

(26/AP/1110) 284 -286 Walworth Road London Southwark SE17 2TE – Walworth Society objection

Variation of Condition 3 (hours of operation) for full planning application 10/AP/2264 dated 13/10/2010 (for: change of use of the ground floor from public house (A4 use) to retail (A1 use) with full site single storey rear extension, with self-containment of the residential accommodation on the upper floors to provide 3 flats (comprising 2 x 1 bed and 1 x 2 bed units). The proposed hours of operation are: 06:00 - 00:00 Monday to Sunday.

Walworth Society objection

1. Context for the objection

- The Walworth Society objects to this application for a variation in opening times on account of the very significant impact that it will have on the amenity of residents in the surrounding area. This objection includes grounds of potential breaches of national and local planning policy.
- This objection is made in the context of the recent experience of very significant noise disturbance and anti-social behaviour that resulted from the operation of the McDonalds at 198-200 Walworth Road. This branch closed recently to enable the redevelopment of Chatelain House.
- After the widespread uptake of deliveries by e-bikes by companies like JustEat and Deliveroo in the past few years, the area around the McDonalds branch became extremely chaotic with little or no management of the impact of the very large number of e-bikes and motorcycles making deliveries. These were parked over the footway in large numbers directly in front of the store, hindering passage for pedestrians and blocking pedestrian crossings at the junction of the Walworth Road, Manor Place and Browning Street. There was also a significant impact on the adjacent Amelia Street from the parking and movement of e-bikes and motorcycles across the pavement. When not working and awaiting work, the riders of the bikes had no facilities and there were many instances of them urinating publicly in the street. Owing to the long opening times permitted in this branch, this noise and anti-social behaviour continued way after local residents might have a reasonable expectation of going to sleep.
- We recently received the following spontaneous comment from a local resident who said of the closure of this branch “There has also been a significant decline in the noise, littering, and antisocial behaviour too. It was bad enough when they had weekend late night opening, and only worsened when it moved to a 24/7 operation. They were a blight on Walworth Road, exacerbating pre-existing problems.”

- The location proposed for the new store comes with significant potential problems – many of which do not appear to have been either considered by the applicant or addressed in any form in this application. Immediately outside the front of the store is a very busy bus stop in a location with not overly wide pavements. Parking on the pavement (as happened at Chatelain House) would cause serious problems for pedestrians and bus users in an already very constricted space. Any parking of cycles or motorcycles on the Walworth Road itself at this location would cause significant delays for buses.
- There is also the issue of the character of the area which is likely to be significantly impacted by the proposed opening times. There are a large number of residential properties in the immediate vicinity of the proposed branch including on Carter Place (Lime Tree Court and the Old Station House) where residents will be affected by people travelling by car to the branch in the evening. Cadiz Street and Sutherland Walk are also adjacent and are densely populated residential streets.

2. Grounds for objection

- We rely on the following national and local policy to object to this application in relation to the reasons set out above. In relation to noise and disturbance to residential amenity, the National Planning Policy (NPPF) requires planning decisions to ensure that development: (Para 198 a) Should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- The applicant has undertaken a formal Environmental Noise Assessment for proposed external HVAC equipment in the current application but this fails to address other sources of noise that will be generated from the operation of the business in particular at times later in the evening when residents would have an expectation of being able to have undisturbed sleep.
- We believe this proposal is contrary to this policy owing to the likely impact of the proposed longer opening times in an area with large numbers of residents.
- We believe further that in the light of the impacts of a McDonalds operating later into the evening, the proposed development is in contradiction of the Noise Policy Statement for England (NPSE) which states that development should:
 - Avoid significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise
 - Mitigate and minimise adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise.

- Policy 35 of the Southwark Plan relating to Town and local centres states that development must not harm the amenity of surrounding occupiers. Policy 66 of the Southwark Plan addresses noise pollution and states that development must:
 - 1. Avoid significant adverse impacts on health and quality of life; and
 - 2. Mitigate any adverse impacts caused by noise on health and quality of life.
- The reasons for this that are stated in the plan are that “Much of Southwark is a dense urban environment with high levels of activity that can generate noise. Noise can have a major detrimental impact on the quality of life for a user of a building or space. Effects can include stress, annoyance and sleep disturbance.”
- The extended hours will result in more late-night noise, such as patrons leaving the restaurant or delivery vehicles. The impact on nearby residential properties should be considered, particularly in light of Southwark’s noise policies and the fact that no mitigation for these additional noise sources has been proposed.
- Late-night noise, especially until late into the evening, will affect the sleep of local residents, leading to negative health outcomes like stress or sleep deprivation. This is a concern under public health policies, as it could exacerbate noise-related disturbances during late hours.
- Although the likely structure of journeys made to the store (e.g. by customers coming by motor vehicle in the evening or the numbers of e-bike deliveries that are likely to be made) is not quantified by the applicant, Policy 50 of the Southwark Plan states that development must “Minimise the demand for private car journeys”. Extending opening hours to late into the evening will result in an increase in disturbance from traffic at unsociable hours and in particular on nearby streets such as Carter Place, Sutherland Walk and Cadiz Street where take-away customers are likely to park and consume food.
- We understand that another application will be required to address the proposed physical changes to the store (such as the planned shopfront changes) but it is vital that the issue of how the business is organised in this location is tackled to avoid the very significant problems that have arisen in the recent past from a business which relies in a large part on delivery and takeaway. Solutions need to be proposed by the applicant that ensure that food delivery and take-aways do not negatively impact local residents. Given how many people are likely to use this store into the evening, it is essential that that use is balanced with the amenity of local residents.