

SECTION '2' – Applications meriting special consideration

**Application No :** 13/02421/FULL2

**Ward:**  
**Bromley Town**

**Address :** 21A The Mall Bromley BR1 1TR

**OS Grid Ref:** E: 540405 N: 168920

**Applicant :** Mr S Carey

**Objections : NO**

**Description of Development:**

Change of use to provide a mixed use comprising shop (A1) and cafe (A3)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

**Proposal**

Change of use from retail (Use Class A1) to provide a mixed use comprising shop (A1) and cafe (A3). The premise would be used as a charity shop/café, with a focus on supporting those living with dementia and their carers.

**Location**

The application site is located within The Mall shopping centre with the frontage facing Elmfield Park. The premises fall within the boundaries of the Bromley Town Centre and adjoin but do not fall within a designated Secondary Shopping Frontage. The unit has an approximate floor space of 172sqm and is currently vacant.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

**Comments from Consultees**

Environmental Health - no objection subject to condition

**Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

EMP6 Development outside Business Areas

S2 Secondary frontages

T3 Parking

At strategic level, the most relevant London Plan policies are:

4.2 Offices

4.7 Retail and town centre development

The National Planning Policy Framework 2012.

### **Planning History**

None.

### **Conclusions**

The main issues relating to the application are the effect of the proposed change of use on the vitality and viability of the town centre and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The National Planning Policy Framework constitutes a material consideration in determining planning applications. The Framework asserts that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Policy EMP6 provides that where outside of the designated business areas (as is the case here) non-conforming business uses may be acceptable provided there is no significant adverse impact on the amenity of the surrounding properties.

In this instance it is proposed to change a vacant retail unit into a dual use A1/A3. Although located within the shopping parade, the application site has no designation under the UDP. The applicant claims that the unit has been vacant for the period exceeding 18 months. It is considered that the lack of interest in the unit for A1 purposes could be, in part, due to poor location at the very back of the centre as well as the segregation from all of the other A1 units by a large entrance to a residential tower block. The use in the manner proposed would retain an active frontage and an element of retail within the premise. It is also considered that an A3 use would not be out of place in a shopping centre location.

The surrounding area has a high PTAL rate and the unit is accessible from High Street, Elmfield Road and Elmfield Park and the surrounding area encompasses a variety of land uses with offices being predominant uses along Elmfield Park. As such, it is considered that the proposed introduction of A2/B1 Uses would not be at odds in this particular location and acceptable in land use terms.

The proposed development would be retained within the envelope of the existing building and consequently no impact to adjoining residences in terms of access to sunlight/daylight or outlook is anticipated. Given the location of the application site, the character of the surrounding area as well as the nature of the surrounding land uses it is considered that any potential impact on the living conditions of the adjoining and neighbouring occupiers in terms of noise, disturbance and traffic movements would not be materially harmful, hence would not conflict with the aims of UDP Policy EMP6 and Policy 4.2 of the London Plan.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Having had regard to the above it was considered that the proposed change of use is acceptable in that it would not unacceptably undermine the vitality and viability of the Bromley Town Centre.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
ACA01R      A01 Reason 3 years
- 2      The use hereby permitted shall operate only in accordance with the layout approved on the approved floor plan, received on 01 August 2013. Any changes from this layout and design will require submission of a formal planning application.

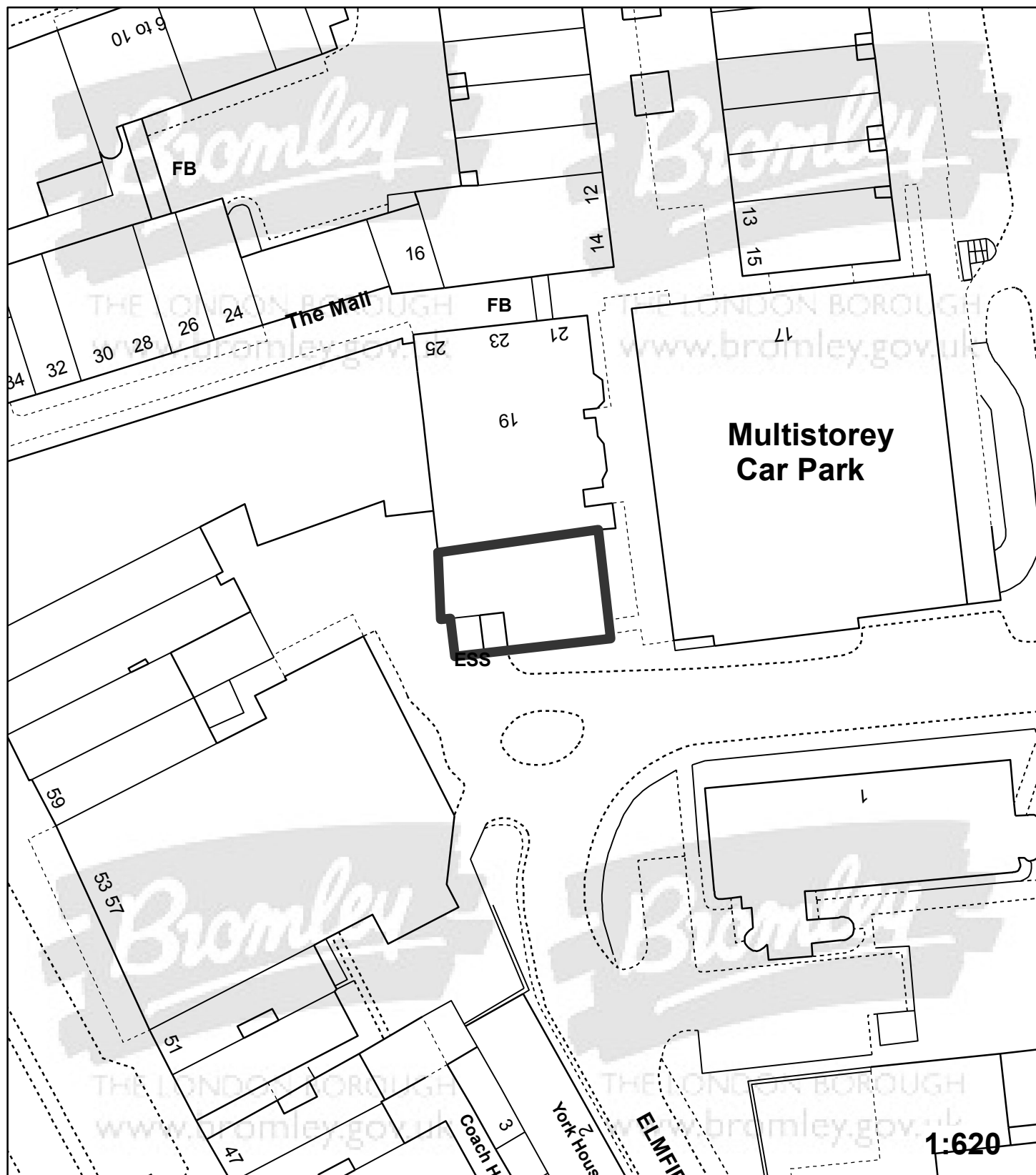
**Reason:** To protect the vitality and vibrancy of the shopping centre, in accordance with policy S2 of the Council's UDP.

- 3      ACK01          Compliance with submitted plan  
ACK05R      K05 reason

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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