

Agenda Item: 6.4

05/01667/P 11/05/2005 Upper Norwood

Application for outline planning permission

Agent:
Howard Sharp & Partners
79 Great Peter Street
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London
SW1P 2EZ

Applicant:
Morscott 100 Limited
The Hall
Peyton Place
London
SE10 8RS

Location: St. Margaret's C Of E Church, Chevening Road, Upper Norwood,
 London, SE19

Description: Erection of single/two/three storey building comprising a day nursery for a maximum of 78 children and a block of 6 two bedroom flats; formation of vehicular access onto Rockmount Road and provision of associated parking

Drawing No(s): 21A ; 22B received 21.1.2006

Recommendation: Grant Permission

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

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters before the development is begun:-

- (1) design of the building(s)
- (2) external appearance of the building(s)
- (3) landscaping of the site (including an area incorporating features that allows access for roosting bats)

Reason: These matters were not submitted for consideration as part of the application.

2. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-

Section A

- (1) visibility splays
- (2) security lighting
- (3) parking arrangements
- (4) cycle store
- (5) bin store

Section B

- (6) boundary walls and fences

Reason: To ensure an acceptable standard of development having regard to the policies of the Unitary Development Plan .

3. Any application for approval of the reserved matters referred to in Condition 1 shall be made to the Local Planning Authority within three years of the date of the permission

Reason: To comply with the provisions of the Town and Country Planning

4. Unless otherwise agreed by the Local Planning Authority, application for approval of the details referred to in Condition 2 shall be made to the Local Planning Authority at the same time as the first application for approval of the reserved matters referred to in Condition 1
Reason: To ensure that the details of the development are considered in relation to each other
5. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 2 shall be provided before any part of the development is occupied and shall be retained for so long as the development remains in existence.
Reason: To ensure that an acceptable standard of development is provided and retained
6. Any new planting and/or other landscaping treatment approved in compliance with Condition 1 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; 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. Details of a Travel Plan for the nursery shall be submitted to and approved by the Local Planning Authority. Once approved the Travel Plan shall be implemented in accordance with the approved details prior to the first occupation of the building.
Reason: To ensure compliance with T2 of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
8. The application premises shall not be used as a day nursery except between the hours of 7.30am and 6.30 pm Monday to Friday inclusive, and not on Saturdays and Sundays and all public holidays.
Reason: To protect the amenities of the adjoining occupiers
9. During the hours of operation there shall be only a maximum of 16 children in the rear garden at any one time and the garden area shall only be used as a play area between 9.00 am and 6.00pm
Reason: To protect the amenities of the adjoining occupiers
10. During the hours of operation the number of children shall not exceed 78 on the site at any one time
Reason: To protect the amenities of the adjoining occupiers
11. The use hereby permitted shall not be begun until a scheme for an acoustic barrier for protecting the buildings at the rear of the site from noise generated by the proposal has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed prior to the commencement of the nursery use.

Reason: To protect the amenities of adjoining occupiers

12. The use hereby permitted shall not be begun until a sound insulation scheme for protecting the proposed flats on the upper floors has been submitted to and approved by the Local Planning Authority; notice shall be given to the Local Planning Authority to allow inspection of the installation of the sound insulation prior to its being enclosed and all works which form part of the scheme shall be completed prior to the use commencing and shall be retained for so long as the development remains in existence.

Reason: To protect the amenities of occupiers.

13. The windows to the nursery shall all be double -glazed for so long as the development remains in existence:-

Reason: To protect the amenities of adjoining occupiers.

14. The mitigation measures for the protection of bats shall be carried out as specified in section 5 of the bat survey dated August, 2005 by Baker Shepherd Gillespie, Ecological Consultants.

Reason: In the interests of protected species that may roost on the site.

15. The development shall be begun before the later of the following dates:-

- (i) five years from the date of the permission or
- (ii) two years from the final approval of the reserved matters referred to in Condition 1 or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the provisions of the Town and Country Planning Act 1990

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 SP1-3, UD1-2, UD4-6, UD8, UD13, EP1-2, EP22-23, CS1, CS2, 19-22, H1 and H2.

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 safety of pedestrians and motorists on the adjacent highway
 - (i)
 - (k) the preservation or enhancement of the adjoining conservation area
- and having regard to all other matters raised.

