATED EXPRESS ADVERTISEMENT CONSENT APPLICATION**

**UNIT 2A, TOWER RETAIL PARK, CRAYFORD ROAD, CRAYFORD, DARTFORD, DA1 4LD**

On behalf of our joint clients, T Bello Group Limited and Transeuropean Properties VII Crayford SARL, please find enclosed a full planning application and associated express advertisement consent application relating to the currently vacant (former ‘GAME’) premises located at Unit 2A, Tower Retail Park, Crayford, Dartford, DA1 4LD.

This planning application and associated express advertisement consent application, which are being submitted to the London Borough of Bexley (the LPA) electronically by way of the Planning Portal website, comprise the following documentation ;

* Completed application forms and ownership certificate.
* Completed Community Infrastructure Levy (CIL) form.
* This covering letter prepared by Beamish Planning Consultancy, incorporating a supporting planning statement and design and access statement.
* 1:1250 scale OS plan of application site and surrounding area.
* Drawing no. A000/3248 Rev. A – existing floor plan prepared by Hone Edwards Associates.
* Drawing no. A010/3248 Revision A – existing elevations prepared by Hone Edwards Associates.
* Drawing no. A110/3248 Revision C – proposed elevations prepared by Hone Edwards Associates.
* Drawing no. PL200/3248 Revision B – proposed floor plan prepared by Hone Edwards Associates.
* Drawing no. NWV\_1 TBC Revision C – ventilation proposal prepared by Nationwide Ventilation.
* Report entitled ‘Environmental Noise Survey Results and Noise Impact Assessment for Proposed Fixed Plant’ (ref. 11628 Revision B) prepared by Acoustic Consultancy Partnership Ltd.

Payment of the statutory planning application fee of £462, the statutory express advertisement consent fee of £132, and the Planning Portal service charge fee of £28 has been made electronically when submitting these applications via the Planning Portal website.

Description of application premises and surrounding area

The application premises are located within a detached, flat roofed single storey building which form part of a retail park known as Tower Retail Park, which is located directly adjacent to the boundary of Crayford Major District Centre, although the retail park also forms part of the wider Crayford Industrial Area/designated Primary Employment Area.

The building which the application premises forms part of comprises 2 self-contained commercial units, with the larger unit (no. 2A, totalling approximately 308.5 square metres) forming the westernmost part of the building and currently trading as a Nando’s restaurant (Use Class E(a)), whilst the application unit (no. 2B) is located within the easternmost most part of the building and has a gross internal area of approximately 151 square metres. The application unit is currently vacant, and has been so since the previous occupier, ‘Game’, vacated the premises in early 2019.

The immediate surroundings to the application premises comprise the remainder of the retail park, including a broad variety of commercial premises including shops, restaurants and a McDonalds incorporating a ‘drive-thru’ facility, with the retail park served by a large, uncovered car park providing 390 spaces.

By road, Tower Retail Park is accessed via the roundabout junction of the A207 (Crayford Road), Station Road and Tower Park Road, whilst the application unit is within 5 minutes walk of Crayford railway station, which is served by frequent services to both London Charing Cross and London Cannon Street, and also services to Slade Green, Dartford and Gravesend. There are also bus stops served by local bus services (nos. 98, 428 and 492) travelling in both directions on the A207 road within 100 metres of the application unit, and the unit benefits from a Public Transport Accessibility Level (PTAL) of 3, i.e. medium.

Immediate to the north of the site is an uncovered servicing area associated with the retail park, with that servicing yard bordered to the north-west by a mixed use (typically commercial at ground floor level with residential above) parade of buildings fronting onto the A207 (Crayford Road).

Neither the application premises, the building which the premises form part of or any of the neighbouring buildings are either statutory or locally listed, and nor is the premises either within or close to a conservation area.

There are no existing primary or secondary schools within 400 metres walking distance of the application unit, with the nearest schools (either Wentworth Primary School or St. Paulinus Church of England Primary School) over 700 metres walking distance from the unit.

Proposals which are the subject of these applications

Planning permission is sought for the change of use of the currently vacant application premises from their lawful Class E usage to a mixed restaurant and hot food takeaway, i.e. a ‘sui generis’ use.

It is proposed that the premises would be open to customers between the hours of 11.00 to 23.00 on each day of the week, and the proposed use is likely to employ approximately 10 full-time staff and 15 part-time staff.

To facilitate the proposed mixed restaurant and hot food takeaway use, associated operational development is proposed, including a plant/extraction system, as detailed on drawing no. NWV\_1 TBC Revision A prepared by Nationwide Ventilation.

In association with this proposed plant/extract system, a noise impact assessment has been prepared by Acoustic Consultancy Partnership LLP, incorporating the findings of a noise survey, with that assessment setting out the mitigation required to ensure that the cumulative noise levels resulting from the proposed plant will not exceed the LPA’s criteria, and those mitigation requirements have been incorporated within the proposed plant/extraction system.

Minor elevational alterations are also proposed, including the removal of some brickwork on the front (south-east facing) elevation of the application building, a new aluminium surround around the existing entrance and a new canopy above that entrance, and also a replacement fire escape door within the rear (north-west facing) elevation of the building.

