

SECTION '2' – Applications meriting special consideration

**Application No :** 14/00957/FULL3

**Ward:**  
**Penge And Cator**

**Address :** 14 Anerley Station Road Penge London  
SE20 8PY

**OS Grid Ref:** E: 534681 N: 169887

**Applicant :** Travis Perkins (Properties) Limited

**Objections :** NO

**Description of Development:**

Refurbishment and part change of use of existing Class B8/sui generis cash and carry to Class B8/A1 use with alterations site layout and associated works

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Local Distributor Roads

**Proposal**

Permission is sought to refurbish the existing building and introduce a Class A1 element to create a mixed use Class B8/A1 operation with the intended occupiers being Wickes and Toolstation. Alterations will be made to the car parking area, with the retaining wall to the north of the site being re-designed. In addition the following are proposed:

- A total of 50 parking spaces including 3 disabled spaces, 6 van spaces and 2 car and trailer parking spaces
- The eastern access will be blocked up and an enlarged entrance/exit will operate from Anerley Station Road
- Landscaping with retaining wall and trolley bay to east of the store entrance
- Acoustic fencing to the western boundary
- Cycle provision for 8 cycles
- Recladding of the front elevation
- Roof cladding with rooflights
- The removal of the existing canopy to the front elevation
- Relocation of entrance and new external signage (subject to a separate future application)

The application is accompanied by a Design and Access Statement as well as Planning Statement together with a Transport Statement, Travel Plan and Energy

Statement. The Planning Statement sets out the Applicant's case in support of the proposed development, including a case for special circumstances, and the potential benefits to the community and the local economy as follows:

### Use

- The intended occupants, Wickes and Toolstation, supply building products and tools to the trade and the general public.
- The building would be upgraded and refurbished with 40 new jobs (25 full time equivalent) and is therefore sustainable development as supported by the NPPF
- The proposed use is not particularly different from the lawful use (mixed B8/A1)
- Wickes operates at the 'heavy end' of the DIY sector and also appeals to local tradesmen and builders
- 40% of a store's turnover, and recently up to 60%, will be from tradesmen and builders with this figure increasing, with its main rival being identified as Jewson and this supports the position that Wickes trade as a Class B8/A1 use
- Retail forms a minority purpose and reflects sales of building materials and DIY goods to the general public
- There will be no kitchen or bathroom showroom, unlike other new stores and this development will therefore complement the existing Wickes kitchen and bathroom showroom in Beckenham
- A recent appeal decision in Sutton supports Wickes operation as a mixed Class B8/A1 use with the Inspector noting that it is 'intended to attract both trade and retail customers'
- Toolstation stores and distributes its products to businesses and is therefore a Class B8 use
- The Toolstation concession will comprise a compartmentalised area within the Wickes store with a trade counter where customers place their order in person or by phone, fax or online.
- The development is supported in policy terms at local and national level as well as the emerging Local Plan. Policy EMP4 should be accorded limited weight as it is in conflict with the NPPF

### Development

- The building will be re-clad in metal composite panels with appropriate modern signage
- There will be no increase in the height or mass of the building
- The amenity office block at mezzanine level will be removed to the ground floor
- The car park will be rationalised with a single point of entry/exit
- The car park will be regarded with the removal of a number of retaining walls
- Introduction of new landscaping to the east of the store entrance which currently detracts from the street scene

- Servicing will be outside of opening hours with a goods entrance to the north-western corner of the building
- There will be a reduction of over 60% in energy consumption relative to the existing building

## **Location**

The proposal site is situated to the southern edge of Anerley Station Road opposite Anerley Station to the west and comprises a large warehouse building measuring some 2,400 square metres set within an irregular shaped plot. Parking is provided within a dedicated parking area to the west of the site and accessed from two points on Anerley Station Road, with such accesses also providing means of delivery. The site is slightly higher to the north with a retaining wall being present. The site is within the Oakfield Road Business Area.

The south of site is bonded by Minden Road, which is outside the business area, and features residential properties. To the east is a Methodist church, whilst to the northern edge of Anerley Station Road are residential properties and 1 Oakfield Road, a Class B8 storage building.

## **Comments from Local Residents**

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

## **Comments from Consultees**

Highways have raised no objection subject to a number of conditions

The Council's Designing Out Crime Officer has raised no objections to the proposal in principal subject to a Secure by Design condition attached to any permission.

Thames Water have no objection.

Environmental Health have raised no objection with the air quality and noise impact from the development subject to conditions.

