

SECTION '2' – Applications meriting special consideration

Application No : 13/03859/FULL1

Ward:
Bromley Town

Address : J Sainsbury Plc Walters Yard Bromley
BR1 1TP

OS Grid Ref: E: 540206 N: 169434

Applicant : Sainsbury's Supermarket Ltd

Objections : YES

Description of Development:

Erection of an ancillary pod to carry out shoe and watch repairs, dry cleaning, key cutting and engraving services (Use Class A1).

Key designations:

Conservation Area: Bromley Town Centre
Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

The site is located within the car park of the Sainsbury's store in Walters Yard, Bromley.

The proposal is to erect an ancillary 'pod' to carry out shoe and watch repairs, dry cleaning, key cutting and engraving services (Use Class A1). The unit will be located at the western side of the car park, and would involve the repositioning of the current motorcycle parking bay to a new position approximately 25m further along the same bank of parking bays, and the overall loss of two parking spaces.

Amended documentation clarifying the positioning of the proposed pod was received on 19th December 2013.

Location

The site is located within the car park of the Sainsbury's store in Walters Yard, Bromley. The site is identified as Opportunity Site P in the adopted Area Action Plan (AAP) for Bromley Town Centre, and is within the identified Bromley North Village Improvement Area also within the Bromley Town Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- the proposed activities to be carried out in the pod would jeopardise other local businesses
- the proposal would increase competition for other similar small businesses in the area
- there is currently no designated bicycle parking in the car park; the application should only be granted if these are provided
- the loss of parking spaces is not welcomed
- increased risk of children being knocked over while parents collect things from the pod

Comments from Consultees

The Councils Highway Engineers requested clarification of the positioning of the proposed pod in order to ensure that cars parked in adjacent spaces can open passenger doors. Amended drawings were received on 19th December; on this basis no objection is raised.

APCA - at the time of writing no comments from the Panel had been received.

From a Heritage and Urban Design perspective, at the time of writing, no comment had been received from the Councils Conservation Officer.

Environmental Health - at the time of writing, no comments had been received.

Town Centre Management - at the time of writing, no comments had been received.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- S7 New Or Extensions To Existing Retail Developments
- T18 Road Safety.

Bromley Town Centre Area Action Plan (AAP) policies:

BTC4 - New Retail Facilities; Policy OSP: Sainsburys, West Street; Policy IA1 - Bromley North Village Improvement Area

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

The Council's SPG guidance, including the Bromley Town Centre Conservation Area Supplementary Planning Guidance is also a consideration.

Planning History

The site has a detailed planning history relating to the development of the existing Sainsbury's store and associated signage applications.

Members will also consider a separate application for three internally illuminated fascia signs and four non-illuminated wall panels relating to the proposed ancillary A1 pod under ref. 13/03872 on the same agenda as the current application.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area; the impact that it would have on the amenities of the occupants of surrounding residential properties; and the impact of the proposed overall loss of two car parking spaces at the site.

The proposed 'pod' will be positioned at the western edge of the car park, in an area currently occupied by motorcycle parking bays. The pod will be 2.65m deep and 6.55m wide, with a flat roof at an overall height of 2.45m. The pod will serve as ancillary concession space to the supermarket, providing dry cleaning, shoe repairs, key cutting and engraving services.

The entire Sainsbury's site is within Opportunity Site P as identified in the adopted Area Action Plan for Bromley Town Centre. The site also falls within the Bromley Town Centre Conservation Area. Given the nature of the location and its position within the curtilage of the existing supermarket, the pod is not considered to detract from the character of the area or impact unduly on the amenities of surrounding properties and businesses.

The proposal is considered to complement the existing retail use on the site, in line with the requirements of Policy BTC4 of the Bromley AAP. The pod would be well integrated into the existing nature of the site, providing development that accords with the general principles set out in the NPPF, and would allow small scale business activity to operate alongside the supermarket, supporting economic growth which is at the heart of recent Government focus.

In relation to the loss of two car parking spaces, the applicants suggest that the loss of these spaces would maintain parking availability at a level that would comply with the standards of the London Plan, and ensure sufficient parking is provided as set out in Appendix II of the UDP.

The Council's Highways division has inspected the application and initially commented that the drawings indicate that the existing parent and child bay and ancillary pod are almost flushed to each other with hardly any gap. Clarification of this point was sought from the applicant, and amended drawings showing the proposed positioning of the pod were received on 19th December. Following

receipt of these amended documents, no Highways objections are raised subject to a standard planning condition.

Concerns have been raised in relation to the impact of the development on the success of other local business that already provide the types of services proposed to be offered by the new retail space. It is not, however, the role of the planning system to restrict competition, preserve existing commercial interests or to prevent innovation, and it is not considered that the proposal should be refused planning permission on this basis.

