

A minimum of 1 x SIA officer will be employed when the premises are expected to remain open after 23:00 hours until terminal hours on Friday or Saturday.

1. Signage promoting Challenge 25 to be displayed in the premises.
2. All staff involved in the sale and/or delivery of alcohol to also be trained in the use of Challenge 25 and checking ID prior engaging in the sale and/or delivery of alcohol; this training to be refreshed every 6 months. Training records to be kept and produced to the Police and Local Authority officers upon reasonable request.
3. All refused deliveries of alcohol also to be recorded in the refusal book.

**Proposed Operating Schedule Agreed by the Applicant with
Croydon Council Noise & Pollution Team for the grant of new
premises licence for 49 Limpsfield Road,
South Croydon, CR3 9LB.**

Due to premises being close proximity to residential properties, the Pollution team is minded to require mitigation measures and conditions to the licence to address any potential noise impact on local residents.

Conditions/Restrictions

This will be a format which will be easily embedded and enforceable if there are future problems.

1. The licensee will ensure that amplified music both live and recorded played at the premises is restricted indoors.
2. The licensee will ensure that no amplified music is played after 23.00hours.
3. The Designated Premises Supervisor shall ensure that (apart from access and egress) all external windows and doors are kept closed when live/recorded music is played.
4. The premises will have an entrance lobby with self-closing doors.
5. Licensee will ensure that patrons are managed to ensure that noise from exiting and entering is kept to minimum.
6. The use of outside area is restricted to 21.00hours at any time of the day.
7. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

Completed by: 
Position: Senior Pollution Enforcement Officer
Date: 26th February 2024

Rep 1.

I agree with the residents concerns. I object to the late opening and feel that licensed activities should only take place until 10.30 pm.

Since this is not an urban environment music should not be played outside the premises.

Residents live above the premises and I believe that licensing objectives 3 and 4 could be breached. Young families with children could be disturbed by the late night activities. These premises are not sound proofed with the "tudor style" buildings above.

Talking, loud music, particularly if outside would cause unnecessary harm to the residents living in the above premises.

Kind regards,

Cllr Yvette Hopley

c/o Town Hall
Katharine Street
Croydon
CR0 1NX

Further concerns received.

I write in respect of the licence for 49 Limpsfield Road on the site of the Dehli Kitchen.

I appreciate that the applicant has submitted a number of measures to promote the licensing objectives and to mitigate some of the concerns raised by residents living above and around this premises but don't believe they have gone far enough to:

- Prevent crime and disorder.
- Prevent of public nuisance.
- Ensure public safety.
- Protect children from harm.

The late night opening to midnight through the week and 1.00 am on Fridays and Saturdays will cause public nuisance in this quiet suburban area. As food will not be served after 11.00 pm and the kitchen will be closed this means that for some period of time guests will be effectively drinking for a number of hours and mingling with other guests in a bar like culture.

There are no details on how the restaurant/bar area would be managed or indeed how the percentage area of bar to restaurant ratio would be allocated.

Amplified music with speakers attached to the walls would mean noise and disturbance to residents living above in the Tudor style flatted area, which was never designed to withstand the noise of a nightclub environment in buildings with no sound insulation between them

It is likely that families, particularly with young children, would inevitably be disturbed until the late hours on school nights. This is a major concern with no outline of how music volumes would be controlled or indeed how the disposal of refuse to the back of the restaurant would be managed which could be noisy alongside any mitigation of smoke from residents who may be smoking on the street.

Due to the style of buildings customers leaving the premises on foot, by car or taxi would be heard by residents through the upper bedroom windows in the flats and it would be unreasonable to assume that they would not talk/chatter which could be heard within the flats or surrounding houses where customers would park beyond reasonable hours.

The local councillors welcome a new business to the area, but are concerned that undue disturbance due to the length of time alcohol alone would be served would be detrimental to the residents living in this quiet locality and would cause public nuisance.

I would suggest a closing time of 10.30 during the week and 11pm on a Friday and Saturday with no amplified music after 10.00 pm, to only be played internally with the doors firmly shut, with the provision of food served until 9.30 pm. The use of the outside area until 9pm should be strictly adhered to and evidence provided how that would be monitored.

Cllr Yvette Hopley
Sanderstead Ward Councillor

7 March 2024

Rep 2.

I wish to make representation concerning the license application, which I believe must be by way of objection. Should I be regarded as 'outside of the consultation area' I have copied my objection to my local Councillors in order that one may do so on my behalf.

I have considerable past experience with license applications in a professional capacity when serving an inner London Borough for 50 years.

I have read the application documentation from Mojito Restaurants in detail, and my principal concerns relate to the protection of the local residential community in Cranleigh Gardens, those living above the commercial premises in Limpsfield Rd which adjoins, and Cranleigh Close opposite, from potential public nuisance.

Hours of Business

Monday to Thursday The terminal hour of 2400 is too late, I suggest 2300 would be acceptable.

Friday and Saturday The terminal hour of 0100 the day after, is too late. I suggest 2400 would be acceptable.

Regulated Entertainment - Section E, F, &G.

Friday and Saturday - Live music , recorded music and dancing commencing at 2300 is not an acceptable time in the locality nor is terminating @ 0100 acceptable.

Promoting the Licensing Objectives

Sale of Alcohol

Point 7. Sale off the premises by take away needs to be more restrictive to prevent both outside 'vertical drinking' and prevention of sound escape. Suggest take away off-sales of alcohol to be only in sealed containers, and no entry to collect after 2200 during performance of regulated entertainment on Fridays and Saturdays.

Point 11. Prevention of Public Nuisance, this statement is not adequate. Sound insulation of openable doors and windows needs to be suitable and sufficient to prevent sound breakout during performance. Entrance doors and front 'French /by-fold glass doors need to be kept closed during performance. Linked to this would be the need for sufficient extract ventilation and an air cooling system. There should also be a requirement preventing entry or re-entry of any customers, say 1 hour before terminal hour of entertainment.

There are certain additional measures which should be required to prevent public nuisance.

