

Agenda Item: 6.1

07/00559/P

13/02/2007

Selsdon and Ballards

Application for full planning permission

Agent:
Turley Associates
25 Savile Row
London
W1S 2ES

Applicant:
Sainsbury's Supermarkets Ltd

Location: Sainsbury Superstore, 130 Addington Road, South Croydon, CR2

Description: Variation to Condition 13 attached to planning permission 01/1477/P to allow an extension to the delivery hours

Drawing No(s): letter dated 9th February 2007, Noise impact report, site plan, decision notice 01/1477/P

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The proposed extension to the delivery hours would be likely to result in an unreasonable level of noise and disturbance to nearby residents, and would thereby conflict with Policies SP9, SP10 and EP1 of the Croydon Replacement Unitary Development Plan (the Croydon Plan).

Wards: SELSDON AND BALLARDS**PLANNING COMMITTEE****Lead Officer: Head of Planning Control****29th March 2007****APPLICATION NO. 07/0559/P – Sainsbury Superstore, 130 Addington Road, South Croydon**

1. SUMMARY**1.1 Full application for:**

- Variation of Condition 13 attached to planning permission 01/1477/P, to allow an extension to the delivery hours.

1.2 The application has been referred to Committee by Councillor Dudley Mead.

2. RECOMMENDATION

- 2.1 That planning permission be refused.
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BACKGROUND

(a) Site Description

- 3.1 The application site is located on the corner of Addington Road and Old Farleigh Road, South Croydon. The site comprises a Sainsbury superstore, community facilities and public car park. The servicing area is located to the rear of the supermarket with its access from Old Farleigh Road. There are residential properties opposite the servicing area and Croydon High School for Girls along the south-eastern boundary.
- 3.2 The site which was formally selsdon car park is in the Selsdon District Centre and was owned by the London Borough of Croydon although there were covenants with the Girls Public Day School Trust relevant to the adjoining Croydon High School for Girls.
- 3.3 The Croydon High School for Girls is located to the south-east and its grounds to the south-west of the site. These lie within Educational Open Space. The extensive grounds of the Selsdon Park Hotel occupy the remainder of the land to the south-east of Addington Road and these lie within the Metropolitan Green Belt.
- 3.4 Those areas beyond the site, to the north-east of Old Farleigh Road, north-west of Addington Road, and outside the District Centre are residential in character. There are two-storey semi-detached inter-war houses opposite the site fronting Old Farleigh Road, houses of a similar form along that part of Addington Road nearest to the District Centre, and larger detached two-storey houses south-west of the junction between Addington Road and Upper Selsdon Road.
- 3.5 The site lies within an Archaeology Priority Zone. Addington Road is a Borough Distributor Road and Farley Road, Upper Selsdon Road and Old Farleigh Roads are designated as Local Distributor Roads.

(b) Relevant Planning History

- 3.6 01/1477/P - Demolition of existing buildings; redevelopment to provide a supermarket of 3500 sq m gross floor area with a short stay shoppers car park adjacent and beneath at ground floor level and replacement community facilities (including a 250 sq m gross floor area day centre, 525 sq m gross floor area library and 648 sq m gross area community hall); provision of new road onto Addington Road; formation of vehicular access onto Old Farleigh Road and provision of recycling centre; alterations to triangular island at the junction of Addington Road and Old Farleigh Road and alterations to junctions of these roads with Farley Road, Dulverton Road, Upper Selsdon Road and Byron Road -

Planning permission granted subject to a section 106 agreement 20th December 2002.

- 3.7 03/4358/A - Non-illuminated fascia, wall mounted and freestanding signs - advertisement consent granted on 28th January 2004.
- 3.8 03/3445/P - Extension of car park to provide an additional 6 parking spaces in covered car park previously approved under application no 01/1477/P - Permission granted on 28th November 2003.
- 3.9 03/3809/A - Illuminated high level wall mounted lettering signage, 21 non-illuminated facility/directional car parking signs and an illuminated totem sign - Advertisement consent granted on 22nd April 2004.