The Council's Drainage officer has commented that although the unit is not changing in footprint, the car park needs to be designed to maximise the use of SUDS on site to store surface water run-off (permeable paving with shallow infiltration may appear the best option). Petrol interceptor will need to be installed.

From a trees perspective no objection is raised subject to conditions seeking improvements to the hard and soft landscaping.

## **Planning Considerations**

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

BE1 Design of New Development  
EMP4 Business Areas  
NE7 Development and Trees  
T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T5 Access for People with Restricted Mobility  
T6 Pedestrians  
T18 Road Safety

London Plan

4.4 Managing Industrial Land and Premises  
5.2 Minimising Carbon Dioxide Emissions  
5.7 Renewable Energy  
5.13 Sustainable Drainage  
7.15 Reducing Noise and Enhancing Soundscapes

The National Planning Policy Framework

## **Planning History**

Of particular relevance to this proposal is the planning permission granted for current lawful use of the site, that being 78/01748, which granted permission for the erection of the existing building for the use of Class X and/or as cash and carry depot. Under the 1972 Use Classes Order it is considered that this Class corresponds to the current Class B8 use whilst a cash and carry is Sui generis. As such the current lawful use of the site would appear to be as a mixed Class B8/Sui Generis (cash and carry).

## **Conclusions**

The existing lawful use of the site provides for a Sui Generis cash and carry operation that is equated to the proposed Class A1 use as this would include an element of retail sales. Given the current and lawful uses of the site it is considered that the proposal would not result in the loss of industrial land and would also lead to the creation of 40 jobs (FTE), which Members may consider constitutes a positive economic that results in sustainable development as supported by the NPPF. The proposed use is not considered to be a main town centre use and as such it is not considered that any harm would result to the vitality and viability of the town centre of Penge from the introduction of this use to this location.

Policy EMP4 seeks to maintain Business Areas for Class B1, B2 and B8 uses and states within the supporting text that proposals outside of these uses will not normally be permitted. However, the existing lawful use has established a mixed use for the premises that has the facility to offer an element of Class A1 retail sales. The applicant's position is such that the proposed use, whilst featuring a retail offer, is predominately a business use that serves local tradesmen and builders with the majority of sales being to this market. It is considered that that given the history of the site, the lawful uses that may be implemented and the

nature of the proposal, the intended mixed use of the premises would not result in an unacceptable use within this Business Area.

The alterations to the exterior of the building are considered to result in a substantial improvement in its impact upon the street scene and the elevational changes would have a beneficial contribution to the area. The existing car park and landscaping are of a poor quality that detract from the area as a whole and the changes to site levels, retaining walls and boundary treatments whilst retaining the existing trees to the site are considered to be a positive development in this location that would improve the setting of the site.

Residential properties near to the site are considered to be of a sufficient distance to not be detrimentally impacted from the noise and disturbance caused by the use and associated deliveries and vehicular movements. An acoustic fence is to be introduced to mitigate any impact that may arise. The parking arrangements are to be altered and it is considered that the details submitted to date are sufficient to demonstrate that this provision would be acceptable, however it is considered appropriate to finalise these arrangements by way of conditions.

It is therefore considered that the proposed development would not result in a harmful addition to the area or lead to an unacceptable loss of industrial and employment land within a designated Business Area. The refurbishment proposed together with soft and hard landscaping improvements is considered to be acceptable and to represent an overall improvement upon the setting of the site within the street scene

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/00957 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 15.04.2014 30.04.2014 01.05.2014  
07.05.2014 16.05.2014

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACA04      Landscaping Scheme - full app no details  
          ACA04R      Reason A04
- 3      ACA07      Boundary enclosure - no detail submitted  
          ACA07R      Reason A07
- 4      ACC01      Satisfactory materials (ext'nl surfaces)  
          ACC01R      Reason C01
- 5      ACD06      Sustainable drainage system (SuDS)  
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.
- 6      ACK01      Compliance with submitted plan  
          ACK05R      K05 reason

- 7 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 8 ACH04 Size of parking bays/garages  
ACH04R Reason H04
- 9 ACH08 Details of turning area  
ACH08R Reason H08
- 10 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 11 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 12 ACH22 Bicycle Parking  
ACH22R Reason H22
- 13 ACH23 Lighting scheme for access/parking  
ACH23R Reason H23
- 14 ACH29 Construction Management Plan  
ACH29R Reason H29
- 15 ACH32 Highway Drainage  
ADH32R Reason H32
- 16 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.  
ACH01R Reason H01
- 17 There shall be no deliveries to or from the premises except within the hours of 7am to 10pm Monday to Friday or 8am-6pm on Saturdays.  
ACJ05R J05 reason BE1
- 18 The use shall not operate before 7am or after 8pm Monday to Saturday or before 10am or after 4pm on Sundays.  
ACJ05R J05 reason BE1
- 19 Details of the acoustic fencing for the Southern boundary shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed as approved prior to the use commencing and shall be permanently maintained as such thereafter.
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.
- 20 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.
- Reason:** In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan.
- 21 Before any works on site are commenced, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 25% above that required by the 2010

building regulations. The development should also achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