No music should be broadcast to the outside area through any speaker system.

Tables and chairs located on the outside area should be cleared and enclosed with the premises at close of business .

I believe much of what I have suggested can be incorporated with the an approved license by additional conditions, should the applicants be agreeable. Should they not agree, I would therefore suggest there are sufficient grounds for refusal.

Further concerns received.

Thank you for your email setting out the additional conditions which the applicant is prepared to accept should the licence be granted. I believe these will meet most of my concerns raised in my representation. It does however leave certain matters not fully addressed to wholly meet the 'prevention of public nuisance objective'

Operating hours:

There has been no change operating hours, where the terminal hour Monday to Thursday is set out as midnight and on Friday and Saturday until 1.a.m the day after. With specific regard to Friday and Saturday, as Public Transport would not be operating after curfew, patrons would need to arrive and depart by private car or cab, where parking would be an intrusion into the local residential area of Cranleigh Gardens and Riding Hill.

With reference to the proposed additional conditions 1 & 2 set out in your email.

These would still permit acoustic live music and dancing until 0100 hrs Saturday and Sunday morning within the premises and acoustic music to be played outside until 21.00.

I appreciate that the applicant has stated the live and recorded music would only be occasional, however I am aware that you are not able to control the frequency by conditions only the days and hours.

Although this would appear to be pedantic on my my part, by strict interpretation, the conditions as expressed would allow, for example : Spanish / Acoustic Guitar and Drums.

I therefore can not fully withdraw my representation unless these matters are addressed by proposed tighter and additional conditions beforehand

Further concerns received.

My concern, is to ensure customers leaving The Med Kitchen or similar @ say midnight are prevented from accessing 49 Limpsfield to obtain alcohol for consumption on the premises until 0100. This could be prevented by a condition of 'no entry or re-entry after say 2300 or the instruction to the SIA door supervisor.

Regards



Rep 3.

We write to express our serious concerns regarding an application for a premises licence at the above property. Having lived in the immediate area for over 30 years we would welcome a suitable family restaurant but believe this application is attempting to manipulate the facts and presentation in an attempt to obtain approval for a late night bar with amplified music and dancing from 10.00pm to 1.00am.

Sanderstead is an established quiet suburban neighbourhood with a number of small local retail parades characterised by ground floor shop units with residential accommodation above. The application site is located in the Sanderstead Village retail parade on the corner of Limpsfield Road and Cranleigh Gardens to the east of Limpsfield Road. Residential dwellings are above, adjacent and in close proximity with the Yew Tree Court elderly living retirement apartments only 30m distance away. Across Limpsfield Road to the west is an open vista across Sanderstead Recreation Ground towards Riddlesdown Common.

Until the closure of the Delhi Kitchen, previous occupants of the application site, there were only two restaurants within the parade. At present only The Med Kitchen at 39 Limpsfield Road is currently trading. It is recognised that both the Delhi Kitchen and The Med Kitchen have existed without concern for many years however both establishments are traditional family restaurants only serving alcohol by waiter service to accompany sit down meals. The Med Kitchen closes no later than 10.00pm and the Delhi Kitchen closed at 10.30pm – we believe the opening hours were designed to protect the enjoyment and amenity of residents to avoid antisocial noise and disruption. We also note that Vera, another nearby restaurant located at 77–79 Mitchley Avenue, within a similar small retail parade below residential dwellings above has opening hours restricted to close no later than 10.00pm. Reference is made in the application form to Appendix 1 but that section is not available to public access – we believe it refers to premises licence 05/02365/LIPREM for the previous Indian restaurant.

As currently proposed the application is highly likely to result in late night disturbance to local residents. The proposal would be more appropriate to an urban or district centre rather than this quiet suburban locality and we consider the submitted contents to be ill-considered and contradictory

We have a number of specific concerns as outlined below :

1. Late night opening to midnight through the week and 1.00am on Fridays and Saturdays is excessive and unwarranted for a family restaurant (as per the applicants description)
2. There is no description outlining the type of restaurant proposed in terms of sector, dining style, numbers of customers.
3. The applicant states food will not be served after 11.00pm and the kitchen will close at 10.00pm on Fridays and Saturdays which implies alcohol will be served without food between 10.00pm and 1.00am for a further 2- 3 hours
4. Whilst the description states the premises will be used as a restaurant providing sit down meals it also states it will also have a bar and lounge area serving drinks with snacks from 11.00am to closing – no information is provided describing numbers of customers nor the split between restaurant and bar however given the extended trading hours it is likely to be more of a bar than a restaurant from, say 10.00pm to 12.00pm and 1.00am at weekends.
5. The application states that live and amplified music will be played regularly on Friday and Saturday between 11.00pm and 1.00am which is highly likely to disturb nearby residents. The applicant states any music will be controlled so it is not audible outside the premises. He provides no evidence to support that claim and proposes no measures to ensure decibel levels and low frequency sounds (bass sounds) are limited. It seems highly probable that music noise will be substantially greater during live music events and /or party nights when it is very difficult to control volume.
6. No detail is provided explaining how background recorded music will be controlled. There is a huge difference between subdued background music for restaurant diners and the likely volumes for the proposed dancing from 10.00pm to 1.00am on Fridays and Saturdays. The applicant has failed to provide any technical analysis demonstrating acoustic measures to be implemented to contain the music volume to prevent disturbance to nearby residents particularly the many families with small children.
7. The internal customer area is substantially increased which will mean more customers and increase parking pressures in the adjacent side streets which are already at capacity.

The application should be accompanied by an annotated plan drawing describing the overall layout but the public link does not include any such information. The applicant does however within the form reference a planning application ref no 23/04378/FUL which is available to view.