Application Number: 05/01667/P

St Margaret's Church of England Church, Chevening Road, Upper Norwood, SE19

1. SUMMARY

- 1.1 This application is a proposal for the demolition of the St Margaret's Church of England Church and erection of a part single and part three storey building comprising a nursery for a maximum of 78 children and 6 two bedroom flats and provision for 11 parking spaces.

2. RECOMMENDATIONS

- 2.1 Grant planning permission subject to conditions and reasons set out in the agenda.
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3. BACKGROUND

(a) Site Description

- 3.1 The site comprises St Margaret's Church of England Church which is a 19th Century 16.4m high building located on the junction of Chevening Road and Rockmount Road. It adjoins a Church hall and is opposite the park but is in a predominantly residential area comprising mainly semi-detached properties. The Rockmount School is situated along the other side of the junction with Rockmount Road. The park forms part of the Harold Road Conservation Area but the site is located outside the Conservation Area.

(b) Relevant Planning History

- 3.2 04/0478/P-The erection of 6 two-bedroom flats and the provision of a nursery to accommodate approximately 100 children. This is a current application but the applicants have indicated an intention to withdraw this if permission is granted to 05/1667/P.
- 3.3 04/00477/P-Erection of a 4 bedroom parsonage to provide residential accommodation (at the church hall adjoining the church). Approved October, 2005 but not yet implemented.

(c) Proposal

- 3.4 The proposal is for outline permission only with siting and access to be determined at this stage. It is for demolition of the existing church and its replacement with the erection of 6 two bedroom flats and the provision of a nursery to accommodate approximately 78 children.
- 3.5 The proposed development would have a frontage width of 40m to Chevening Road with an overall depth of 21m and an overall height of 12.2m. The development would be part single storey and part three storeys. The upper storey would comprise the 6 flats and be positioned towards the junction with Rockmount Road. The garden are to the

rear and adjoining the existing parsonage would be used as a play area.

- 3.6 The application has been accompanied by a Planning statement, Sustainability statement and a Transport Assessment.
- 3.7 The hours of use of the nursery would be between 7.30 a.m and 6.30pm with no formal educational activities on Saturdays. A maximum of 16 children would have use of the garden at any one time.
- 3.8 The application has been amended during the course of this application by a reduction in the number of flats from eight to six, amendments to the siting and parking layouts and the submission of a bat survey and additional information regarding the management of the nursery.

4. PLANNING POLICIES

- 4.1 The policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD1-2, UD4-6, UD8, UD13, EP1-2, EP22-23, CS1, CS2, 19-22, H1 and H2.

5. CONSULTATIONS

- 5.1 The application has been advertised as an application adjoining a Conservation Area and 52 adjoining properties have been consulted.
- 5.2 12 letters of objections have been received and a petition with 23 signatures. After revisions a further 10 letters of objections from the same occupiers were received including a petition with 10 signatures. A summary of the issues raised are as follows.
- (a) The proposed nursery would result in excessive noise and disturbance from the children. It would be particularly bad when the children use the gardens to the rear.
 - (b) It would threaten the viability of the proposed Rockmount nursery at the school and other nurseries in the area which are undersubscribed; it would conflict with Rockmount's redevelopment and the substantial investment in the school
 - (c) The increased traffic use would disturb the quiet of the area and lead to more congestion and traffic movements especially dropping off and pick up; it would result in safety concerns and traffic calming should be considered as well as a gated entrance
 - (d) The loss of a church would harm the character of the area.
 - (e) The proposed nursery would result in excessive noise and disturbance from the children. It would be particularly bad when the children use the gardens to the rear and at bank holidays and weekends.
 - (f) It would add to the drainage and possible flooding problems.
- 5.3 9 letters supporting the application including a petition with 12 signatures have been received. They have commented that the church has been redundant for sometime and that it would be better if the site was redeveloped.
- 5.4 GLA Member Andrew Pelling has requested that the application is decided at Committee level and that consideration is given to the amenity of nearby residents.
- 5.5 Former Councillor Ian Payne had concerns regarding noise during playtime, the need for a traffic assessment and impact on the water table

- 5.6 The North Croydon Conservation Area Advisory Panel: objected to the scheme on the grounds that there is a lack of clarity of expression for the differing uses on site in massing, layout and façade treatment, unsatisfactory roof styles and the development does not respect the Chevening Road building line.
- 5.7 English Nature: The site is used by commuting bats. The mitigation measures regarding the demolition of the church (only between September to November and April to May) that have been proposed are acceptable subject to their inclusion into a planning condition.

