

**Agenda Item: 6.11**

**This is a Major Application for which the 13 week period expires on 22/06/2006.**

06/01146/P

23/03/2006

Purley

Application for full planning permission

Agent:

M & M Architectural Services  
Old Forge, Moor Lane  
Marsh Green  
Edenbridge Kent  
TN8 5QX

Applicant:

Vinebright Properties Ltd  
Cedar House  
91 High Street  
Caterham Surrey  
CR3 5UH

Location: 13-23 Whytecliffe Road South, Purley

Description: Demolition of existing buildings; erection of 4/5/6/7 storey building comprising uses within class A1 (retail) or A3 (restaurants and cafes) or B1 (business) on part of ground floor and 23 one bedroom and 22 two bedroom flats in remainder of building; formation of vehicular access and provision of associated parking

Drawing No(s): WR P 001, WRS P 002, 003A, 004A, 005, 006, 007, 008, 009B, 010B, 011A, 012, 013B, 014, 015B, 016, 017, 018, 019, 020, 021, 022, 023 and 24.

**Recommendation: Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control**

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

1. 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 Policies BE1 and BE13 of the Unitary Development Plan and Policy UD2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
2. Unless otherwise agreed in writing by the Local Planning Authority the areas identified on the submitted drawings for planting shall be permanently retained for that purpose.  
Reason: To enhance the appearance of the development and to maintain a contribution to the visual amenity of the locality in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
3. The new planting and/or other landscaping treatment specified in the application 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 five years from the date of planting; once planted the trees shall not be lopped, topped or otherwise removed, unless with prior written authority from the Council; 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 ensure that the new planting becomes established and thereby enhances the appearance of the development and contributes to the visual amenity of the locality in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

4. Before the development is begun a report of historical uses of the site shall be carried out to the approval of the Local Planning Authority, to provide an assessment into the possibility of soil contamination.

If the report indicates the possibility of soil contamination an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority. The investigation report shall include a risk assessment and details of remediation if required.

Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building. A validation report detailing evidence of all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority at the conclusion of the work and before any occupation of the properties.

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.

Reason: To ensure the safe development of potentially contaminated land in accordance with Policy EP8 of the Unitary Development Plan and Policy EP9 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

5. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-
  - (1) refuse collection facilities
  - (2) any boundary walls and fences or other means of enclosing the site
  - (3) finished floor levels of the building(s) in relation to existing and proposed site levels
  - (4) any screen walls and fences
  - (5) boundary walls and fences or other
  - (6) footpaths

Reason: To ensure an acceptable standard of development having regard to the policies of the Unitary Development Plan and of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

6. The commercial premises on the ground floor as indicated on the approved plans shall only be used for A1 (retail), A3 (restaurants and cafes) use and/or

B1 (business) use as defined in the Town and Country Planning (Use Classes) Order 1987, and for no other purpose, including any other use that would otherwise be permitted by that Order or any statutory instrument revoking or re-enacting that Order.

Reason: To ensure that the use is appropriate to the site having regard to the policies of the Unitary Development Plan and of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan).

7. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes report that achieves 'Excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes Post Construction Review shall be provided, verifying that the agreed standards have been met, prior to the first occupation of the development.

Reason: To accord with Policies UD1 and UD18 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

8. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained for so long as the development remains in existence.

Reason: To comply with Policy EP16 of the Unitary Development Plan and Policy EP23 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

9. The windows provided in the south-western and north-eastern elevations shall be obscure glazed as specified in the application:-

Reason: To protect the privacy of adjoining occupiers in accordance with Policy BE17 of the Unitary Development Plan and the Supplementary Planning Guidance Note No.2 on Residential Extensions and Policy UD6 of the Second Deposit Draft 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 Unitary Development Plan are SP1-2, BE1, BE3-7, BE10 -18, SP6, AR1-5, SP10-11, NC3-4, EP8, EP10, SP18, SP25, T1-2, T6, T23, T35, T44-46, SP30-32, H2, H8, H10-11 and H16.
2. The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) are SP1-3, UD1-2, UD4-6, UD10-14, UD16, SP4, UC14-18, SP9, NC2-4, R015, SP16, T2-6, T7-9, T30-31, T42-43, SP19-24, H2, H8 and H10.