The following points are noted :

- No table or seating plan is provided therefore occupancy should be calculated by reference to Building Regulations minimum occupancy tables which indicates capacity as 1 person per 1 square metre. The venue has a proposed customer facing area of 114sqm resulting in 114 customers plus say 10 staff totalling 124 persons.
- Assuming a 50/50 gender split means 62 males and 62 females
- Based on those figures the proposed toilet facility is inadequate and below standard. Building Regulations require 3 female WC's and 3 wash hand basins, and 1male WC plus 2 urinals and 2 wash hand basins but only 1 WC per sex is shown.
- A compliant 2.2m x 1.5m accessible toilet is required.
- Given the proposed size of the restaurant separate staff toilets should be provided.
- The proposed restaurant is not fully accessible for non-ambulant customers and/or staff. A ramp is shown to the extended lobby but it is not compliant.
- The proposed emergency escapes are inadequate for the calculated occupancy. The escape through the commercial kitchen is unsafe for customers and is discounted except for kitchen staff. The occupancy of over 60 persons means all exits should be of adequate width with outward opening doors and suitable escape ironmongery. As proposed the scheme does not satisfy the regulations and constitutes a danger to customers.

In conclusion whilst we accept a suitably designed and well managed traditional restaurant should be acceptable, we have serious concerns that the applicant intends to create a bar with extended hours for alcohol sales, dancing and music which will be detrimental to and damage the existing amenity of local residents due to noise and disturbance.

The application form suggests this will be a family restaurant but the details indicate otherwise particularly for the later hours when children are unlikely to be present. The proposal is unsuitable for the quiet suburban location and character of the area. Please consider that, if this application was granted in its current form, other local restaurant operators are likely to use the established precedent to seek more liberal licencing restrictions and longer opening hours exacerbating the damage to the local community.

We request our comments and concerns are duly considered to protect the existing residents of Sanderstead. Many thanks.

Regards

[REDACTED]

[REDACTED]

Rep 4.

License Application for 49 Limpsfield Road, CR2 9LB

We are, of course, aware that there has been an Indian Restaurant on this site for some 20+ years. Having another restaurant of a similar size, would not be a particular issue. What concerns the local residents is the proposed increase in size, playing of live and recorded music, dancing, outside seating, and selling of alcohol with a late night licence (1.00 a.m.), coupled with the serious parking, traffic and environmental issues.

To have a licence until 1.00 a.m. would indicate they wish to turn these premises into a 'nightclub', with the main purpose for their customers to consume as much alcohol as possible. A nearby restaurant is open until 11.00 pm, which in this area is acceptable.

The noise from this new restaurant/bar/nightclub would be insufferable to not only the flats above the adjoining premises, but also the residential houses in Cranleigh Gardens which is on the corner of these premises, and are just 15 metres from their boundary. Also Borough Grange Sheltered Housing flats some 60 metres away and Yew Tree Court retirement apartments 50 metres away.

To suggest there is room on the pavement for outside tables and chairs is ludicrous. This is a corner plot, and would seriously restrict use by pedestrians of the pavement, also be a serious trip hazard for people with restricted sight and mobility.

We are aware of a particular covenant restricting certain sales of alcohol, and we would wish to ensure that this particular establishment does not encourage a bar-like environment, and the particular issues that would bring.

There is very limited parking in Limpsfield Road, so therefore all the cars for this restaurant will be parking in adjoining local quiet residential streets – Cranleigh Gardens, Blenheim Gardens and Onslow Gardens. These residents would therefore be subjected to the noise from the customers leaving late at night, and in the early hours of the morning.

If permission is granted for another restaurant at these premises, I would urge you to respect the local residents wishes by ensuring that our lives, sleep and environment are not seriously impacted by the noise from a vastly increased customer numbers, music, outside dining and noise so close to peoples' homes. I am sure you are aware of the impact of disrupted sleep and stress can have on peoples' mental health, including children.

And finally, is the Trading Standards requirement to require Challenge 25 and ID checking training a standard requirement for a restaurant premises?

I would dearly love there to be another restaurant on the site of the Diwana and laterly the Delhi Kitchen. Sadly this is a wolf in sheeps clothing.

Rep 6.

I am emailing to object to the requested licensing of the above site.

As is stated on the application the premises are located in a largely rural & residential area and I think granting a license for late night drinking and music is unacceptable for the area and would be intrusive to those living near by.

The application states 'The intention is to promote the premises as family friendly restaurant serving an excellent choice of food menu.' Therefore why would late night music and drinking be necessary? Hence the reason there are no pubs.

Sanderstead is a Quaker area and there are covenants in place to not allow late night drinking. This site has been a restaurant for many years but it has never allowed late night drinking and dancing.

Currently there is a very successful restaurant a few doors down who do not allow this and do not find it necessary to allow food orders up to 23.00.

Rep 7.

I would like to register my objection to the licence application for the above under the prevention of public nuisance objective.

The application is under the guise of a family restaurant but is clearly going to be a bar/ dance venue.

This is completely inappropriate in a residential area. They are also trying to get around the restrictive covenants in Sanderstead that do not allow the serving of alcohol pub/bar settings.

The application includes extending and utilising the pavement area and playing amplified recorded music. The doors to the pavement area will obviously be open, when these are in use, creating more of a public nuisance and noise throughout the whole evening.

The closing times are midnight on Monday to Thursday and 1am on Friday's and Saturday's. The kitchen will close at 22.00 but alcohol will be served for the remainder of the night when dancing will also be permitted.

The application also states that customers will be able to arrive between 22.00 and midnight (except for under 21's). No food can be served so it is very clearly a bar / nightclub setting.

There is also the availability of venue hire on a Friday and Saturday for celebrations. These surely can not all be in the form of a seated meal for all which again points to a bar/ dance venue.

The noise and disturbance generated solely from customers leaving at closing times alone will generate unacceptable disturbance to the immediate residential area where many young children reside.

Sanderstead is a quiet residential village protected from bars and pubs by the covenants. Please do not allow this to be compromised by an application purporting to be something it is not.

Further concerns received.

I have made my objection under the prevention of public nuisance and my objections still stand but I would also like to add an objection under the prevention of crime and disorder and public safety.

Crime disorder and public safety are unfortunately all affected by the consuming of alcohol. Customers leaving the premises if the license is granted will be travelling through a highly residential area (immediately on its doorstep) late at night having consumed alcohol (with no food having been served for 2 hours, some who arrive late may not even have had food).

