



Head of Planning
London Borough of Bexley
Civic Offices
2 Watling Street
Bexleyheath
DA6 7AT

Our ref: JMS/Greggs/Crayford

25 June 2021

Dear Sir/Madam

Proposal under Section 73 of the Town and Country Planning Act 1990 regarding the premises at 1 Tower Park Road, Crayford, Dartford, DA1 4LB granted under planning permission reference 97/01701/U dated 23 July 1997 to allow amended opening hours on behalf of Greggs Plc

I act on behalf of Greggs Plc who wishes to occupy 1 Tower Park Road (the former Carphone Warehouse unit). Accordingly, I am instructed to submit a planning application to vary Condition 17 relating to the opening hours attached to planning permission ref: 97/01701/U granted on 23 July 1997 for redevelopment of the site to include A1 retail, A3 restaurants, Class B employment uses, car parking and access roads.

Condition 17 of the above permission states:

“The hours of opening of the retail unit shall be restricted to 8.00am to 10.00pm at all times and in accordance with appropriate Government restrictions on Sundays and Bank Holidays. Servicing and deliveries shall not take place on any day between 10.00pm and 7.00am without the prior written approval of the Local Planning Authority.”

Reason: To ensure that the proposed development does not prejudice the amenities enjoyed by occupiers of properties in the vicinity.”

The Applicant wishes to amend the Condition to allow the unit to open for trading from 6:00am Monday to Saturday (i.e. to open 2 hours earlier on weekdays and Saturday mornings) and from 7:00am on a Sunday. The Applicant therefore seeks a change to the wording of Condition 17 as follows:

The hours of opening of the retail units shall be restricted to ~~8.00am~~ 6.00am to 10.00pm ~~at all times on Mondays to Saturdays and in accordance with appropriate Government restrictions~~ from 7.00am to 10.00pm on Sundays and Bank Holidays. Servicing and deliveries shall not take place on any day between 10.00pm and 7.00am without the prior written approval of the Local Planning Authority.”

The amendments relate to the unit at 1 Tower Park Road only and no other changes to the permission are sought.



It is an operational preference of Greggs for its units to open from 6.00am during the week and from 7.00am on Sundays to service customers requiring early morning sustenance. The following documentation is therefore attached, which forms the planning application for the amending of Condition 17 attached to the above permission:

- The planning application Form, signed and dated;
- Site Location Plan;
- Noise Impact Assessment prepared by Venta Acoustics;
- Community Infrastructure Questionnaire, signed and dated and
- The Greggs' Pledge – 2021 Report.

Please note the relevant planning application fee has been paid directly via the Planning Portal.

In addition to the enclosed above, I would be grateful if you could take the contents of this letter into account in your assessment of this application.

Greggs Plc

With over 2,000 shops, nine centres of excellence and some 20,000 employees who serve millions of customers each week, Greggs is the UK's leading bakery food-on-the-go retailer. The Company started some 80 years ago when John Gregg started out with the goal to deliver, by bicycle, fresh eggs and yeast to families in Newcastle. 10 years later he opened Greggs of Gosforth on Gosforth High Street, which remains a Greggs to this day.

Greggs donates one percent of its pre-tax profits to the Greggs Foundation and distributes around £3.0 million to community and charity organisations throughout England, Scotland and Wales. A significant proportion of the Greggs Foundations' impact is also achieved with the generosity of Greggs' employees and customers. The Foundation brings together all of Greggs charitable groups which has a long and rich history. It is managed by an executive team of currently seven members of staff and overseen by a Board of Trustees, with the charitable mission of *'making a difference to people in need in the heart of Greggs' local communities'*.

To assist, the latest version of the Greggs' Pledge, which details the Company's Corporate Social Responsibility is attached.

The Foundation prioritises organisations that support voluntary careers, people with disabilities, homeless people, and older people. The Foundation aims to make a difference through the provision of five main grant programmes; North East Core Funding Grant, Local Communities Project Fund Grant, Environmental Grant, Hardship Fund Grant and Breakfast Clubs, which share the common goal of improving the quality of life of people in local communities.

Site & Surrounding Area

Tower Retail Park is located approximately 320m north-east of Crayford Train Station, on the edge of Crayford Town Centre pm the A207 Crayford Road. Dartford Town Centre is approx. 2.2km to the east.

The original planning permission for the retail park was granted in 1997. Tenants have changed over time; however the retail park still comprises a mixture of retail, restaurant/café and employment uses,

The unit at 1 Tower Park Road is at the entrance of the site, just off the A207. McDonald's is located to the west, on the other side of Tower Park Road – the address of this unit is 1 Tower Retail Park.

Planning History

Outline planning permission (ref: 97/01701/U) was granted on 23 July 1997 for the redevelopment of the site as a retail park. Subsequently, an application for reserved matters pursuant to the outline planning application (ref: 98/00546/FUL) was approved on 11 August 1998.

The only planning history for the unit itself, as recorded on LB Bexley's planning website, was for an advertisement consent for two internally illuminated fascia signs in 1999 (ref: 99/01095/ADV).

