



1 SUMMARY OF APPLICATION DETAILS

Ref: [17/02967/FUL](#) (*Link to associated documents on the Planning Register*)
Location: 168 Addington Road
Ward: Selsdon and Ballards
Description: Use as mixed A3/A5 use (restaurant and hot food takeaway) incorporating alterations to existing shopfront, plant and extract duct to rear
Drawing Nos: 0000/2017/B098/17.0061 Rev A, 0000/2017/B099/17.0061 Rev A, 0000/2017/B100/17.0061 Rev E, 0000/2017/B101/17.0061 Rev C, 0000/2017/B121/17.0061 Rev A
Applicant: Mrs Angelina Muralidarane
Agent: Adam Beamish, Beamish Planning Consultancy
Case Officer: Dan Hyde

- 1.1 This application is being reported to Planning Sub-Committee because the ward Councillor (Cllr Sara Bashford) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the Planning Sub-Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) The proposal to be in accordance with the approved plans
- 2) Delivery and servicing plan to be submitted
- 3) Condition to restrict opening hours to 11:00 – 00:00
- 4) The development shall be carried out in accordance with the recommendations of the Plant Noise Assessment produced by CSG Acoustics (CSGA C1594)
- 5) The development shall be carried out in accordance with the recommendations of the Mechanical Ventilation & Environmental Control Equipment Report produced by Ashworth (project reference: 80769)
- 5) To complete the proposal in 3 years of the date of the permission
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3 PROPOSAL AND LOCATION DETAILS

Proposal

- Change of use from A2 (Bank) to a mixed A3/A5 use (Restaurant and Café/Hot food takeaway)
- Alterations to shopfront
- Addition of 3 no. chiller units, 2 no. AC units, 1 no. kitchen extraction fan and 1 no. kitchen supply fan

Site and Surroundings

- Mixed uses on ground floor level with residential uses above
- Surrounding roads are residential in character
- Site forms a mid-terrace 2 storey unit with accommodation in the roof space
- The site is subject to Secondary Retail Frontage, Primary Shopping Area and District Centre designations as identified in the Croydon Local Plan Policies Map.
- The site is subject to Flood Risk 1000yr Surface Water Area and Critical Damage Area.

Planning History

- The following planning decisions are relevant to the application:
 - 17/02732/FUL - 168-170 Addington Road - Alterations to front and rear elevations to form new doors – **APPROVED**
 - 17/02968/ADV - 168 Addington Road - Illuminated fascia and projecting signs – **YET TO BE DETERMINED**

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Principle of change of use from A2 to A3/A5 is supported by policy.
- The proposal would bring a currently vacant site back into use.
- The proposal would not have a detrimental impact on the street scene.
- The addition of the plant works to the rear would not increase the level of background noise to such a degree that it would harm the amenities of the neighbouring occupiers. Furthermore, the additional plant works and associated noise attenuation works would not harm the amenities of the neighbouring occupiers.
- The odour control measures would mean there would not be any harm on the amenities of neighbouring occupiers.

5 CONSULTATION RESPONSE

- The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6 LOCAL REPRESENTATION

- The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 8 Objecting: 8 Supporting: 0

- The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of objections	Response
Issues over boundary lines, rights of access and rights of way	The issue around boundary lines has now been resolved through amended drawings. The issue surrounding rights of access and rights of way is not a planning matter per se, but a delivery and servicing plan can be submitted to the council to confirm how, when and where deliveries will be made.
Opening hours	Initially the application stated that opening hours would last until 1am, this has been amended to 12am and will be conditioned to ensure this.
Over saturation of fast food takeaways in locality/loss of retail unit	There is currently no policies in place to protect this change of use between classes A1, A2, A3, A4 and A5.
Increase in noise and pollution	The noise attenuation techniques that are being used and the type of plant that is being implemented, will result in the noise not exceeding the pre-existing hourly background noise. The extract canopy that is proposed to be used is specifically designed to remove all cooking odours.
Litter	There would be an increase in packaging being taken from the site, however there are multiple bins located on Addington Road for litter to be disposed of.
Parking provision	This stretch of Addington Road can be busy in peak periods. However, the footfall for the proposed use is not considered to be significantly higher than the previous use as a bank. Furthermore, it is thought that a large proportion of the customers would arrive on foot from the locality.