Please also note my comment that Sanderstead has a covenant that does not allow licenced bars or pubs. This is not on your list of objection topics but any license awarded would be in direct contradiction with this covenant especially given that people can gain entry to the premises after the kitchen is shut (Clearly the definition of a bar.)

I would also like to reiterate that Sanderstead is a highly residential village and a lot of residents have specifically purchased in this area for this very reason.

Further concerns received.

Having a Security Officer, amplified music and age checking is highlighting that this is a bar not a family restaurant.

With the best will in the world an establishment asking it's patrons to leave quietly will have little or no effect on them as they walk through the local residential area (unless they intend to walk them home or to their car to ensure they remain quiet). Once you add alcohol into the mix it is nigh on impossible to control the noise as it is a common symptom to talk and laugh louder.

Restricting amplified music to no later than 23.00 is of no comfort. There are flats above the immediately adjoining premises and houses less than 50 yards away. There are many young children in these homes. Those who have jobs will not wish to be woken up at that time when they have work to get up for the next day.

I also return to some of my many original points.

- there is a covenant in place in Sanderstead that prohibits pubs and bars . This is cherished by locals and for many is why they have chosen to live here.

- Sanderstead is a small residential village and has no requirement for a late night bar with dancing, however it would welcome a family restaurant that closed (as others do) at 10pm.

Rep 10.

I wish to request the you do not grant a licence to this organisation for the following reasons:

Public Safety

Parking is limited near this building. In the daytime all the spaces in front of the parade of shops are taken and cars park all the way down Cranleigh Gardens.

In the evenings parking is still scarce.

The premises are on the corner of a busy road and outside seating would make it more congested for people crossing the junction, especially those with pushchairs and small children. Crossing the road when the local primary school closes mid afternoon would become more difficult.

The prevention of public nuisance

Noise

This is primarily a residential area with existing food outlets closing quietly by around 10 pm. If people over 18 years can arrive at and depart from the premises between 22.00 and 24.00 (1.00 am on Fridays and Saturdays) having mainly been using the premises to drink alcohol there is likely to be considerable noise from voices, cars doors slamming and cars driving away. This is not something the owners of the premises would have much control over.

The premises are in a row of shops with flats above. The residents of the flats and the houses in Cranleigh Gardens would suffer from this noise. Also from the live or recorded music and dancing mentioned in the application.

Protection of Children from Harm

The premises are very close to the local scout hut. This might mean that in some circumstances the scouting groups have to curtail some of their activities.

With their plans for more and later entertainment the applicants appear to be describing a venue that is quite different to the restaurant that has been on the premises for many years and one that is not appropriate to the quiet suburban setting that it is in.

Yours faithfully





Rep 11.

I am writing to express my deep concerns regarding the recent announcement of the opening of Mojito restaurant at the corner of Limpsfield road and Cranleigh Gardens, a residential neighborhood. While I appreciate the development of local businesses, I am particularly troubled by the restaurant's intention to apply for a permit allowing late-night music and dancing on the weekends.

As a resident on Cranleigh close, I am deeply concerned about the potential consequences of such activities, especially considering the proximity of our community to primary schools. The presence of increased noise levels during late hours poses a significant threat to the well-being and quality of life of families and children residing in the area. Noise pollution can disrupt sleep patterns, affect academic performance, and create an overall sense of discomfort and unease among residents.

Furthermore, the prospect of late-night activities, coupled with alcohol consumption, raises serious concerns about the potential for antisocial behavior and safety risks. The combination of loud music, alcohol, and late hours may attract individuals engaging in disruptive and potentially dangerous behavior, posing a threat to the safety and security of our community members, particularly children.

I urge you to reconsider the decision to grant a permit for late-night music and dancing at the proposed restaurant location. Instead, I propose exploring alternative solutions that prioritize the peace and safety of our residential area, such as restricting noise levels during certain hours or implementing measures to mitigate the impact of late-night activities on the surrounding community.

Thank you for your attention to this matter. I look forward to your prompt response and action on this important issue.

Further concerns received.

I am right across the road from the proposed restaurant and will be highly impacted by noise and any disorderliness.

I am ~~opposed to~~ the med kitchen restaurant, which already causes considerable noise well into the evening, not to mention their rubbish bins which are always overflowing and causing rubbish to be blown into my drive, therefore any application for music, alcohol etc beyond the current times allowed for Med Kitchen I would be opposed to.

Rep 12.

I am writing to formally object to the planning application referenced above. My primary concern relates to the potential noise pollution that the proposed development at 49 Limpsfield Road South Croydon CR2 9LB would bring to our neighbourhood, which I believe would significantly affect the quality of life for local residents, including myself.

The proposed development, by its nature and the activities it is likely to entail, could introduce an unacceptable level of noise disturbance. Opening a bar/night club would create problems of traffic, noises and environment . This is particularly concerning given the proximity of the development to residential areas.

The introduction of such noise would not only disrupt the peaceful enjoyment of our homes but could also have health implications due to increased stress and sleep disturbance. Furthermore, it may negatively impact the value of properties in the vicinity.

Yours faithfully

[Redacted signature]

[Redacted name]

Rep 14.

Dear Sirs

We are the owners of properties in Barrowsfield which is very close to the application site. Barrowsfield has 6 family houses in total plus there are 2 other houses facing the Limpsfield road under the same address.

This is a quiet residential enclave in a generally residential area with many family homes near to this premises and our properties and all others in the immediate vicinity would suffer from the granting of this license.

There are very many children living in this area due to the proximity to the school and this license would inevitably lead to noise and subsequent disruption to their sleep especially on Mondays to Thursdays when they would have school the next day.

As a quiet private and somewhat secluded road there is also the very likelihood of people using the road as a lavatory or for other unsociable purposes after exiting the premises at late evenings in an intoxicated state.

This is a very quiet and attractive area and parade of shops and restaurants and has never suffered from any empty class E premises and so there should be no need to start allowing admitting this sort of use.