Having regard to the wider retail park, there is a variety of planning applications, many of which relate to advertisement consent and minor alterations, which are not detailed below. The relevant planning history pertaining to the wider retail park largely relates to the existing McDonald's (Unit 1), which has permission to open from 5.00am to midnight seven days a week, as well as another application for Unit 4, for which there are a number of planning applications for amendments to the opening hours:

- **16/01859/FULM** – Proposal under Section 73 of the Town and Country Planning Act 1990 regarding Unit 4 premises approved under planning permission reference 16/00670/FULM dated 15.06.2016 to allow the extension of opening hours to 8.00am to 11.00pm. This was granted on 8 September 2016.
- **16/00670/FULM** – Proposal under Section 73 of the Town and Country Planning Act 1990 regarding the McDonalds restaurant premises approved under planning permission reference 04/05779/FUL dated 12.1.2005 to allow extension of opening hours to 5.00am to 00.00am, seven days a week. This was granted on 15 June 2016.
- **10/01902/FUL** – Proposal under Section 73 of the Town and Country Planning Act 1990 regarding the McDonalds Restaurant premises approved under planning permission reference 97/01701/U dated 11th August 1998 to allow only the drive thru element to open 24 hours, 7 days a week. This was refused on 29 December 2010.
- **07/05016/FUL** – Proposal under Section 73 of the Town and Country Planning Act 1990 regarding the McDonalds Restaurant premises approved under planning permission reference 97/01701/U dated 11th August 1998 to allow amended opening hours to 24 hours, 7 days a week. This was refused on 6 July 2007.
- **04/05779/FUL** - Variation of condition 17 of planning permission 97/01701/U dated 11/08/1998 to allow extension of opening hours to 6 a.m. to midnight regarding the McDonald's premises. This was approved on 12 January 2005.

Planning Policy

The revised National Planning Policy Framework (NPPF) was last updated in June 2019 and constitutes guidance for local planning authorities and decision-takers.

Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to



support economic growth and productivity, taking into account both local business needs and where there are opportunities for development.

Paragraph 81 goes on to say that planning policies should set out clear an economic vision and strategy which positively and practically encourages sustainable economic growth having regard to local industrial strategies and other local policies for economic development and regeneration; set criteria to identify strategic sites for local inward investment to match the strategy and meet anticipated needs over the plan period; seek to address potential barriers to investment; and be flexible enough to accommodate the needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances. In addition, planning policies and decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).

Local Policy

The Development Plan for the site comprises the London Plan 2021 and the Bexley Local Plan – which includes the Core Strategy (2012) and the current policies in the Unitary Development Plan (UDP) (adopted 2004 and saved in 2012),

London Plan Policy GG1 is concerned with building strong and inclusive communities.

London Plan Policy GG5 is concerned with growing a good economy. It states that, to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must promote the strength and potential of the wider city region. It also seeks to ensure that London's economy diversifies.

Core Strategy Policy CS12 (Bexley's Future Economic Contribution) recognises that Bexley will continue to play a key role in contributing to London's economic growth and prosperity.

Core Strategy Policy CS13 (Access to Jobs) states that the Council will assist in developing a strong and sustainable local economy, so as to contribute to London and Thames Gateway regeneration. In particular, the policy states that the Council will support development proposals that intensify land-uses.

Planning Issues

As set out in the introduction to this letter, this application seeks to vary Condition 17 of planning permission ref: 97/01701/U in relation to the unit at 1 Tower Park Road to enable a slightly earlier opening time in the morning. The reason for the imposition of the original planning condition as set out in the decision notice is:

“To ensure that the proposed development does not prejudice the amenities enjoyed by occupiers of properties in the vicinity.”

It is not considered that the opening of the site for an additional two hours on weekday and Saturday mornings from 6:00am, and on a Sunday from 7:00am, will give rise to any increase in anti-social behaviour. The unit lies opposite McDonalds which comprises a restaurant and drive-thru which are open from 5.00am until midnight, seven days a week. Therefore, the principle of earlier (as well as later) opening hours on the retail park site is established.

A baseline noise survey has been undertaken by Venta Acoustics to establish the background noise climate in the locality of Unit 1 Tower Retail Park, Crayford. The measured noise levels have been assessed against BS4142:2014 *Methods for rating and assessing industrial and commercial sound*, BS8233: 2014 *Guidance on sound insulation and noise reduction for buildings and the World Health Organisation Guidelines for Community Noise (1999)* to assess potential noise impacts on operational hours of the premises due to customer noise. When assessed using BS4142, noise from activities on site have been shown to have a low impact. When considered against the guidance provide in the BS8233 and WHO, average and maximum noise levels are at a level which would be considered of low impact with partially open windows.

As such, the proposed opening times will be in line with approved operational requirements elsewhere on the site. On this basis it is considered that the proposal to extend the business opening times so the unit can open from 6.00am on Monday to Saturday, and from 7.00am on Sundays, will not have an unacceptable impact in terms of amenity, particularly with regard to noise or be likely to give rise to an increase in anti-social behaviour.

The application proposal is considered to give rise to a number of other significant benefits. Namely;

1. Bringing a vacant unit back into beneficial use;
2. Introduction of a new national leading bakery retailer to the local area;
3. The provision of additional food choice for residents and workers in the local area;
4. Provision of new flexible employment opportunities for local residents.

Overall, it is considered that the application is of significant benefit to the local area, and it is considered this change to the relevant operative condition can occur with no disbenefits to local residents or giving rise to any adverse antisocial behaviour. The proposal therefore accords with relevant policies of the development plan as set out above and for this reason it is requested that the application is granted.

I trust you find the enclosed application in order, and I look forward to receiving confirmation of registration of the application in due course. In the meantime, should you wish to discuss the application further, please do not hesitate to contact me at this office on 07525 131145.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julian Sutton', with a stylized flourish extending from the end.

Julian Sutton
JMS Planning & Development

Encs