6. CONSIDERATIONS

- 6.1 The main considerations of this application relate to the loss of the church and its replacement with a nursery and flats and the impact of the development on the surrounding properties.

6.2 Land use

The existing church building has been declared redundant by the church authorities and has serious structural problems. Policy CS2 of the Croydon Plan seeks to resist the loss of places of worship and their associated community facilities, unless it can be demonstrated there is no longer a need for them. Evidence has now been provided that the church buildings (and adjacent church hall) are no longer suitable for alternative community uses. The money raised from the sale of the property would be used to improve other church facilities in the parish. It is considered therefore that the proposal now satisfies the requirements of policy CS2 as it has been demonstrated that there is no longer a need for the church and its associated community facilities at this site and another use could be permitted on this site. The new nursery would be an acceptable use at this site and in line with policy CS1 regarding the provision of childcare facilities.

6.3 Impact on Residential Amenity

The proposed nursery would cater for approximately 78 children in a predominantly residential area. This would include use of the garden area that backs onto residential properties in Orleans Road. The number of children using the garden area would be limited to 16 at any one time.

- 6.4 At the rear the three storey element would have a distance of 16m depth to the rear boundary. This is considered to be a sufficient distance not to cause overlooking or intrusion to the rear of the properties in Orleans Road. It is recommended that in the event of the application being approved. Details of an acoustic barrier to be provided to play area/garden would be secured by means of a condition. As a result it is considered that a nursery of this size and scale is not likely to have an adverse impact on the amenity of these residential properties.

6.5 Impact on Streetscene

The proposed building would be setback 5m from the pavement along Chevening Road. It would have a total frontage width of 40 m whereas the existing properties have widths of only 7m. However these existing properties are mainly part of pairs of semi-detached houses that are common in the area. The height is also considered to be acceptable and appropriate to the immediate surroundings as the overall height would be 12m as opposed to 16.4m of the existing church. Along Rockmount Road the development would be setback 1m. This is considered acceptable in this local context with no building fronting this part of Rockmount Road.

6.6 Standard of Accommodation

The floor areas of the two bedroom flats are approximately 84 m² and the indicative layouts are satisfactory. Amenity provision would be provided by balconies on the front and side elevations. Overall this is considered to provide a satisfactory standard of residential accommodation.

6.7 Bat survey

A bay survey has been carried out at the church and states that it is used by commuting bats. English Nature advises that the survey is to an acceptable standard and the mitigation measures proposed (requiring demolition to take place only during spring and autumn) are considered satisfactory subject to the imposition of a condition.

6.8 Highways and Parking

11 car parking spaces are to be provided: 5 spaces for the nursery and 6 spaces for the flats. This is considered to be acceptable. The cycle storage is also considered acceptable. This part of Chevening Road and Rockmount Road is within a 20mph zone and Chevening Road has numerous speed cushions and tables to control traffic speed.

This associated with the fact that there are only houses on one side of Chevening Road and the arrival and departure of children to nurseries tends to occur over a long time period, unlike a school, should mean that the traffic impact of the proposal is not significant. The Transportation Section has no objection to the proposal subject to the imposition of a condition with regard to the submission of a travel plan for the nursery.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 There are no environmental considerations relevant to this application.

8. EQUALITIES CONSIDERATIONS

8.1 The proposal would provide for the needs of the wider community in the area. Two disabled parking spaces are indicated on the site plan. Details of level access would be provided at a later stage.

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| Case Officer: | Kieran Gilmore |
| Background Documents: | Letter from GLA Member Andrew Pelling Letter from Former Councillor Ian Payne Letter from English Nature 22 Letters of objection 2 petitions opposing the development with a total of 33 signatures 1 petition supporting the scheme with 12 signatures. |
| Contact Officer: | Phil Mills 020 8760 5419 |