7 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Ensuring vitality of town centres.
- Requiring good design.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

- Consolidated London Plan 2015 (LP):
 - 4.7 on Retail and town centre development
 - 7.4 on Local Character
 - 7.6 on Architecture
- Croydon Local Plan: Strategic Policies 2013 (CLP1):
 - SP1.2 Place Making
 - SP2.6 Quality and Standards
 - SP4.1 & 4.2 Urban Design and Local Character
 - SP6 Waste and Climate Change
- Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):
 - UD8 Protecting residential amenity
 - SH5 Retail vitality
 - EP8 & EP9 Waste and recycling

7.4 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017 and the examination took place in May/June this year. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development
2. Townscape and visual impact
3. Residential amenity
4. Waste and refuse

Principle of development

8.2 Policy SH5 allows for the change of use between use classes A1, A2, A3, A4 and A5 where the application site lies within a secondary retail frontage, which the application site does. Therefore there are no policy grounds on which to refuse the application and the principle is therefore acceptable.

8.3 It is important to consider Policy DM 5.2 of Croydon Local Plan: Detailed Policies and Proposals (CLP2) in relation to A5 uses. This emerging policy states that with a secondary retail frontage A5 is acceptable in principle so long as it does not result in two or more adjoining A5 units. For this case the adjoining units are A1 and A2 and therefore also complies with emerging policy.

Townscape and visual impact

8.4 The proposed alterations would be to the front and rear of the application site, the alterations to the front would not be so different to the existing that it would be considered harmful to the townscape of Addington Road.

8.5 The proposal would impact on the townscape of the land to the rear of the application site. To the rear of the site are two businesses, and various air conditioning units and ducting for surrounding premises, and also external staircases and fencing for the residential flats. As this is the current townscape to the rear the plant, ducting and noise attenuation fencing will not harm the townscape and visual amenity of the area.

Residential amenity

8.6 The proposal would introduce 3 no. chiller units, 2 no. AC units, 1 no. kitchen extraction fan and 1 no. kitchen supply fan, plus noise attenuation measures such as 2m high fencing with 50mm acoustic absorption panel on both sides. The noise assessment provided with the application concluded that the plant machinery to the rear of the site would not exceed the background noise levels therefore the impact from the machinery would not harm the amenities of the neighbouring occupiers.

8.7 In addition the extraction fans to be used will remove all odours being emitted from the kitchen, as is evidenced in the report by ashworth (Mechanical Ventilation & Environmental Control Equipment). The aforementioned measures to be controlled by condition would reduce the impact of the proposal on the neighbouring occupiers to the proposal, and would ameliorate concerns in relation to increases in noise and odours coming from the unit.

8.8 Issues were raised in relation to the opening hours and how those using the site would increase the noise outside the site. The opening hours following the outcome

of the consultation period, have been shortened to be in line with other similar uses in the local area to 11am to 12am every day, which will be controlled by condition. Whilst it would not be possible to mitigate for the users of the site coming into and out of the unit without making some degree of noise, the planning system can only control the hours of operation which is in accordance with other premises in the area and so cannot be refused.

- 8.9 Environmental Health have no objection to the noise, odour mitigation and proposed hours of use.

Waste and refuse

- 8.10 The unit would be served by bin stores to the rear of the site and would be enclosed in its own storage area within the site. Therefore, during the day and when waiting for collection of the bins, there would be no odours or vermin able to enter the bin, providing the door to the storage area is kept closed during times it is not used. These would be collected as per the delivery and servicing plan, subject to condition.

Conclusions

- 8.11 It is recommended that planning permission should be granted for the proposal, as it would comply with policy and safeguard residential amenity.
- 8.12 All other relevant policies and considerations, including equalities, have been taken into account.