

[London Borough of](#) Croydon
Development Management
Place Department, 6th Floor
Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

June 2023

Dear Madam/Sir,

Section 73 (Variation of condition 11) of Planning permission Reference DC/21/124890 at 58 - 60 Westow Hill, Upper Norwood, London, SE19 1RX

On behalf of Antic London we submit an application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 6 and the Condition 10 of the approved application ref **18/06058/FUL**

THE EXISTING CONSENT

The planning permission reference number ref **18/06058/FUL** was approved on 6th March 2019

Description: *Alterations and use of ground floor for A3 (Restaurant and Cafe) and A4 (Drinking Establishment) Uses, installation of new shopfront and awning, erection of extractor fan at rear, erection of gate in side access and provision of landscaping features, provision of associated refuse storage to rear.*

at:

58 - 60 Westow Hill, Upper Norwood, London, SE19 1RX,

CONDITIONS 6 and 10 to be VARIED:

Condition 6 *"No seating, or tables, or similar furniture shall be provided in the side passage.*

Reason : To protect the amenities of adjacent residential occupiers in accordance with Policy DM10.6 of the Croydon Local Plan 2018.

Condition 10 *" Unless otherwise agreed in writing by the Local Planning Authority the premises, A3 Use Class and/or A4 Use Class, shall only be open to customers between the following hours :*

0900 hours to 2330 hours on Sunday to Wednesdays.

0900 hours to 0030 hours Thursdays, Fridays, and Saturdays.

The side passage shall be closed to customers from 2200 hours to 0900 hours and no customers shall be allowed to loiter in the side passage between 2200 hours and 0900 hours.

Reason : To protect the amenities of adjacent residential occupiers in accordance with Policy DM10.6 of the Croydon Local Plan 2018.

THE VARIATIONS SOUGHT

Condition 6

The applicant wishes to vary Condition number 6 to allow for the premises to operate with seating and tables in the side passage until 2200h.

The Applicant has successfully operated the external spaces for more than two without any issues, complaints, or concerns from the neighbors, indeed the external area is especially well received by patrons, who have been enthusiastic supporters of this space.

The variation thus sought under Condition 6 is:

“Seating, or tables, or similar furniture can be used in the side passage until 2200h”

Condition 10

The applicant wishes to vary Condition number 10 to allow for the premises to operate in the internal areas from 0900 hours to 0001 hours on Sunday to Wednesdays, and 0900 hours to 0130 hours Thursdays, Fridays, and Saturdays .

Currently as the internal areas need to be closed by 2330h and 0030h, which means that they need to start being cleared well one hour before and so that in effect the area cannot be traded after 2230h and 2330h to ensure that the space is completely cleared before the timer requests. This has proved detrimental to the customer experience, the amenity value of the internal spaces, and the economic viability of the business.

The Applicant has successfully operated the spaces for more than two years without any issues or complaints, so we believe it will be supportive for the business and benefit the community if the close hours could increase.

The variation thus sought under Condition 10 is:

“10 Unless otherwise agreed in writing by the Local Planning Authority the premises, A3 Use Class and/or A4 Use Class, shall only be open to customers between the following hours :

0900 hours to 0001 hours on Sunday to Wednesdays.

0900 hours to 0130 hours Thursdays, Fridays, and Saturdays.

The side passage shall be closed to customers from 2200 hours to 0900 hours and no customers shall be allowed to loiter in the side passage between 2200 hours and 0900 hours..”

The changes requested will greatly enhance the customer experience of those visiting the premises, the amenity value of this important town centre site, whilst delivering economic benefits to both this business and the wider area economy. The premises has been well received and supported and has operated without issue for more two years.

We trust that this information is sufficient to support this VOC application.

Yours faithfully,
Maria Gallego Lopez