Express advertisement consent is sought for internally illuminated fascia and elevational signage as detailed on drawing no. A110/3248 Revision B prepared by Hone Edwards Associates.

Relevant planning history of application unit

Although there is a plethora of planning and express advertisement consent applications relating to the various premises which comprise the retail park within which the application building is located, the only recent planning or signage application relating to the unit which is the subject of these applications dates back to April 2008, when express advertisement consent (application ref. 08/01852/ADV) was granted for the installation of two internally illuminated fascia signs associated with the retailer (‘Game’) which was then operation from the application unit.

Relevant planning policies and associated guidance

The Development Plan for the Borough comprises, at local level, the Core Strategy (adopted February 2012) and also saved policies from the LPA’s Unitary Development Plan (UDP) which was adopted in April 2004. Also of relevance is the Crayford Strategy and Action Plan, which was adopted in July 2005.

The LPA is consulting on the preferred approaches to the matters to be contained within the new Local Plan, but this emerging Local Plan is at very early stage of preparation and accordingly full weight must continue to be attached to the Core Strategy, the saved policies within the UDP and the Crayford Strategy and Action Plan, as long as those policies continue to reflect the thrust of national planning policy and associated guidance.

At regional level, the Development Plan comprises the new London Plan, which has been published by the GLA in March 2021 following independent Examination in Public and subsequent review by the Secretary of State for Housing, Communities and Local Government.

At national level, the most recent update to the National Planning Policy Framework (NPPF) was published by the Government in June 2019, and the NPPF streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.

Similarly, the National Planning Policy Guidance (NPPG) was launched by the Government in March 2014, is regularly updated and streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements.

Planning Appraisal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

Whilst the Tower Retail Park is located in an edge of designated centre location, as opposed to within a designated centre, and the proposed use is identified within the glossary (Annex 2) to the NPPF as comprising a ‘main town centre’ uses, the retail park is which the application unit forms part is already comprises a mix of other ‘main town centre’ uses, including shops, restaurants and a ‘drive-thru’ hot food takeaway. Indeed, the previous/lawful use of the unit was as a retail shop.

Accordingly, a sequential assessment should not be required, and the proposals, which would restore the active use (after over 2 years of remaining vacant) of commercial premises within an edge of centre location, will contributing positively to the vitality and viability of Crayford Major Retail Centre, as well as providing substantial employment opportunities, in accordance with adopted Core Strategy policies CS14 (Town Centre Vitality and Viability) and CS5 (Crayford and Old Bexley Geographic Region).

Consequently, the principle of the proposed mixed restaurant and hot food takeaway use of the premises accords with local, regional and national policies and associated guidance.

Having regard to the associated proposals for a new plant/extraction system and the associated acoustic assessment, the supporting documents and assessments commissioned by the applicant demonstrate that the proposed plant should not have any adverse impact upon the amenities of the occupiers of the nearest residential properties (located approximately 25 metres to the north-west) by way of noise or odour nuisance, in accordance with saved policy SH09 of the UDP.

An issue that is becoming increasingly relevant in the assessment of applications which relate to the potential for premises to be used, either wholly or in part, as hot food takeaways is the proximity of such establishments to schools, and policy E9 of the London Plan seeks to prevent new hot food takeaways within 400 metres walking distance of existing primary or secondary schools. However, in this case there are no existing schools within 400 metres of the application unit, and therefore is no conflict with London Plan policy E9.

The minor elevation changes proposed as part of the change of use of the application unit will complement the appearance of the host building, and indeed the neighbouring premises at Unit 2A already includes two large windows within its front elevation, which is identical to what is being proposed by this planning application.

With regards to the proposed signage, when assessing express advertisement consent applications, the only two material considerations which can be taken into consideration are amenity and public safety. Saved policy ENV43 (of the UDP requires advertisements/signage to ensure that the character and appearance of the area is preserved and to be of a high standard of design.

The proposed signage is wholly in keeping with the scale, proportion and appearance of the host premises itself and also the wider character and appearance of the locality, and the limited amount of signage proposed ensures that there is no unnecessary clutter or proliferation of signage. Additionally, the proposed signage will not have any impact upon public safety, and therefore the proposed signage fully accords with saved UDP policy ENV43.

Conclusion

For the reasons set out within this planning application and express advertisement consent submission, the proposed mixed restaurant and hot food takeaway use of the application premises, together with the associated operational development would accord with all relevant Development Plan policies and associated guidance at both local and regional level, as well as with national planning policies and associated guidance as set out in the NPPF and NPPG. Furthermore, there are no other material planning considerations which would outweigh that compliance with the Development Plan.

Accordingly planning permission should be granted for these proposals, subject to the imposition of appropriate, necessary and reasonable conditions, the content of which we welcome discussions with the Case Officer regarding in due course.

Similarly, the proposed signage for which express advertisement consent is sought would have no adverse impact upon amenity or public safety, and therefore express advertisement consent should be granted for the proposed internally illuminated fascia and elevational signage, subject to the imposition of the standard advertisement conditions.

We look forward to corresponding with the Case Officer to whom these applications are allocated in the coming weeks, but should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,



Adam Beamish

BA (Hons), DIP TRP, MRTPI