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 the adjoining flyover
  - (h) the safety of pedestrians and motorists on the adjacent highway
  - (i) the safety and security of buildings and the spaces around them
  - (j) accessibility to buildings
  - (k) the housing policies of the development plan
  - (l) sustainability issues
  - (m) the recreational open space policies of the development plan
- and having regard to all other matters raised.

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**Ward: PURLEY PLANNING CONTROL COMMITTEE**  
**Lead Officer: Head of Planning Control 8 June 2006**

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**APPLICATION NO. 06/01146/P - 13-23 WHYTECLIFFE ROAD SOUTH, PURLEY**

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**1. SUMMARY**

- 1.1 This report concerns an application for the demolition of the existing buildings and the erection of a 4/5/6/7 storey building comprising 45 flats including 23 one bedroom flats 22 two bed flats along with uses within class A1 retail, A3 restaurant or B1 business use on the ground floor and associated car parking.

**2. RECOMMENDATION**

- 2.1 That planning permission be granted subject to or the reasons set out in the Agenda and the conclusion of a legal agreement regarding the dedication of land to form a pedestrian access, temporary arrangements for its management, affordable housing and contributions towards open space, public art and street furniture.

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**3. BACKGROUND**

(a) Site Description

- 3.1 The site is situated to the north west side of Whytecliffe Road South and is immediately opposite Purley Train Station. The site is 56m north of the junction with Godstone Road and High Street Purley.
- 3.2 The application site has a frontage of some 35m, and a depth that varies between 25m and 36m. The site area is approximately 0.12 hectare (0.3 acre).
- 3.3 The application site is bounded to the west by commercial premises fronting the High Street. A multi-storey car park lies to the north of the site, separated by a pedestrian access to the High Street. To the south east of the site there is a narrow pedestrian link to the High Street along with a number of two storey shops.
- 3.4 The surrounding area is mixed in character containing two and three storey houses,

residential estates, shops and offices. The whole site lies within the Purley Town Centre regeneration area for which the adopted Purley Town Centre Regeneration strategy applies. This strategy has been drawn up to identify problems and opportunities for improving the town centre.

(b) Planning History

- 3.5 00/0129/P - A resolution to grant outline planning permission at nos13, 15, and 17 Whytecliffe Road South for access and siting of a two three-storey building with commercial units fronting High Street with 32 units of residential accommodation above and to the ground floor fronting Whytecliffe Road South. This permission was subject to a legal agreement which was never finalised.
- 3.6 03/04332/P - Outline planning permission was granted at appeal on 9 November 2004 for the demolition of existing buildings at 13 -21 Whytecliffe Road South for the erection of 14 two bedroom flats with 14 parking spaces. In the Inspector's decision letter he advised that he placed limited weight on the Council's draft Purley Town Centre Supplementary Planning Guidance 13. This guidance has since been adopted and should be afforded the appropriate weight.
- 3.7 05/00839/RES - An application for reserved matters for 14 two bedroom flats; alterations to vehicular access and provision of associated car parking was approved on 9 June 2005.
- 3.8 05/8500/P - An application for full planning permission for the demolition of the existing buildings and the erection of a 4/5/6/7 storey building comprising 45 flats including 25 one bedroom flats 20 two bed flats along with uses within class A1 Retail, A3 Restaurant or B1 Business use on the ground floor. The reasons for refusal related to the design of the building and the failure to provide on site parking provision for disabled people. This proposal is subject of an appeal currently awaiting a decision by the Planning Inspectorate.

(c) Proposal

- 3.9 This is an application for full planning permission for the demolition of 13-23 Whytecliffe Road South and the erection of a building of up to 7 storeys in height. The building would include a lower ground floor level, which would include a store to accommodate 46 cycles. 23 one bed flats and 22 two bed flats are proposed, together with 3 commercial units that would be located on the ground floor. Two disabled car parking spaces are proposed within the site.
- 3.10 As part of the proposals the applicant has set aside a strip of land adjoining and to the south as a pedestrian access. This access would be approximately 7m wide with a length of some 28m. The applicant proposes to dedicate this land to the Council in order to allow full access to the High Street should properties fronting the High Street become subject of redevelopment proposals.
- 3.11 The upper floors of the building would be set in a tiered manner. The commercial units on the ground floor of the building to Whytecliffe Road South would be predominantly glazed. The materials on the remainder of the building would comprise brick and rendered panels and glazing, with stainless steel balconies. The upper floor would be predominantly glazed where fronting the road, with the floor below being primarily finished in cladding.