We therefore absolutely object to the application in hand.

We are the directors of Denhill Properties Ltd who are the registered owners of [Redacted] and [Redacted] Barrowsfield.

Our Company address is

[Redacted address line 1]

[Redacted address line 2]

Rep 15.

I am writing to object to the granting of a licence to sell alcohol by MOJITO RESTAURANT LIMITED at the premises situated at 49 LIMPSFIELD ROAD, SOUTH CROYDON, CR2 9LB.

The premises have been in use as a restaurant venue for many years with little impact on the local area. The application under consideration proposes to have extended licensing hours and the provision of both live and recorded music with dancing until midnight and even later on some days. This activity is totally out of

keeping with the nature of the local area. The building is at the end of a terrace comprising shops with flats above, the music is likely to cause nuisance to the neighbouring residents. The noise will, inevitably, spill into the surrounding area disturbing residents in the nearby retirement properties and flats above the shops on the opposite corner of Cranleigh Gardens as well as neighbouring houses along Cranleigh Gardens. Customers and some of the staff will park their cars in the local area (as they did when the previous restaurant was open), inevitably this will cause a disturbance for local residents; midnight and later is too late for this to be considered. My experience says that parking will stretch to Onslow Gardens.

The licence should be rejected as currently sought.

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

Rep 16.

Dear Sir/Madam,

Re: 49 Limpsfield Road – Premises License application

Whilst a suitably designed and well managed restaurant, akin to the one which has operated for many years on this site, should be acceptable, I do have serious concerns about this proposal which appears to be seeking extended hours for alcohol sales, dancing and music and including outside service/table use, so late into the evening.

My main concern is that this would be detrimental to and damage the existing amenity of local residents due to noise and disturbance.

In terms of the Licensing Objectives I believe that this application, would compromise Objective 2 – The Prevention of public nuisance.

My reasons are as follows:

The restaurant is located immediately below residential flats in Limpsfield Road and adjacent to residential properties in Yew Tree Court (retirement flats in Limpsfield Road) as well as opposite the premises in Barrowsfield and also adjacent to Cranleigh Gardens.

1. Allowing the restaurant to open until 1.00am will lead to disturbances well beyond reasonable hours, making it difficult for residents living nearby to enjoy peaceful late evenings.
2. Disturbance to residents well beyond reasonable hours living nearby, caused by noise arising from the venue, including the outside space, late in the evening, including departure from the venue

3. Disturbance to residents well beyond reasonable hours living nearby caused by car movements, including taxis, into the early hours as patrons depart the venue
4. Concerns about noise and disturbance caused by patrons staying at the tables outside talking and generally enjoying themselves causing disturbance to residents well beyond reasonable hours
5. Concerns about the volume of music –
 - if it is being played loud enough to be enjoyed outside, it will travel well beyond the immediate site and cause disturbance to local residents, including those with young families, well beyond reasonable hours
 - Amplified music from inside the venue impacting detrimentally upon the residents who live in the same block or otherwise adjacent, by causing unreasonable disturbance
6. Concerns that with the kitchen closing at 10.00pm, drinks will continue to be served until 1.00am without food

I would be grateful if my concerns could be taken into serious consideration when this application is being considered.

Cllr Lynne Hale

c/o Town Hall
Katharine Street
Croydon
CR0 1NX

Rep 17.

Re: 49 Limsfield Road – Premises Licence Application

A number of residents have contacted me about this application and I do have some concerns that it would compromise Objective 2 of the Licensing Objectives – The Prevention of public nuisance.

I believe this because of the extended hours proposed, the type of activity involved, which includes alcohol, and because of the close vicinity which this venue has to the homes of local residents.

In essence I am concerned that residents could be disturbed beyond reasonable hours, due to the noise created by voices, music and vehicle movements.

Should the recommendation be to approve, then I would ask that the hours of use in relation to opening times, playing of amplified music and use of the outside seating area, be restricted to protect local residents from any public nuisance.

I would be grateful if my concerns could be taken into serious consideration when this application is being considered.

AS

Chris Philp MP

House of Commons, London, SW1A 0AA

Rep 18.

I wish to object to this Application under Prevention of Public Nuisance, in particular to the extension of opening times, when only alcohol can be served, on Fridays and Saturdays till 1 am on the following days. This is a quiet residential area and there will inevitably be noise and disturbance as a result of late night drinking. There is a covenant in the area preventing the opening of pubs, so this Application is contrary to this covenant and may well be unlawful. There may also be problems regarding parking as the side roads are already well used for this purpose and there is another restaurant in the immediate area which already creates parking problems in the area.

Loud music, particularly on warm evenings when windows are open, would prove to be a major nuisance and this Application as it stands would be out of keeping in this area.

Yours faithfully,



Rep 19.

Objection to licence of 49 limpsfield road

I'm writing to make representations for the current application for late night licence of 49 limpsfield road.


I am in support of this business and the activities suggested but have some points to make for consideration about the management of people, music, and the later opening times.

Firstly, the application states Appendix 1 outlines the licensable activities. Unless I have missed something I cannot see appendix 1.

Secondly, The current application has not addressed the key areas of with enough details of actions to prevent and address:

- prevention of crime and disorder.
- prevention of public nuisance.
- public safety.
- protection of children from harm.

This section of the application only states "see appendix 2" (which lacks detail) and does not specifically address each concern and the methods of how the establishment will prevent and address issues in these key areas. Although these have likely been considered based on the previous experience of the applicant, they are most are not written in the application.

So what's it like here already and how will the addition of this venue add to or reduce the issues we already face here? - As a resident of a flat  the parade and direct access to Cranleigh gardens and Cranleigh close I can say that the current issues around crime and

disorder, public nuisance and public safety are already an issue on this corner of limpsfield road and Cranleigh gardens.

With a number of take aways and restaurants, parking and driving in the evening is erratic, careless and obstructs views coming in and out of Cranleigh close and limpsfield Road. The introduction of a late licence will increase this problem even later into the night.

