

Location

The application site comprises a vacant retail unit on the eastern side of Station Square. The site falls within the Station Square Petts Wood Conservation Area and is designated a Primary Shopping Frontage. The surrounding area is a mix of terraced properties comprising Class A1 uses, with some Class A2 and A3 uses. In the centre of Station Square there is a public house and a restaurant. On street parking is available subject to time restrictions. Petts Wood Station is located approximately half a mile away and it lies within close proximity to a bus stop. The plot measures approximately a maximum of 9.5m in width by 21m in depth.

Comments from Local Residents

Local representations, have been received primarily concerned with the over-provision of eating establishments in Petts Wood. Other concerns include:

- increased smells and noise
- increased noise
- increased litter
- an application at No.2 Station Square was refused planning permission in December 2008

Comments from Consultees

No technical highways objections are raised.

APCA did not inspect the application.

Heritage and Urban Design no objections were raised subject to a materials condition

No Thames Water objections are raised, subject to an informative.

No Environmental Health objections are raised subject to condition J10 (details of ventilation) being attached to any permission

Planning Considerations

BE1 Design of New Development
BE11 Conservation Areas
S1 Primary Frontages
S9 Food And Drink Premises
T3 Parking
T18 Road Safety
SPG Station Square Petts Wood

Planning History

There is no relevant planning history at this site. However, it should be noted that permission was recently refused under ref. 08/02337 at Just Flowers Station Square, Petts Wood for a change of use from florist to delicatessen/cafe (Use Classes A1/A3). The application was refused by Members on the following grounds:

The proposed change of use would result in a concentration of non-retail uses within Petts Wood District Centre, contrary to Policy S1 of the Unitary Development Plan.

The loss of a retail unit in this location would harm the retail character of the Petts Wood District Centre and would not complement the shopping function of the town centre, therefore contrary to Policy S1 of the Unitary Development Plan.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Station Square Petts Wood Conservation Area, the impact that it would have on the amenities of the occupants of surrounding residential properties, the impact on highway safety and the impact on the retail functioning of the primary frontage.

The site lies within a Primary Shopping Frontage and therefore must be considered in respect of Policy S1. The proposal is considered to attract shoppers within shopping hours and would provide a use that does not currently exist in Station Square. The proposed operating hours are compatible with normal restaurant hours. Several other restaurant and takeaway hours exist within the vicinity and are illustrated on a land use map contained on the file. Several properties within the more immediate vicinity current lay vacant. It may be considered that the use of the building may complement the existing shopping function adding to the vitality of the area. There are a significant number of A2 uses on the Square, however the majority of uses are A1 and therefore the proposal is not considered to significantly harm the main retail functioning of the frontage or result in an over-concentration of A3 in the locality (with 2 nearby restaurants, including a change of use permitted adjacent to the Daylight Inn under ref. 97/01711).

Whilst it is acknowledged that the residents above the application premises may experience some impact on their current level of amenity it is considered that the associated use and adequate ventilation to mitigate fumes and odours can be controlled through condition. The closing times are also considered acceptable and can be controlled accordingly.

No technical highways objections are raised and from a heritage and urban design point of view, no objections are raised to the design of the replacement shopfront which compliments the street scene, subject to a suitable material condition.

Having had regard to the above it was considered that on balance the proposed change of use is acceptable including new shopfront in that it would not result in a significant loss of amenity to local residents, would not impact detrimentally on the character of the Station Square Petts Wood Conservation Area, highway safety or be significantly detrimental to the retail functioning of the primary frontage.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00616 and 08/02337 excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 Customers shall not be admitted to the premises before 11.00am on any day, and all customers shall have left the premises by 11.30pm Monday to Saturdays and 11.00am and 11.00pm on Sundays and Bank Holidays.

Reason: In order to comply with Policies S1 and S9 of the Unitary Development Plan and in the interests of the amenities of the area.

- 4 ACJ10 Ventilation system for restaurant/take-a
 ACJ10R J10 reason

5 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE11 Conservation Areas
- S1 Primary Frontages
- S9 Food And Drink Premises
- T3 Parking
- T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- a) the appearance of the development in the street scene.
- b) the impact on the amenities of the occupiers of adjacent and nearby properties
- c) the shopping policies of the development plan
- d) the urban conservation policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321
- 2 The applicant is further advised that any replacement advertisement signage may require Advertisement Consent.

Reference: 09/00616/FULL2

Address: 5 Station Square Petts Wood Orpington Kent BR5 1LY

Proposal: Change of use from retail (use Class A1) to restaurant (use Class A3) including New shopfront



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661