

Agenda Item: 6.5

07/00015/P

02/01/2007

Purley

Application for full planning permission

Agent:
Cadsquare South East
Ovest House
58 West Street
Brighton
BN1 2RA

Applicant:
Independence Homes
Airport House
Purley Way
Croydon
CR0 0XZ

Location: 37 Foxley Lane, Purley, CR8 3EH

Description: Demolition of existing buildings; Erection of a two storey building with accommodation in roofspace for use as a residential care home for a maximum of 8 persons with epilepsy

Drawing No(s): 06-143/10.101, 06-143/11.101, 06-143/13.101, 06-143/13.102, 06-143/11.102,

Recommendation: **Grant Permission**

Subject to the following condition(s) and reason(s):-

1. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters and shall be retained for so long as the development remains in existence:-
 - (1) disabled parking arrangements
 - (2) bicycle storage
 - (3) security lighting
 - (4) boundary fencing

Reason: To ensure that an acceptable standard of development is provided and retained having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

2. No works on site shall commence until details of the external facing materials have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with such approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

3. The visibility splays shall be provided as specified in the application before the access is brought into use and shall be retained for so long as the development remains in existence:-

Reason: To ensure an acceptable level of development in accordance with Policy T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

4. No window or glazed door shall be provide in the south eastern and north western elevations other than as specified in the application
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Supplementary Planning Document No 2 on Residential Extensions and Alterations
5. The windows at first floor and above, in the south eastern and north western elevations shall be retained in obscure glazing for so long as the development remains in existence
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Supplementary Planning Document No 2 on Residential Extensions and Alterations
6. Prior to the commencement of the development including demolition, a landscaping scheme to include existing and proposed planting shall be submitted to and approved by the Local Planning Authority; the approved planting shall be provided before any part of the development is occupied or within such longer period or periods as the Local Planning Authority may previously agree in writing and shall be maintained for a period of ten years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided
Reason: To enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
7. The laundry and therapy rooms shall not be used except:-
between 0900 hours and 1800 hours on Mondays to Fridays
Reason: To protect the amenities of adjoining occupiers
8. The premises shall only be used for adults between the ages of 18 and 65 with epilepsy and for no other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987
Reason: To protect the amenities of adjoining occupiers
9. The maximum number of residents shall be restricted to 8 at any one time.
Reason: To protect the amenity of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
10. The development shall be begun within three years of the date of the permission.
Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

1. The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP3, UD2, UD3, UD8, UC3, T8, T11, H1, H12, SP30 and CS1.

The development is considered to be satisfactory in relation to the following:-

- . (a) the appearance of the development in the street scene
 - (b) the relationship of the development to adjacent property
 - (c) the character of the development in the surrounding area
 - (d) the impact on the amenities of the occupiers of adjacent and nearby properties
 - (e) the light and outlook of occupiers of adjacent and nearby properties
 - (f) the privacy of occupiers of adjacent and nearby properties
 - (g) the relationship of the development to trees to be retained
 - (h) the safety of pedestrians and motorists on the adjacent highway
 - (i) accessibility to buildings
 - (j) the housing policies of the development plan
 - (k) the preservation or enhancement of the conservation area
 - (l) the community services policies of the development plan
- and having regard to all other matters raised.

Informative(s) :-

- 1 The applicant is advised to consult the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites" before commencing work on the site. The Code gives advice on how to undertake work on site in a considerate manner. A copy can be obtained by calling 020 8760 5483.

Ward: Purley **PLANNING CONTROL COMMITTEE**
Lead Officer: Head of Planning Control **12th April 2007**

07/00015/P- 37 Foxley Lane, Purley, CR8 3EH

1. SUMMARY

- 1.1 This report concerns an application for the demolition of existing buildings; erection of a two storey building with accommodation in the roofspace for use as a residential care home for a maximum of 8 persons with epilepsy.

2. RECOMMENDATION

- 2.1 That planning permission be granted subject to the conditions and reasons set out in the agenda.

3. BACKGROUND

(a) Site Description

- 3.1 The application site is located on the south western side of Foxley Lane. To the rear of the site is the Webb Estate Conservation Area.