- 3.12 The proposed building includes a rear section that protrudes from the main rear wall of the building into the rear of the site by 8.8 m at lower ground floor level with a width of 3.6m. The depth of this rear section is set back at ground and upper levels so that its full depth above lower ground floor level would be 6.8m. The proposed habitable room windows in this element would be in the flank walls of the proposed building.
- 3.13 The proposal also includes two wind turbines measuring 2m diameter that would be fixed at high level on the roof of the top floor of the proposed building.

#### **4. POLICIES**

- 4.1 The relevant policies of the Unitary Development Plan are SP1-2, BE1, BE3-7, BE10-18, SP6, AR1-5, SP10-11, NC3-4, EP8, EP10, SP18, SP25, T1-2, T6, T23, T35, T44-46, SP30-32, H2, H8, H10-11 and H16.
- 4.2 The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) are SP1-3, UD1-2, UD4-6, UD10-14, UD16, SP4, UC14-18, SP9, NC2-4, R015, SP16, T2-6, T7-9, T30-31, T42-43, SP19-24, H2, H8 and H10. These policies are further amended by Proposed Modifications dated February 2006.

#### **5. REPRESENTATIONS**

- 5.1 The application has been advertised in the local press as a "major application" under Article 8 of the Town and Country Planning (General Development Procedures) Order 1995.
- 5.2 Forty four owner/occupiers of adjoining and nearby premises along Whytecliffe Road, Station Approach and the High Street Purley were notified. One letter has been received from the Purley & Woodcote Residents' Association objecting to the proposal for the following reasons:-
- (a) the density is very high for the site;
  - (b) inadequate amenity space;
  - (c) no provision for off street car parking in a road likely to play a major role in solving traffic problems
- 5.3 The Council's Contamination Land Officer has requested that an intrusive site investigation be carried out in order to determine whether contamination is present on the site.
- 5.4 Transport for London has been consulted but no response has been received.

#### **6. CONSIDERATIONS**

- 6.1 The principal issues to be considered are:-
- (a) the effect of the development on:-
    - (i) the character of the area and the appearance of the street scene;
    - (ii) the amenities of surrounding occupiers and future occupiers of the proposed flats;
    - (iii) transportation and parking arrangements;
    - (iv) affordable housing considerations;

- (v) open space and public art

- 6.2 The application site forms part of a key site in Purley Town Centre. Land at 10-30 High Street and 1-23 Whytecliffe Road South is identified in the Purley Town Centre SPG 13 as a site that provides an opportunity for a gateway building and a local landmark which would be highly visible from Purley Station. The site is also identified in the Purley Town Centre Regeneration Strategy as a site with development potential for high density, high quality residential development with ground floor retail/commercial uses. A more intensive development of this site would therefore make more efficient use of land within this town centre location on previously developed land. A well planned and high quality development would therefore be consistent with the sustainable approach to development set out in PPG1, PPG3, PPG13 and the strategies set out in the Council's Unitary Development Plan (UDP) and the Second Deposit Draft Replacement Unitary Development Plan. The location of the site is within a highly sustainable location within the Purley Town Centre, opposite Purley Train Station and well located next to a range of shopping facilities. The site is also close to two Strategic roads (A22 and A23) and is within the boundary of Purley Town Centre.
- 6.3 In such location a higher density would be acceptable. The development comprises 23 one bedroom and 22 two bedroom flats, making a total of 112 habitable rooms. This would produce a density of 933 habitable rooms per hectare. This would be well above the density range of 160-300 habitable rooms per hectare for mixed housing schemes in Policy H8 of the Second Deposit Draft Croydon Plan.
- 6.4 Policy H10 of the Croydon Plan permits densities higher than those in Policy H8 on appropriate sites in areas of high accessibility to services and public transport provision.
- 6.5 The proposed density is significantly higher than that outlined in the Council's policy, however higher densities are accepted in locations that are sustainable. In addition the Purley Town Centre SPG 13 identifies the need to achieve a significant landmark building at the site that addresses the key issues including the need for a pedestrian link between Purley Station and the High Street and the potential to bring about retail and public uses on the ground floor such as food and drink. The development addresses these objectives.