Having had regard to the above it was considered that the proposed pod providing ancillary retail space within the curtilage of the main supermarket is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The proposed alterations to the car park layout, including the repositioning of designated motorcycle bays, is not considered to result in detrimental impact on the overall function of the car park, or general highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/03859 and 13/03872, excluding exempt information.

as amended by documents received on 19.12.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 4 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 5 The ancillary retail pod hereby permitted shall be used for dry cleaning, shoe and watch repairs, key cutting and engraving services only and for no other use without the prior approval of the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring occupiers and the surrounding area, and to comply with Policy BE1 of the Unitary Development Plan.

- 6 The use shall not operate outside of the hours of operation of the main Sainsbury's store.

Reason: To safeguard the amenity of neighbouring occupiers and the surrounding area, and to comply with Policy BE1 of the Unitary Development Plan.

INFORMATIVE(S)

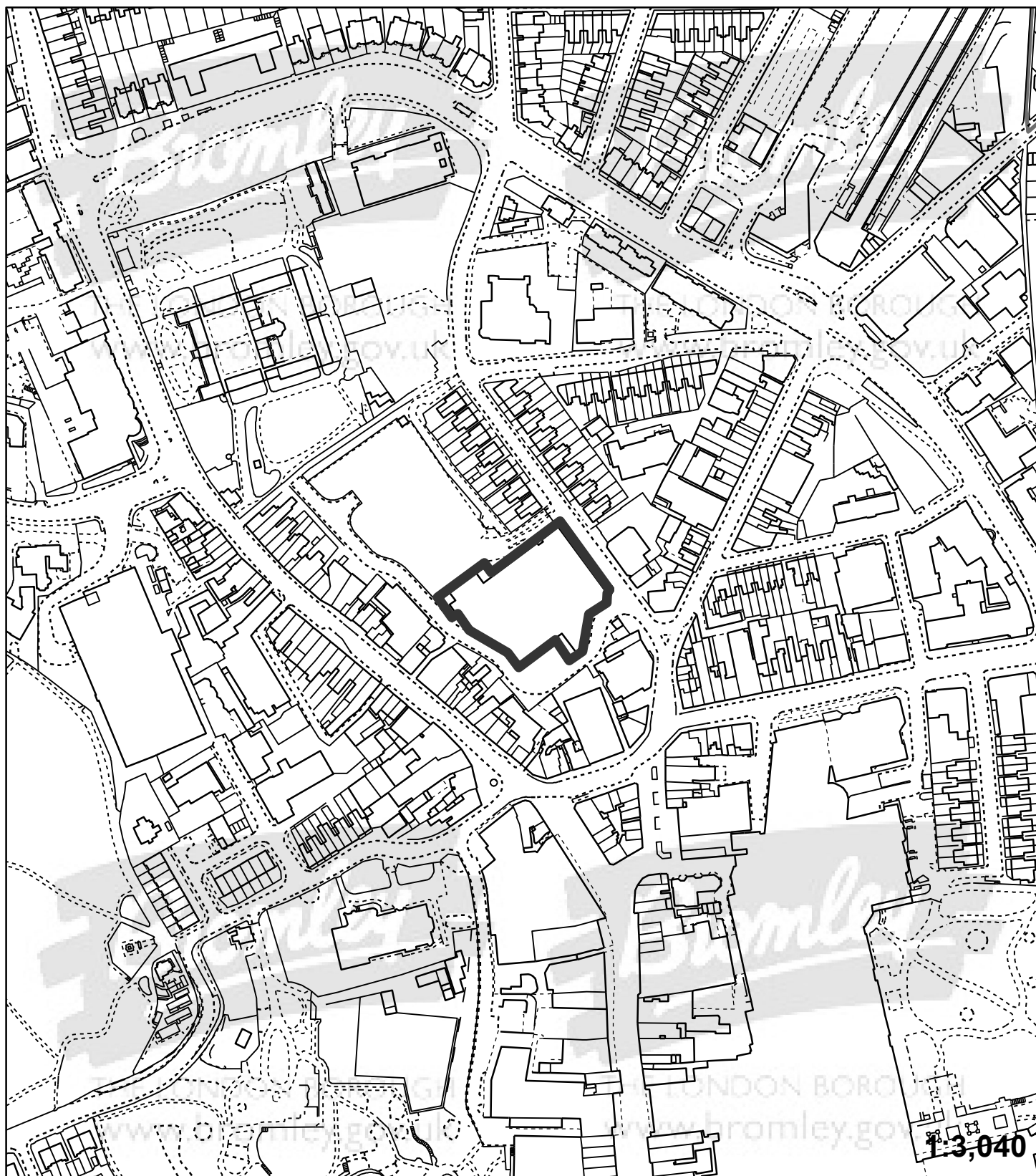
- 1 Before the works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding

compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

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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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