The Planning Inspectorate

# Appeal Decision

Site visit made on 13 June 2017

**by David Walker MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 11 July 2017**

**Appeal Ref: APP/D5120/W/17/3170403**
**16 Crayford High Street, Crayford, Dartford DA1 4HG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr P Sivyer against the decision of the Council of the London Borough of Bexley.
- The application Ref 16/02775/FUL, dated 11 November 2016, was refused by notice dated 2 February 2017.
- The development proposed is change of use of ground floor from A1 to A3 use.

## Decision

1. The appeal is allowed and planning permission is granted for change of use of ground floor from A1 to A3 use at 16 Crayford High Street, Crayford, Dartford DA1 4HG in accordance with the terms of the application, Ref 16/02775/FUL, dated 11 November 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001; 002; and Planning, Design and Access Statement.

    3) The use hereby permitted shall only take place between the following hours:
    0700 - 2000 Mondays - Saturdays
    0900 - 1600 Sundays and Bank Holidays.

    4) There shall be no grilling or frying of foods unless an appropriate extraction and ventilation system is first installed in accordance with a scheme submitted to and agreed in writing by the local planning authority.

    5) Prior to the use of any amplified sound within the premises details shall be submitted to and approved in writing by local authority and the noise level must be maintained at a level that is inaudible within any residential premises.

    6) The parking space shown reserved for employee car parking, shall be used for or available for such use at all times and shall not be used for any other purpose.

## Main Issue

2. The main issue in the appeal is the effect of the proposal on the vitality and viability of Crayford town centre.

## Reasons

3. The appeal premises are located within the middle of a row of shops along Crayford High Street. It is clearly a commercial area but outside of the main retailing area on the other side of the junction with London Road, and where there is a diverse range of shops and large supermarkets.

4. It is apparent that there are a number of hot food takeaways and other non-retailing uses in the vicinity of the appeal premises, as well as vacant units. There is also no dispute that the appeal premises have long been used for storage purposes. On this basis the existing use provides a dead frontage onto this part of Crayford High Street.

5. The proposal for a coffee shop would provide an active frontage and additional footfall during the daytime at a shop unit where little exists at present. There would be a conflict with saved Policy SH05 of the Bexley Unitary Development Plan 2004 (UDP) which seeks to avoid a concentration of non-retailing uses. However, the removal of the dead frontage and its replacement with an active one would be a significant benefit in bringing some extra life to the area.

6. Moreover, the UDP is of some age. It does not reflect the flexibility promoted under Policy CS14 of the Bexley Core Strategy 2012 and Policy 2.15 of the London Plan to improve the quality, diversity and competitiveness of existing centres. There would also be an improvement to the character and appearance of the area from a new shop font, and no harm to residential amenity or highways interests, subject to suitable restrictions. These points also in the proposal's favour would meet the requirements for new A3 uses of saved Policy SH09 of the UDP.

7. I therefore find that the benefits of an improved and active frontage at this location would not harm the vitality and viability of Crayford town centre. The proposal would therefore accord with Policy CS14 of the Bexley Core Strategy, saved Policy SH09 of the UDP, and Policy 2.15 of the London Plan, outweighing the conflict with saved Policy SH05 of the UDP.

8. The appeal being allowed, conditions are required to identify the implementation period and approved plans in the interests of certainty. It is necessary also to restrict the trading hours of the proposal to daytime hours to ensure the benefits I have identified would be delivered. Further restrictions are necessary in relation to cooking practices and amplified sound in order to safeguard living conditions, having regard to the accommodation above the shop. Given the existence of on-street parking restrictions it is necessary to retain an existing parking space for use by employees.

## Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

*David Walker*

INSPECTOR