The turn out of patrons from med kitchen at 10/11pm particularly on the weekend or all week during lighter nights in summer causes issues for people whose homes are directly ~~across~~ the shops. Patrons often standing around for up to half an hour on the corner talking and laughing loudly after a few drinks. This is when people leave the restaurant at different times so a later licence will give way to multiple groups exiting at one time, following the introduction of two to three hours of drinking and dancing after Food stops being served. I feel the later licence will exacerbate this problem for residents.

The longer hours at the new venue will mean a high level of alcohol consumption adding to the noise and antisocial behaviour at these later times. Just recently a group from the other restaurant dropped their glass bottle in the street and laughter and kicking glass around. Grown adults. This was at 10pm. Antisocial behaviour and issues will increase in frequency and severity given the late night proposal seven days a week.

An outdoor area in the day time seems highly sensible for people to enjoy the outdoor nice weather. But in the evening and night time an outdoor area will intrude on residents personal lives and cause harm. What will be in place to prevent undue interruption to the home lives of the local residents. What time will the outdoor area be required to close?

Smoking outside the premises has not been addressed in the application. But whether on the public highway, a licensed outdoor area at the front or a garden smoking area, it will have an intrusion on the lives of the residents especially ~~my~~ neighbours like myself. What will be in place to address this?

Appendix 2 seeks to address some of the concerns around the four key areas but doesn't specify how.

The cctv inside the property and at the rear and front may not cover a key area of antisocial behaviour dangerous driving and parking as well as a recent robbery on the exact spot between 49 and 47 Cranleigh close/limpsfield road. Will there be cameras in this area at the side of the property?

The cctv coverage is important but it's largely about catching people doing wrong, citing "incidents of disorder and ejections of patrons" but doesn't say how these incidents are going to be prevented. Or what happens once the patron is ejected from the "restaurant/bar"

Furthermore, Last Entry at one hour before closing will encourage binge drinking in the last hour for late comers.

Also, the application does not show details about the management of people leaving the premises, especially those who are drunk. And either using cars under the influence or lingering around Cranleigh gardens and limpsfield road to say their extended drunk goodbyes. There is no mention of added security on Thursday Friday Saturday for example

such as SIA card carriers. I am aware the management are considering the use of security guards for later night events but this is not specified in the application.

Signage to consider residents - great idea but I know myself after a few too many drinks I'm not going to read the signs or consider local neighbours. I would like consideration of how this will be managed and what actions will be taken.

Noise nuisance management - ambient music in restaurants is not an issue, but parties and live music are suggested as not being heard outside the venue. how are you going to keep this only heard within the venue. What time are the outdoor areas closed. How are you going to stop people being noisy outside. How will you ensure music is not heard by neighbours. What kind of soundproofing is there to help this. How are you monitoring the noise outside electronically? Will you be opening the by-folding doors during the times of louder music? Are some questions that come to mind.

The application states the late night refreshments are for inside and outside the premises. What will be done to ensure the noise is managed if the drinking is outside? How will you ensure your patrons comply with your signage considering the environmental protection act 1990 to reduce unreasonable noise pollution and creating a statutory nuisance.

Safeguarding children - there is some information here about preventing exploitation and I'm pleased to see this venue as a family environment. However the application does not mention other potential harm to children not attending the venue such as those that live in the immediate vicinity.

For example, the flats and homes above the shops and on the side roads are homes to families with children of a range of ages. Across the first five flats next to the venue, 4/5 have school and college age children and I am confident that many more families live on both sides of the venue in need of safeguarding from interrupted sleep, noise, fear and protection from witnessing antisocial behaviour late at night outside their homes. The flats span from Cranleigh gardens to limpsfield road and have bedrooms and living spaces on both sides. If the issues further up in this email are addressed then this in turn will solve this issue.

I have no objections at all to late nights on specific occasions such as new years, Christmas and one off special events but these can be applied for with ease and explained considerations on a case by case basis using a TEN and do not need a regular licence for these extended hours every day of the week.

I attended a similar venue owned by the applicant and was reassured by the things in place, the management of the venue, the restaurant music volume among other things. This was during the week and at dinner time. However my objection to the later extended times still stands. Even if the venue was planning 2200/2300 closing times, the granting of a later licence would allow them to extend this on busy nights without warning and have an impact on residents.

If some of the concerns above are addressed then I would support a licence for alcohol and music but NOT the 0000 closure time Monday to Thursday and 0100 Saturday and Sunday morning and 2300 Sunday. 7 nights a week of disruption to mine and my family's personal

life, health and wellbeing and sleep interruption. 2200 is a more than reasonable time to close a restaurant during the week and 2300 at weekends.

The revenue opportunities for this venue are already there without the late night music and additional drinking time. With 8am opening time there is opportunity for breakfast market which there is none along the parade. The restaurant opportunities for sunny lunches in the afternoon as the sun comes across the park the outdoor area and by-folding doors provide a wonderful setting for lunches. And the evening dinner and drinks market. It's still a viable business without the additional element of drinking and dancing late at night which will in turn have a harmful effect on local families living here.

I wish the applicant every success with this business and am looking forward to attending it. But I also hope that the views of residents are considered when granting the licence within a set of restrictions that consider the needs of residents aswell.

[REDACTED]

Rep 20.

I am writing to object against the above application for the following reasons:-

I believe the performance of Dance, Recorded Music & Live music Friday/Saturday 23:00 to 01:00 and 23:00 to 01:00 Christmas Eve & New Year is entirely unreasonable and will adversely affect local residents & children, particularly those living in the premises above and those living above adjoining shops, particularly as these premises are not sound proofed.

My understanding is that a covenant exists in Sanderstead Village that prohibits Public Houses and with this proposal offering the sale of alcohol 11:00 to Midnight on Monday to Thursday, 11:00 to 01:00 Friday/Saturday, 11:00 to 23:00 Sunday & 11:00 to 01:00 Christmas Eve & New Year, I cannot see how this differs from a Public House.