- 3.2 The site is occupied by a substantial, two storey dwellinghouse. The property is an original Webb house, finished in rendering and boarding of the Tudor style. The site is rectangular in shape with a frontage of 47m, an overall depth of approximately 46m.
- 3.3 Vehicular and pedestrian access is from an in/out driveway and a forecourt with space for off-street parking. The Foxley Lane frontage has landscaping with several trees.
- 3.4 There is a large garden to the rear with various hedgerows and small trees. The garden is situated on higher ground to the house. The land falls from south to north.
- 3.5 The surrounding area is primarily residential in character with large semi detached and detached properties on relatively large plots. The properties to the western and eastern side of the application site are detached properties. The property opposite, Number 32, is a surgery.
- 3.6 Foxley Lane is a London Distributor Road.

(b) Relevant Planning History

- 3.6 06/03952/P- Planning permission was granted on 17th November 2006 for the use of the building as a residential care home for a maximum of 8 persons with epilepsy and the erection of single and two storey side and rear extensions. The footprint and use of the building is identical to the new proposal for which planning permission is being sought in this report.

(c) Proposal

- 3.7 The proposal is to demolish the existing house and for the erection of a two storey house with accommodation in the roofspace. The house will then be used as a residential care home for 8 adults with epilepsy. The proposed ground floor plan proposes bedrooms 1, 2 and 3, and lounge, kitchen, laundry room and dining room would be shared facilities. There would also be an assisted bathroom, therapy room and an office. The first floor would have bedrooms 4, 5, 6, 7 and 8 and an assisted bathroom and sensory. Each of the bedrooms would have a bathroom. The second floor would be storage and a staff room. Each adult would be allocated their own bedroom. The applicant intends to employ staff on a rota basis to supervise the adults. There would be two members of staff on shift. There will be no staff accommodation, only the office and staff room.
- 3.8 The service users would be encouraged to attend college or a day centre. The music therapy room would be used for relaxation and the applicant advises that this will not be used for loud music sessions.
- 3.9 The proposal seeks to formalise the current car parking area, to provide 4 car parking spaces and 1 disabled space. A cycle store for 8 cycles would also be provided.

4. PLANNING POLICIES

- 4.1 The policies of the Replacement Unitary Development Plan (referred to as the Croydon Plan) which would amend the above and which impact upon the proposal are SP3, UD2, UD3, UD8, UC3, T8, T11, H1, H12, SP30 and CS1.

5. CONSULTATIONS

- 5.1 Adjoining and nearby occupiers were notified of the application. 2 individual letters, 1 letter from the South Woodcote Residents Association and 1 letter from the Purley & Woodcote Residents' Association have been received objecting to the development on the following grounds:

- a) The concentration of care homes etc are altering the character of the area and putting excessive strain on the infrastructure of the area
- b) There is not a balanced community
- c) Loss of privacy and an increase in noise and disturbance
- d) Negative impact on property values
- e) The building would be out keeping with the character of the road
- f) The proposal will greatly increase the traffic in the area
- g) A number of trees will need to be removed
- h) There is a safety concern
- i) The proposal would represent an over development of the site
- j) The building would be too close to the boundaries and therefore out of character

- 5.2 The South Croydon Conservation Area Advisory Panel submitted comments which state:

“The Panel do not consider that the proposal is likely to preserve and/or enhance the character or appearance of the Conservation Area due to full width development of the site presenting a massive intrusion of buildings overlooking the Conservation Area”.

6. CONSIDERATIONS

- 6.1 The principal issues to be considered are:

- a) Whether the proposal is acceptable in principle having regard to the land use policies of the development plan.
- b) The effect of the proposed development on the visual amenities of the street scene and the character of the area.
- c) The impact on the amenities of adjoining and nearby occupiers to the site.
- d) The amenity of future occupiers of the proposed care home.
- e) Traffic and highway implications.