(c) **Proposal**

- 3.10 Planning permission is being sought for the variation of Condition 13 attached to planning permission 01/1477/P, to allow an extension to the delivery hours. Condition 13 states: Except with the prior written consent of the Local Planning Authority on commencement of the use of the retail store there shall be no deliveries taken from or to the retail store other than between the hours of 0630 and 2200 on Mondays to Saturdays and between 0900 and 1800 on Sundays. The proposed delivery hours would be between the hours of 04.30 and 22.00 on Mondays to Saturdays and 09.00 to 18.00 Sundays. The applicant proposed the original hours of use at the time the application was under consideration.
- 3.11 A noise impact report was submitted with the application. The conclusions indicate that noise impacts from one 38 tonne HGV and one bread lorry delivery per hour in the period after 0430 hours are unlikely to give rise to any significant disturbance at the nearest residential properties on Mondays to Saturdays and maximum noise levels associated by service yard activities are expected to be well below the maximum levels generated by local road traffic noise.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan) are SP3, SP9, SP10, EP1, T10.

5. CONSULTATIONS

- 5.1 103 neighbouring occupiers and interested parties were notified of the application and a 21 day site notice was posted on site. 8 letters of objection have been received and a letter from the Selsdon Residents' Association. The following concerns and objections were raised:-
 - Increase noise and disturbance
 - increase in lorry traffic
 - the existing hours are not adhered too.

Letters have been received from Thames Water, Southern Gas Networks, Transport for London Street Management raising no

objection to the proposal. Transport for London Street Management advised that the area is subject to a night time and weekend lorry ban and that the London Borough of Croydon should be satisfied that the proposed extension of hours do not conflict with the prohibited hours.

5.2 Councillor Dudley Mead has referred the application on the grounds:

The change of delivery hours is totally unacceptable. At present the start time of 06.30 hours is not obeyed. Lorries deliver from 01.00 hours (newspapers) and others queue from 04.00 hours with engines running.

Councillor Mead has requested the application be put before the Committee.

5.3 Environmental, Cultural & Sports Services - Air & Noise Pollution comments "Although the noise report states that the predicted noise level is not likely to cause a significant increase in noise, historically the pollution enforcement team receives many complaints regarding early deliveries at food stores. The pollution enforcement team recommends that no deliveries should be made prior to 8am to prevent causing noise and disturbance to nearby residents. I would therefore recommend refusal on noise and disturbance grounds".

5.4 Transportation Division comments "It's estimated that the proposed extension of delivery hours will not be detrimental in terms of traffic and road safety. However, the applicant is advised to take into consideration the London-wide lorry ban that restrict night-time and weekend freight movements".

6. CONSIDERATIONS

6.1 The existing and proposed hours of delivery are set out above in paragraph 3.10.

6.2 Consideration has been given to the supporting information submitted with the application.

6.3 There are residential properties opposite the servicing area to the north-east side of Old Farleigh Road and at Croydon High School for Girls along the south-eastern boundary. It is considered the extension to the existing delivery hours would be likely to result in an unreasonable level of noise and disturbance to nearby residents.

6.4 The representations from third parties suggest goods vehicles arrive at unsociable hours of the day before the prohibited hours with vehicles idling with their engines running while waiting causing a nuisance to the local residents.

6.5 Transport for London advised in their letter that the area is subject to a night time and weekend lorry ban and that the London Borough of Croydon would need to be satisfied that the proposed extension of hours do not conflict with the prohibited hours.

6.6 The lorry ban is part of The London Lorry Control Scheme (LLCS) or London Lorry Ban (LLB) as it is known, which has been in existence since 1986. It is set up to protect Londoners against the disturbance

caused by heavy lorries at night and at weekends, its objective is to reduce noise nuisance at antisocial times by eliminating through traffic and minimising the environmental effects of heavy lorries. Currently, 30 of the boroughs in London enforce it on their roads including Croydon Council.

6.7 Lingsfield Road, South Croydon, Addington Road (A2022) and Old Farleigh Road, South Croydon are excluded from the traffic order set up to manage Croydon's roads.

6.8 It is recommended planning permission be refused.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 As above.

8. EQUALITIES CONSIDERATIONS

8.1 None identified.

Background Documents: 8 representations from neighbouring properties
Letter from the Selsdon Residents' Association
Letter from Thames water
Letter from Southern Gas Networks
Letter from Transport for London Street Management
Referral from Councillor Dudley Mead

Case Officer: Hayley Crabb

Contact Officer: Mr P Mills Tel: 0208 760 5419