



Crystal Palace Community Association

CPCA



London Borough of Croydon
Development Management
Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

9 October 2019

Dear Sirs

46-48 WESTOW STREET, UPPER NORWOOD, LONDON SE19 3AF
APPLICATION REFERENCE 19/03600/FUL – MCDONALD'S RESTAURANTS LTD

We are writing to object to this planning applications on the grounds of:

- inappropriate development contrary to Local Plan
- contrary to character of the area
- threat to a healthy community
- excessive noise in a residential area
- failure to address risk of crime
- adverse impact on traffic and congestion
- inadequate parking arrangements.

The Crystal Palace Community Association (CPCA) was established in 1969 and exists to preserve the character and amenities of the area and generally to make Crystal Palace a better place to live. The CPCA is open to all sections of the community and has a proud history of campaigning for the neighbourhood.

We apologise for the late submission of this representation, but the overwhelming opposition of the local community to this application has become clear over the past few weeks. We should be grateful if you could take this submission into account.

The background to our grounds for objection are given below.

INAPPROPRIATE DEVELOPMENT

The Crystal Palace Triangle is a thriving local shopping centre, with an eclectic mixture of businesses and a successful Saturday food market in Haynes Lane, near the proposed development. Policy DM4 in the Local Plan is designed to maintain the vitality and viability of such shopping centres by restricting A5 (takeaway) use. The application is for a change of use to A3/A5 or A5.

Notwithstanding the reference to A3, it is clear from the application that the applicant's intention is to operate a takeaway business (A5), not a restaurant (A3). The applicant's preference is to operate 24 hours a day, seven days a week. There is no customer seating and there are no customer toilets. The partnership with Uber Eats appears intended to maximise the number of meals that are produced on site, then collected by couriers for delivery. Although there is a reference to a radius of 1.5 miles, there is no reason why customers would not order from much further away.

This type of business would be contrary to the policy on conversion to A5, which restricts takeaway use to 60% of ground floor space.

More broadly, the Local Plan states that the clustering of hot-food takeaways can have an adverse impact on the vitality and viability of town centres. This is echoed in the overwhelming opposition to the proposal that we have witnessed in discussions with residents and traders in the Triangle, and has been evidenced by the number of objections on the Planning Portal and signatories to the on-line petition at www.change.org.

The proposed scale of the business actually has little in common with what is normally considered a takeaway restaurant. It is more akin to a food factory, and we would argue should be treated as belonging in a separate planning use class altogether, either B1/B2 or sui generis.

In short, the proposed business is not appropriate on this site.

DESIGN AND CHARACTER

The site is within the Upper Norwood Triangle Conservation Area, which features a wide variety of properties, many historic, which give the area a unique character. Croydon's Local Plan (SP1) requires that development proposals respond to and enhance local character, the heritage assets and identity of such places. This proposal will not do this.

- The nature of the proposed use (a takeaway business enabling 24 hour meal deliveries by courier) is contrary to the traditional retail character of the area.
- There is little information about design in the application – it is stated that 'natural and neutral colours and materials will be used' but there are no details and nothing to indicate that the design will be site-specific. This omission, together with another application for installation of signage at the site (19/02609), indicates that the business will have a generic appearance similar to other McDonalds

outlets, which would have a negative impact on the character of Westow Street, and would be inconsistent with the existing character of the area.

HEALTH

Policies 3.2 and 4.8 of the London Plan and Policy DM16 of the Local Plan seek to encourage healthy behaviours and lifestyles. The Local Plan specifically states that limiting the number of takeaways supports the public health agenda. The Council has applied this policy in practice recently by turning down plans to change the use of a former off licence / grocery store at 8 Westow Hill into a takeaway / restaurant because of its proximity to Paxton Primary School and the failure to ensure a sustainable mix of uses.

46-48 Westow Street is only approximately 150 metres more distant from Paxton Primary School than Westow Hill. It is also approximately 600 metres from Rockmount Primary School. Accordingly, the same considerations that guided the Council's decision in the case of 8 Westow Hill should apply here.