I would add that I would have no objection to (and would welcome) a licensed restaurant with similar opening hours to other restaurants in the area with reasonable opening times i.e. closing about 10pm, which would be far more conducive to the suburban environment in Sanderstead Village.

Thank you.

[REDACTED]

[REDACTED]

Opening hours should be restricted to 11pm on all days. The position on this has not changed due to noise that will be made by patrons leaving the premises after 11pm to 1am. This is unacceptable for us living in close proximity.

Further concerns received.

We strongly object to the application as local residents. Any late night closure will result in further disturbance in the local streets (especially Cranleigh Gardens and surrounding roads). People tend to park in Cranleigh Gardens when visiting nearby Med Kitchen and will undoubtedly do so for Mojito Restaurant as well.

(...) While we understand that restaurants naturally generate some level of noise during operation, the extent to which it encroaches upon the peace and quiet of our neighbourhood is unacceptable. Allowing the restaurant to open until 1am will lead to disturbances well beyond reasonable hours, making it difficult for residents to enjoy a peaceful evening in their homes

This should be sufficient as it is in line with the previous objections in the letter, i.e. opening to 1am and noise levels. If you feel it will help by calling it out more clearly then please feel free to add it. Again, we have nothing against it going until 11pm with the restrictions outlined below (e.g. outside dining stopping at 9pm) and we continue to object to the opening to 1am.

Rep 23.

Please see attached document called Rep 23.

Sustainable Communities Department
Licensing Team, 3rd Floor, Zone B
Bernard Wetherill House
8 Mint Walk
Croydon
CR0 1EA

~~XXXXXXXXXXXXXXXXXXXX~~
February 2024
~~XXXXXXXXXXXXXXXXXXXX~~
Sanderstead
~~XXXXXXXXXXXX~~

Re: Objection - 49 Limpsfield Road, Sanderstead, CR2 9LB
(former Delhi Kitchen)

Dear Madam or Sir,

We're writing regarding the development on 49 Limpsfield Road that is planned for Mojito Restaurant Ltd. We understand that an application has been submitted to Croydon Council for live music, ability to dine in the back garden and late night closure (i.e. premises closing at 1am).

We strongly object to the application as local residents. Any late night closure will result in further disturbance in the local streets (especially Cranleigh Gardens and surrounding roads). People tend to park in Cranleigh Gardens when visiting nearby Med Kitchen and will undoubtedly do so for Mojito Restaurant as well.

Since Med Kitchen has opened, we have observed a consistent pattern of excessive noise upon closing time. The same can be predicted for the planned development by Mojito Restaurant especially if it advertises itself as an establishment with live music. If the new restaurant is going ahead, it should have the same closing time as Med Kitchen. While this will also add to noise levels, it will be preferable to having two restaurants with different closing times in the same area.

While we understand that restaurants naturally generate some level of noise during operation, the extent to which it encroaches upon the peace and quiet of our neighbourhood is unacceptable. Allowing the restaurant to open until 1am will lead to disturbances well beyond reasonable hours, making it difficult for residents to enjoy a peaceful evening in their homes. We would also urge you not to grant any permission for outside dining. This will again add to noise levels especially in the summertime when neighbours will sleep with

their windows open.

A5

We urge you to take immediate action to address this matter by implementing measures to mitigate noise levels during operating hours, limiting requested operating hours and ensuring that all staff members are mindful of the impact their actions may have on nearby residents.

As residents who value the vibrancy of our local businesses but also seeks a peaceful living environment, we hope that we can work together to find a solution that benefits both Mojito Restaurant and the community at large.

Best wishes,

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~, Sanderstead, South Croydon, ~~XXXXXXXXXXXX~~

23 February 2024

London Borough of Croydon
Sustainable Communities Department
3rd Floor, Zone B
Bernard Weatherill House
8 Mint Walk
CROYDON
CR0 1EA

Dear Sirs

Application for a Premises Licence under the Licensing Act 2003
Mojito Restaurant Limited, 49 Limpsfield Road, Sanderstead, South Croydon, CR2 9LB

I write to advise you of concerns that I have regarding the matters referred to in the Application now under consideration.

As you will note from the letterhead above, I live (~~on my own at the bottom~~) in a house that is in close proximity to 49 Limpsfield Road: there is only a short leg of Cranleigh Close and an electricity sub-station between the two sites. (The Location Plan that formed part of Planning Application No: 23/04378/FUL incorrectly refers to Cranleigh Gardens as "Cranleigh Road".) I have owned ● Cranleigh Gardens ever since August 1967 and for much of that time the site at 49 Limpsfield Road has been a restaurant.

Apart from the shops along Limpsfield Road, the area is mainly residential in character and I am given to understand that a restrictive covenant applies to a considerable part of the local area which, in respect of ● Cranleigh Gardens, reads as follows:

"No buildings to be erected on the property hereby conveyed shall at any time be used as a public house or beer house nor shall the sub-purchasers except thereon any manufactory or works or except on such part of the property as is scheduled for shops under the Town Planning Scheme as prepared by the Coulsdon and Purley Urban District Council carry on thereon any trade or business and will not do any act or thing on the property conveyed which may be a nuisance or annoyance to the owners or occupiers of the adjoining or neighbouring property."

Consequently, there are no Public Houses at all in the local area. I have to wonder whether the Supply of Alcohol element of the present Application is an attempt to circumvent the operation of the Restrictive Covenant.

Having carefully read the present Application, I have to assume that it is, in effect, an attempt to extend by 2 hours the time that the restaurant can operate on some Friday and Saturday evenings and on Christmas Eve and New Years Eve. If the activities referred to in the Application are to be permitted to take place until 0100 hours, the reality is customers may well not actually leave the premises until up to an hour thereafter

Apart from very local residents who may choose to be customers of the restaurant, other customers may well come from some distance away and they will do so using their cars. There are no parking facilities provided on the 49 Limpsfield Road site, as a result of which they will park their vehicles in local roads such as Cranleigh Gardens if there are spaces available, failing which they may park in Blenheim Gardens or Onslow Gardens and walk to and from the restaurant along Cranleigh Gardens. Current yellow line parking restrictions from the junction of Limpsfield Road and Cranleigh Gardens

(partly double lines and then single yellow lines) end outside my property and only apply until 1830 hours.