**Reason:** In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2011.

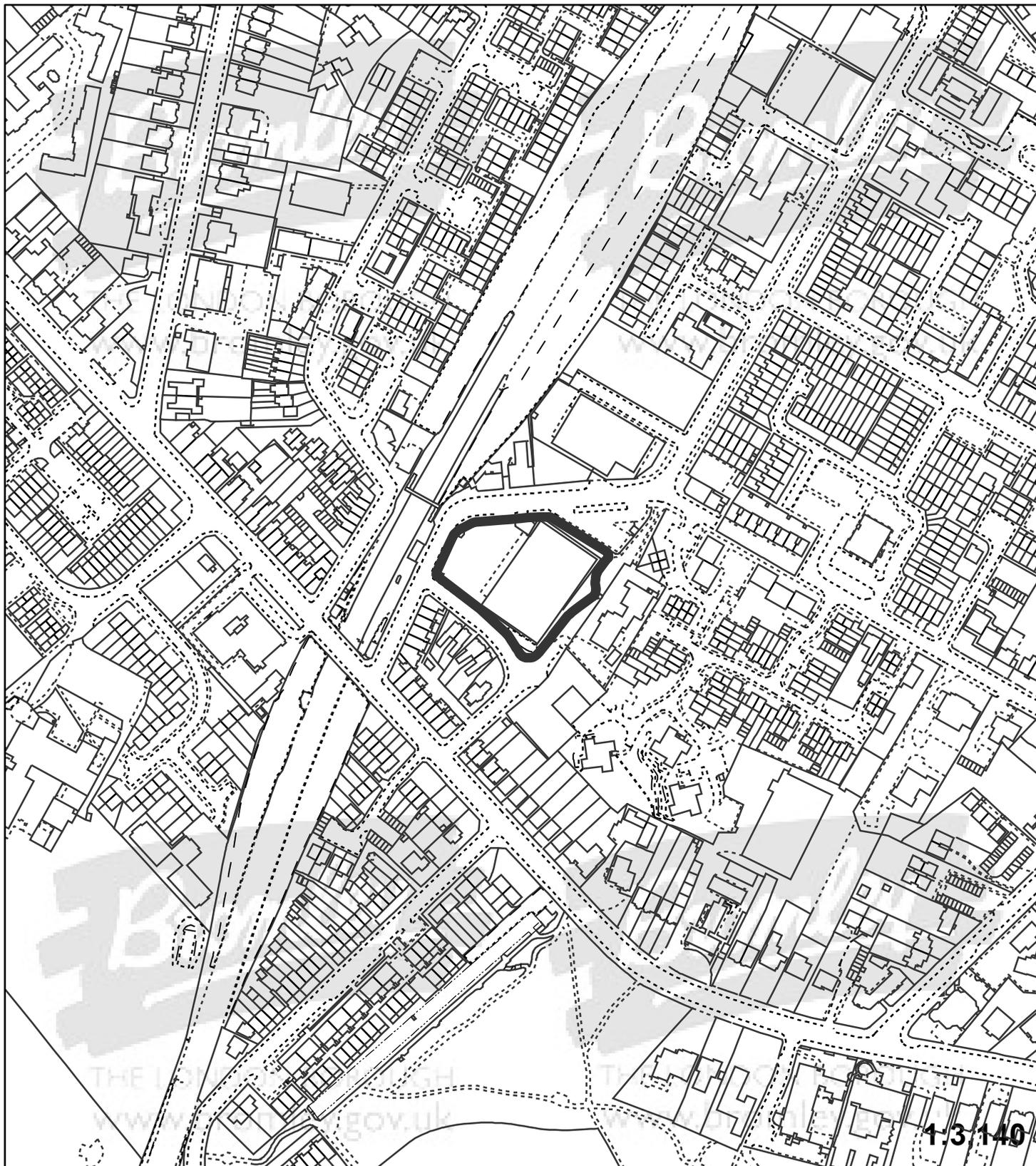
#### INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

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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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