The character of the area and the appearance of the street scene

- 6.6 Policy BE1 of the UDP states that "The Council will seek a high standard of design and layout in all development, which should respect the visual character of the area in which it is located in terms of elements such as scale, proportions, materials, detailing and roof form" and Policy BE3 states that "the siting and massing of development should respect or improve the existing pattern of buildings and the spaces between them and maximise opportunities for creating an attractive and interesting environment". Policy UD2 of the draft Croydon Plan similarly identifies the need for "a high standard of design in all new proposals for new development" and sets out the "layout and siting", the "scale, massing and height" and the "detailed design" criteria for new development proposals.
- 6.7 In the context of its setting the development would be significant in terms of its scale but would be in keeping with the varied design and appearance of surrounding buildings. In addition the separation between the application site and the neighbouring sites is considered to represent an acceptable transition. Number 11

Whytecliffe Road South to the south of the application site, would be separated by 11m, while there would be a 9m gap from the car park to the north of the site.

- 6.8 In support of the application the applicants have submitted a report stating that the scale and height of the proposed development has regard to the context of the surrounding townscape and the topography. For example whilst the Job Centre is only three storeys in height, it would be only marginally lower than the proposed building given the topography of the road. The proposed appearance of the building has been comprehensively redesigned following discussions with officers. The previous proposal was considered too symmetrical and failed to emphasise the entrance to the pedestrian walkway opposite Purley train station. This visual emphasis has now been revised in favour of an asymmetrical design which better emphasises the entrance to the proposed pedestrian link through to the High Street. The scheme as revised makes a much more emphatic statement as a gateway building opposite the railway station. Facing materials would include a palette of London Stock bricks, glass blocks, coloured aluminium doors and window frames and a non-staining composite panel system in two shades of grey. The proposed materials are considered acceptable in this location additionally the height, scale and massing of the building is acceptable.
- 6.9 There are other precedents in the town centre for taller buildings above the general context. The best example is Purley Point (Bank of Scotland) at the junction of High Street and Purley Road. This building whilst only four storeys is tall with large floor to ceiling heights. A measurement of the building identifies that it is 18.5m high to the main ridge height with an additional 3m for the feature tower. In comparison the proposed building is only 16m tall from street level. This building is approximately 65m away for the application site.
- 6.10 There are further examples of taller buildings in the town centre. Astoria Court, the recently completed residential building further to the north on Whytecliffe Road South is six storeys in height as is the Milford Homes development at 850 Brighton Road. Both of these developments are residential apartments above commercial units facing onto busy roads, similar to the application site.
- 6.11 In terms of siting and layout the scheme reinforces and respects the existing pattern of development. The proposed building strengthens the streetscape and provides a framework in terms of height, scale and footprint for development of the adjoining site (Nos. 1-11).

#### The amenities of surrounding and future occupiers of the proposed flats

- 6.12 With regard to the impact of the proposal on surrounding premises, it is considered that the development would be a sufficient distance from the buildings either side of the application site and there would be no overlooking to number 11 Whytecliffe Road South which is a Job Centre. In relation to the premises fronting High Street to the rear of the site, typical distances between windows with habitable rooms would be between 23m and 31m. These distances are for this town centre site considered acceptable and would help to protect both the privacy of neighbouring occupiers and future occupiers of the proposed development.
- 6.13 In relation to amenity space, the depth of the rear garden space would be between 12m to 20m to the rear boundary with the High Street premises. The proposed amenity space provision would be satisfactory and comparable with that of other developments including Astoria Court and Azalea Court to the north of the

application site.

### Transportation and parking arrangements

6.14 On the previous scheme no car parking spaces were proposed within the scheme. Two car parking spaces for disabled drivers was proposed in the adjacent public car park. This was considered unacceptable and has now been revised to include two disabled parking spaces within the development. This is a considerable improvement on previous proposal. Moreover, in such an accessible location it is considered that the level of car parking proposed is acceptable in this case given the good public transport facilities within close walking distance and the difficulties of achieving car parking provision at the site because of the varying levels. In addition Government guidance contained within PPG's 3 and 13 and the guidance within the emerging UDP (Policy T30) supports the principle of lower car parking provision in locations with good transport provision in locations with good public transport accessibility.

