

Michael Fordham and Jacqueline Major

8 Theed Street London SE1 8ST

5 September 2022

Statement in response to Planning Committee Notification - Planning Application P22/V1088/FUL

We refer to our letter dated 16 May 2022 objecting to the grant of this planning application and the statement in response submitted by local resident Mrs Margaret Fordham (Michael Fordham's mother).

We are asking Members of the Committee not to follow the Planning Officer's recommendation.

As it seems to us:

1. The Officer's recommendation rests on the Officer's expressed view: (a) that the proposal is unlikely to harm local residents' amenity (Report §6.1); (b) that local residents' concerns about matters such as customer behaviour, safety and security are understandable ("understood") but insufficient in the circumstances of this case (§6.1); (c) that the impact on the character of the area is acceptable (§6.1); and (d) that the recommendation is considered to be proportionate when the harm to individuals is balanced against the public interest (final para).
2. These are all 'merits' matters of judgment and appreciation. It is now for the Members of the Committee to exercise their own judgment and appreciation. Members can, and should, disagree with the Officer if they see these 'merits' questions differently, as a matter of their own judgment and appreciation.
3. Officers say (§5.9) they are unaware of any policy or guidance requiring "assessment" of the particular demographic composition of a neighbourhood to inform the assessment of impact of a planning proposal. But, equally, no policy or guidance says the Committee should ignore what is known, and has been demonstrated, about a particular demographic composition. It is predominantly elderly residents who live on Hans Avenue, Maria Crescent and Suzan Crescent (§5.9). This is the "character of the area". These are the people whose "reasonable expectations" are relevant. It is the "harm" on these people which has to be balanced.
4. Local, elderly residents have raised their genuine, serious and anxious concerns. It is appropriate to consider the position from their point of view.
 - There will be harm to their amenity.
 - Their concerns are understandable and sufficient.
 - The impact is not acceptable.
 - The harm is not proportionate.
5. Officers refer to a "public interest" which, on the 'merits' can outbalance the impact on elderly local residents (Report final para). Officers say this take-away would be "a local, neighbourhood facility, whose appeal will be to nearby residents" (§5.11). However, as the elderly local residents have pointed out:
 - Only 4 representations of support were recorded.
 - There is no body of local support from "nearby residents".

- There is a multitude of objections from “nearby residents”.
 - The Town Council does not think granting the application is warranted.
 - Nor does the ward councillor.
 - If “local ... nearby residents” had a strong interest or need, the Town Council and ward councillor would recognise these.
 - The town centre has take-aways to meet demand (§5.11).
 - Those have CCTV; this area does not.
 - So, where is the public interest? Where is the need of “nearby residents”?
6. Officers refer to “Government” encouragement of flexibility (§5.10). However, no reference or source is given. Government is not said to have addressed takeaways with late night opening in quiet residential areas occupied by the elderly. There is a huge difference between the existing use and an all-day, late-night food takeaway: a place for people to ‘hang out’, including after dark, including after drinking.
7. Officers refer to the “pedestrian link between Grove Street and Maria Crescent” (§5.11). This is a narrow, unlit passage. Officers downplay elderly residents’ “concerns over anti-social behaviour, safety and security”, “in light of” the site being “some distance from the town centre” where “a number of take-aways ... exist in close proximity to entertainment premises”, characterising this new takeaway as a “local, neighbourhood facility” for “nearby residents” not “people visiting the town centre” (§5.11). However:
- Not all “entertainment premises” are in “the town centre” where other “takeaways ... exist”. What about pubs and premises this side of the town centre? What about people living this side of town drawn in this direction?
 - The unlit, narrow footpath through this quiet elderly neighbourhood will be a route of access, late at night. The concerns are real, and substantial.

In light of these points and the other points made by Mrs Fordham, nearby residents, the Town Council and the ward councillor, we ask Members of the Committee not to grant this application.