

**Agenda Item: 6.2**

05/05116/P

25/11/2005

Heathfield

Application for full planning permission

Applicant:

Mr H A McDermott  
29 Glebe Hyrst  
South Croydon  
Surrey  
CR2 9JG

Location: 5/6/7, The Forestdale Centre, Featherbed Lane, Croydon, CRO 9AS

Description: Alterations and use of no 6 for purposes within class A3 (restaurant) in connection with existing use of no 5; use of no 7 for purposes within class A5 (hot food take away)

Drawing No(s): 05/FOR/01, 02

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The proposed development would result in an undue concentration of non A1 uses which would be detrimental to the retail function and vitality of the shopping parade and would thereby conflict with Policies SH14 of the Unitary Development Plan and Policies SH6 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan).

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**Ward: Heathfield DEVELOPMENT CONTROL COMMITTEE**

**Lead Officer: Head of Planning Control**

**27<sup>th</sup> April 2006**

**APPLICATION NO: 05/5116/P – 5/6/7 The Forestdale Centre, Featherbed Lane**

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**1 SUMMARY**

- 1.1 This report concerns an application for full planning permission for alterations and the use of no 6 for purposes within class A3 (restaurant) in connection with existing use of no 5; use of no 7 for purposes within class A5 (hot food take away).

**2 RECOMMENDATION**

- 2.1 Refuse planning permission for the reasons set out in the Agenda.

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### 3 BACKGROUND

#### a. Site Description

- 3.1 The site is located on the south-eastern side of The Forestdale Shopping Centre which is a purpose built shopping centre serving the Forestdale housing estate. It is situated on the south-western corner of the junction of Selsdon Park Road and Featherbed Lane.
- 3.2 The shopping parade, which consists of three units on the south-western side and eight units, including a large double fronted supermarket on the south-eastern side, is a designated shopping parade.

#### b. Relevant Planning History

- 3.3 71/20/928 – A planning application was *granted* on 11 May 1971 for use of **Unit 6** as a fried fish shop.
- 3.4 90/2724/P – A planning application was granted on 28 February 1991 for the use of the ground floor of **Unit 5** as a restaurant.
- 3.5 95/1866/P – A planning application was *withdrawn* on 1 November 1995 for the use of **Unit 7** for class A3 purposes as an extension to the restaurant/takeaway at Units 5 and 6.
- 3.6 05/1637/P - A planning application was *refused* on 21 June 2005 for the use of **Unit 7** for purposes within class A2 (financial and professional services) for the following reason:

“The proposed development would result in an undue concentration of non A1 uses which would be detrimental to the retail function and vitality of the shopping parade and would thereby conflict with Policies SH14 of the Unitary Development Plan and Policies SH6 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan).”

#### c. Proposal

- 3.7 Planning permission is sought for alterations and the use of no 6 for purposes within class A3 (restaurant) in connection with existing use of no 5; use of no 7 for purposes within class A5 (hot food take away).
- 3.8 The units are currently trading as per the 1971 and 1991 permissions, i.e. restaurant (class A3) in Unit 5 and hot food takeaway (class A5) in Unit 6. Unit 7 is currently a vacant retail unit (class A1).
- 3.9 The proposal if allowed would result in a restaurant (class A3) operating with the existing premises at Units 5 and 6, and the conversion of Unit 7 to a hot food takeaway (class A5).

## **4 POLICIES**

- 4.1 The relevant policies are contained within the Council's Unitary Development Plan, in particular Policies SP36 and SH14.
- 4.2 The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (The Croydon Plan) are SP25 and SH6.

## **5 CONSULTATIONS**

- 5.1 The proposal has been advertised by way of 7 individual letters of notification sent to the occupiers/owners of nearby units in The Forestdale Centre. No representations have been received.
- 5.2 Councillor Margaret Mead has referred the application to the committee querying should the Council consider local history in respect of applications when previously refused on ground of classification.

## **6 CONSIDERATIONS**

- 6.1 The proposal would result in only four of the eleven units in the parade remaining in retail use. On this side of the parade Unit 4 is a medium sized supermarket. Of the remaining seven smaller units on this side, Unit 5 – Unit 11, only one would remain in retail use and unit 7 would be the middle of five not in retail use (Class A1). The proposed change of use would therefore undermine the retail function and vitality of the parade.
- 6.2 A letter has been received from the managing agent stating the unit has been vacant and marketed since March 2005 and that the applicant, being a tenant at numbers 5 and 6, has been an 'exemplary tenant in every way'. However no evidence of the marketing of the premises referred to has been submitted.
- 6.3 It is considered that having regard to the level of retail uses which would remain in the parade, the planning history of these units and the period of time that the unit has been vacant, it is not appropriate to allow the loss of a retail unit.

## **7 ENVIRONMENTAL CONSIDERATIONS**

- 7.1 If approved the Council would seek to ensure that there was no adverse environmental impact on nearby occupiers by the installation of appropriate extract and ducting facilities.

## **8 EQUALITIES CONSIDERATIONS**

- 8.1 No works to the building are proposed. Were a new shopfront proposed the Council would be seeking to ensure that access would be provided for wheelchair users through the front entrance.

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Case Officer: Billy Tipping  
Background Documents: Referral from Councillor Margaret Mead  
Contact Officer: Philip Mills Tel: 020 8760 5419