6.15 Alternative modes of transport would however, be provided in the form of 44 cycle spaces for residents in secure storage at lower ground level. The applicants are also required to make a contribution of £31,500 toward Sustainable Transport in compliance with Planning Guidance Note 1 on Planning Obligations.

### Affordable Housing Provision

6.16 Policy H18 of the UDP, Policy SP24 of the draft Croydon Plan together with Supplementary Planning Guidance Note No.6 "Affordable Housing" seek a proportion of affordable housing provision on all schemes for residential development comprising 15 units and above. The definition of affordable housing is given within SPG No.6 and normally comprises housing for rent or shared ownership schemes run by a recognised social landlord. The proportion of affordable housing sought by the Council within a scheme with 30 or more proposed dwellings is 50%. For the proposed application this would equate to some 22 affordable housing units. The applicants have proposed 12 affordable housing units.

6.17 In justifying this level of affordable housing the applicants state that the development of the site to provide 14 units has already been approved on appeal with no affordable housing. Therefore this potential "fallback position" if implemented would not result in any affordable housing units. It is considered however that the current scheme for 45 units is materially different from the approved scheme and relates to a larger site including 23 Whytecliffe Road South.

6.18 The applicant also points to the dedication of land to be used to achieve a pedestrian walkway for the Council. They contend that this walkway would have a total value of £294,000 and that this should be offset against the Council's affordable housing requirements. Use of a walkway to link Whytecliffe Road South to the High Street is a key issue identified in the Purley Town Centre PPG13.

### Public Art and Open Space

6.19 This is a 'major development' which proposes 45 residential units; therefore it would be necessary for the applicant to provide 'Public Art' in accordance with the requirements of Policy BE15 of the UDP and Policy UD16 of the Croydon Plan. The amount required as a contribution toward Public Art is £52,000. The applicants have proposed a direct contribution of £5,000 towards public art and a further £32,000 in the form of paving, street furniture lighting planting and gates

and railings. This is considered acceptable as the applicants have confirmed that the design of three elements would be agreed with officers responsible for public art.

6.20 In addition the proposal lies within an area deficient in local parks. The site is approximately 410m from the nearest local park, Purley Rotary Fields. Policy R015 of the draft Croydon Plan requires that large residential schemes provide on-site recreational open space. Where this cannot be provided developers are expected to make a commuted payment for appropriate enhancement of a nearby recreational open space. The applicant has agreed to make a contribution of £52,760 which is considered acceptable.

6.21 The site is located inside Purley town centre as designated in the UDP and the impact of any redevelopment on proposals within the development strategy for the town centre is a material consideration. Moreover, it is considered that the proposed development could make an important contribution to the objectives of the Purley Town Centre PPG 13.

6.22 With regard to the total contributions the applicants have stated that they have made the maximum contributions that the proposed scheme would allow and it is the officers view that consideration should be given to the fall back position in which the applicant could revert to implementing the approved scheme for 14 residential units. However the design of the approved scheme is considered to be poor and the proposal would not include an active frontage, nor a pedestrian access and sustainable technology is does not form part of this scheme. In the circumstances therefore the Council's objectives as outlined in SPG 13 Purley Town Centre would not be achieved by reverting to this extant permission. On balance it is considered that the proposed scheme is acceptable.

## **7. ENVIRONMENTAL CONSIDERATIONS**

7.1 The development would involve an improvement in environmental conditions at the site and would allow more efficient use of the land. The applicants have stated that the scheme would achieve an excellent Eco Homes rating and two wind turbines are to be fixed onto the building.

## **8. EQUALITIES CONSIDERATIONS**

8.1 Two car parking spaces for people with disabilities are proposed as part of this proposal and there would be level access to the building and a lift serving its south wing.

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Case Officer: David Alabi  
Background Documents: One letter from the Purley & Woodcote Residents' Association  
Contact Officer: Phil Mills Tel. 0208 760 5419