Past experience has been that customers leaving the restaurant premises are often quite noisy as they chat and they also have little consideration about noise that is caused as they drive away. This is particularly noticeable in the warmer summer months.

I will particularly object if, by extending the operating hours of the restaurant and its activities to 0100 hours, my sleep is made subject to disturbance between 0100 hours and 0200 hours.

As regards the Live Music and Recorded Music parts of the Application, I have noted that this is supposed to be contained inside the restaurant premises as stated in number 11 of the Croydon Council Statement of Licensing Objectives - "To prevent noise nuisance, management shall ensure the music is played and kept at a level so that it can only be heard within the premises." Again, what will happen in the warmer summer months when the interior of the premises may become uncomfortably hot, the more so if there are a large number of customers on site?

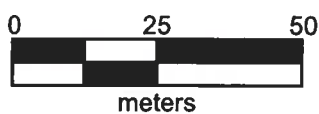
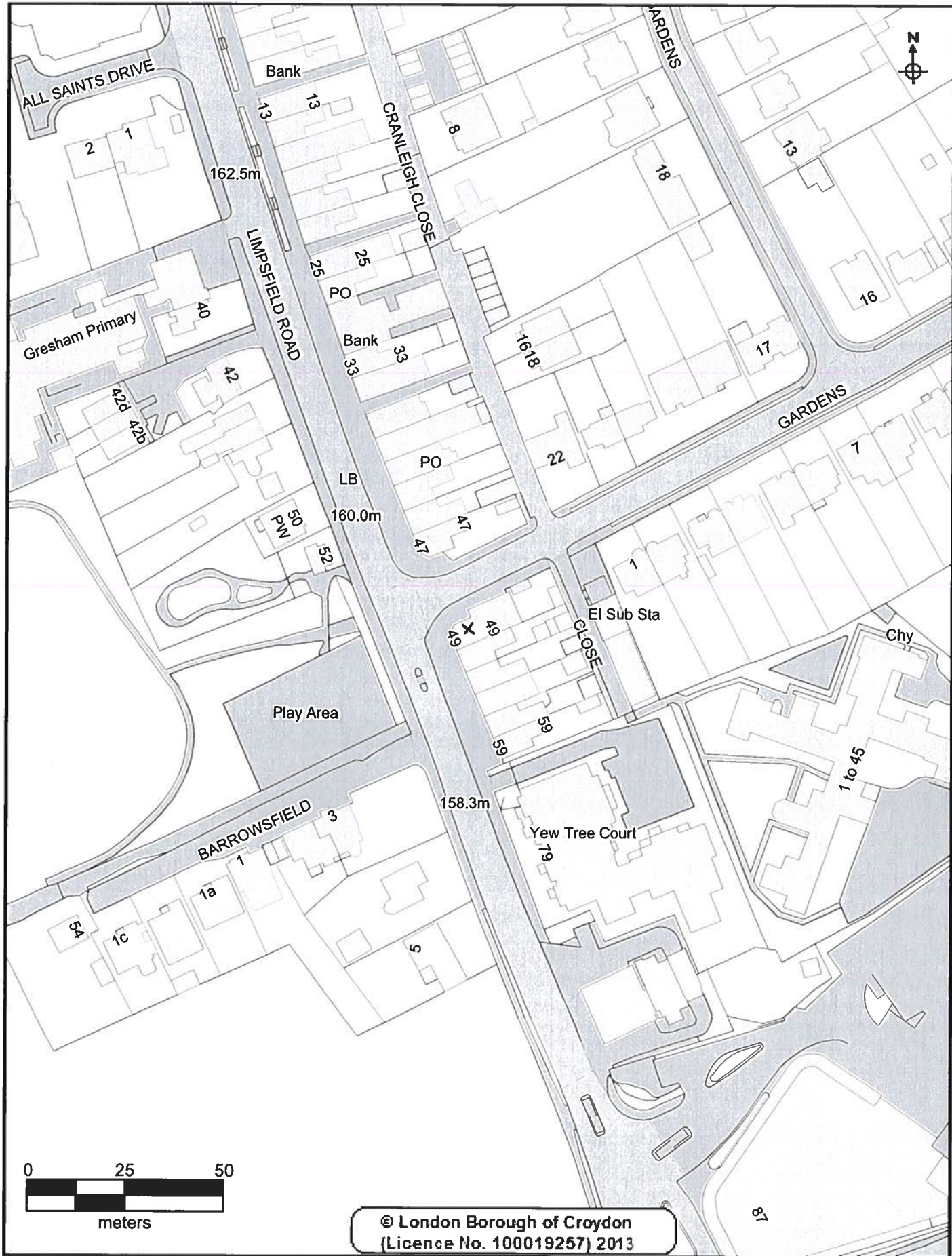
Similar issues would arise if the Performance of Dance element of the Application (which would inevitably involve either live or recorded music) is permitted until 0100 hours.

In the light of the foregoing, I submit that the present Premises Licence Application should be rejected by Croydon Council in order to preserve the character of the residential neighbourhood and that local residents should not be subjected to disturbance beyond midnight.

The Application also states that "the front street pavements are wide enough for the application to create outside seating area for customers to enjoy coffee & lunch in good weather; Street Trading Licence will be applied for once the building and refurbishment work is completed". The frontage of the restaurant is quite small and consists of 3 door style windows. It is my opinion that there is insufficient space in the Cranleigh Gardens pavement for any outside seating area and having a front street outside eating area will create a potential hazard for people walking in Cranleigh Gardens towards Limpsfield Road, particularly those with sight or mobility problems. I will want to submit an objection if ever a Street Trading Licence is applied for. Can you please ensure that I am advised if such an application is received.

Yours faithfully





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London Borough Croydon

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08-Mar-2024



X = 49 LIMSFIELD ROAD