Agreeing to use of this site for a takeaway would be contrary to the established policy of the Council.

NOISE

Local Plan policy DM23 seeks to mitigate the adverse impacts of pollution through air, noise, dust, or vibration. The proposal represents a significant change from the status quo, with a 24 hour operation in a residential area. While the applicant's submission states that there will be no adverse impact to local residential amenity, this is not supported by the evidence provided.

- The noise impact assessment assumes a figure of nine moped deliveries per hour between 12 midnight and 1 am at the weekend. This is based on an analysis which assumes 60% of deliveries will be by bicycle, but this analysis is based in turn on generic sample information for London instore restaurants provided by Uber Eats, and takes no account of the time of day or the hilly terrain in Crystal Palace.
- No account has been taken in this analysis of deliveries by car.

Whilst the noise nuisance addressed in the assessment is specific to night-time operation, the level of business throughout the day will generate additional noise, for which no mitigation is proposed in the application.

In conclusion, the applicant's assessment does not quantify noise impact in a reliable way, and offers no meaningful proposals to mitigate it.

CRIME

Paragraph 56 of the National Planning Policy Framework states that planning policies should aim to create places where 'crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. There is powerful evidence across the country that takeaway restaurants, particularly those operating on a 24 hour basis, provide a location for criminal activity.

- The Mayor of London's Knife Crime Strategy states that 'fast food restaurants are amongst the hotspots for knife crime, operating into the early hours and attracting a young clientele' (p 59).
- The Metropolitan Police regularly object to extending licensing hours at McDonalds branches for reasons of public safety. For example, an application in December 2018 to open a branch at London Bridge for 24 hours a day was opposed on the grounds that customers were likely to cause antisocial behaviour, crime and disorder. The police cited 222 offences in the previous 12 months in the existing four McDonald's branches in Southwark in support of their concerns. The British Transport Police described how a McDonald's branch at Liverpool Street 'attracts more crime than compared to any other establishment in the area (including bars and nightclubs).
- The Kent Messenger has described how 'police have been called to McDonald's outlets in Kent 4,814 times in just two-and-a-half-years . . . Canterbury is the worst offender with the city's high street restaurant [which operates 24 hours a day] getting more 999 calls than any other branch in the county. Officers have been alerted to 379 incidents at the St George's Street outlet since the start of 2016 - an average of three per week' (3.10.18)

The planning application fails to address how the likely risk of crime arising from a busy new takeaway restaurant would be mitigated.

TRAFFIC AND CONGESTION

Policy SP8 in the Local Plan, which deals with Transport and Communication, encourages car free development in town centres where there are high levels of public transport accessibility, as in the Crystal Palace triangle. This application proposes a development which is very far from being vehicle free. The references to McDonalds' partnership with Uber Eats make clear that many customer orders will be delivered by Uber Eats couriers, who can deliver by car, motorbike or bicycle. The applicant's transport assessment assumes that the majority of deliveries will be by bicycle (rather than moped or car) but this is simply not credible and is not based on actual experience of Uber Eats operations elsewhere.

In practice, it is likely that many customers will arrive by car. Whilst acknowledging that some deliveries will be undertaken by car, the applicant's transport assessment does not include these in its analysis of traffic volumes, which casts severe doubt on its credibility.

PARKING

The number of vehicles – mopeds and cars – that will use the new takeaway risks posing severe parking and traffic problems in an area that is already congested, particularly as minimal parking provision is to be provided as part of the development. Pedestrian safety risks being compromised by the volume of traffic likely to be using the junction of Westow Street and Haynes Land to park and/or turn around. Local Plan policy DM30 requires that the impact of car parking be reduced in areas of good public transport accessibility and that highway safety is not compromised. This has not been addressed in the application.

We trust that you will take these issues into consideration when dealing with this planning application.

Yours faithfully,

For the Trustees
Crystal Palace Community Association