(a)The principle of this use

- 6.2 The Council's policy on housing supply H1 of the UDP seeks to resist the loss of housing but allow for the conversion of residential accommodation for the provision of community uses sought by other policies in the respective Plans.
- 6.3 Policy H12 of the Croydon Plan states that residential care homes will be permitted except where such homes would have a significant adverse effect on residential amenity or the character of residential areas. When considering such applications the Council will have regard to the following:
- The cumulative effect of similar uses within the area;
 - The impact on the street scene;
 - Traffic generation and parking provision;
 - The level of noise, disturbance and intrusion.

6.4 The site has no constraints and provided the proposal does not conflict with other policies in the Development Plans then it is considered to be acceptable in principle. The criteria set out above are dealt with below.

(b) Appearance and character

6.5 The proposed house would be of similar design to the approved scheme under planning permission, 06/03952/P. The replacement building would also be the same footprint as that granted permission. It is considered the replacement building would observe the existing heights and massing of the buildings along the street and it would be sensitive to its local context. The design would be of similar style to the original Webb designed houses. It is therefore also considered to be acceptable in terms of the setting of the Webb Estate Conservation Area.

6.6 It is considered the residential care home would not be out of context with the character of the residential area because it would have a relatively low number of occupants consistent with that of a large family dwelling. In the immediate surrounding area there are no other care homes. The proposed development would not, therefore, result in an excessive cumulative effect.

(c) Impact on adjoining and nearby occupiers

6.7 The objections to the proposed development have been considered. However, planning permission (06/03952/P) has been given for the same use at this address. The development is relatively small in scale it is considered that there would not be a significant detrimental impact on adjoining occupiers sufficient to warrant a reason for refusal. The existing house has seven bedrooms and the proposed scheme is for 8 bedrooms. It is suggested that conditions be attached to any grant of planning permission to restrict the number of residents to a maximum of 8 and to ensure that any further change of use within the same use class would require the benefit of planning permission.

Although management issues would mainly fall within the jurisdiction of the Social Services Department and subject to National Care Homes Regulations under the Commission for Social Care Inspection

(CSCI), the amenity of surrounding occupiers has been carefully assessed. The proposed use is for people with epilepsy. This has been confirmed in writing by the applicant. This means residents have assisted independent living. There would be support workers, working on shifts to assist with day to day activities. It is thought the use is consistent with a residential area. It is suggested a condition be attached to any grant of planning permission to restrict the residents to those defined by the applicant.

(d) Privacy

6.8 It is considered there would be no significant detrimental loss of privacy. The number of occupants in the property would be relatively low and consistent with that of a large family dwelling. The windows of the upper floors in the flank walls of the property would be obscure glazed.

(e) Noise and disturbance

6.9 Due to the relatively low number of occupants proposed for the care home, it is considered that ambient noise levels would not significantly increase and there would be no significant adverse effect on adjoining or nearby occupiers. Furthermore, the Council's Specialist Pollution Team has commented that the proposal is unlikely to have a detrimental effect on the amenity of adjacent properties.

6.10 (d) Amenities of future occupiers

It is considered that the proposed residential care home would provide an adequate level of accommodation for its future occupiers.

6.11 The property has a rear garden which it is considered would provide adequate amenity space for future occupiers.

6.12 (e) Traffic and highway issues

The site has existing off-street car parking space for several cars and would be formalised within the proposal for 5 spaces including 1 disabled persons' space. Whilst this is below the maximum car parking standard of 1 space per unit it is considered the level of car parking is acceptable. Given the nature of the development and taking into account current DVLC legislation presents people with epilepsy from holding a driving license and level of parking is satisfactory. It is considered that the development would not lead to any significant increase in traffic.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 The Council's Specialist Pollution Team has commented that the proposal is unlikely to have a detrimental effect on the amenity of adjacent properties.

8. EQUALITIES CONSIDERATIONS

- 8.1 The use would cater for people disadvantaged by epilepsy. There is very little provision available for young adults with epilepsy both in the Purley area and in the country. The vast majority of the care homes to be found in the Purley Area cater only for the elderly or for people with learning disabilities generally.

Case Officer: Laura Millar

Background Documents: 2 letters of objection
1 letter of objection from the Purley & Woodcote Residents Association
1 letter of objection from the South Woodcote Residents Association
Comments from the South Croydon Conservation Advisory Panel

Contact Officer: Mr P Mills Tel: 020 8760 5419