

**Agenda Item: 8.1**

**This is a Major Application for which the 13 week period expires on 21/06/2006.**

06/01171/P                      22/03/2006                      West Thornton

Application for full planning permission

Agent: Alex Wythe Alan Camp Architects 88 Union Street London SE1 0NW	Applicant: Mr D D'Eye HFHA (Thornton Heath) Ltd 382 Brockley Road London SE4 2BY
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Location: Granada Social Club, 793 London Road, Thornton Heath, CR7

Description: Demolition of existing buildings; erection of 3/6 storey building comprising use within Class D2 (assembly and leisure) on ground floor and 36 one bedroom and 15 two bedroom flats above; erection of 4 three bedroom houses, formation of vehicular access and provision of associated parking spaces.

Drawing No(s): 0691/100 to 0691/117; 0691/30 to 33; 0691/150 to 155.

691/109 A; 110 A; 111 A; 112 A; 113 A; 114 A; 115 A; 116 A.  
 691/130 A; 131 A; 132 A; 133 A.  
 691/150 A; 151 A; 152 A; 153 A; 154 A; 155 A.

**Recommendation: That the appeal be not contested and the Secretary of State be advised that in the event of the appeal being allowed it is recommended that a grant of planning permission subject to the completion of a Section 106 legal agreement should be subject to the following conditions**

1. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-
  - (1) visibility splays
  - (2) details of cycle storage
  - (3) boundary treatment
  - (4) the security arrangements for the entrance to the flats
  - (5) headroom under the building for vehicle clearance

Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
  
2. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition one 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

3. Unless otherwise previously agreed by the Local Planning Authority in writing the following shall be provided as specified in the application before any part of the development is occupied and shall also be retained for so long as the development remains in existence.
  - (1) parking arrangements
  - (2) servicing arrangementsReason: To ensure that an acceptable standard of development is provided and retained
  
4. 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 the policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
  
5. A landscaping scheme to include existing and proposed planting shall be submitted to the Local Planning Authority for approval before the development is begun; when approved, the 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 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 the policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
  
6. 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 the policies of the Croydon 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 the policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan)
  
8. Before the development has begun the applicant is required to supply a report to the Local Planning Authority which will detail the sites previous historical uses and if necessary an intrusive site investigation and assessment shall be

carried out. Remedial works must be agreed with the Local Planning Authority before any such works are carried out. A validation report detailing evidence of all remedial work must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development of potentially contaminated land in accordance with the policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan)

9. Details of a Travel Plan shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the building. Once approved the Travel Plan shall be implemented in accordance with the approved details

Reason

To ensure compliance with the policies 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 SP1-3, UD1(A), UD2.1(A), UD2.2(A), UD4, UD 5(A), UD6, UD10(A), UDII, UD13, UD14(A), UD18, RO15(A), EP1(A), EP7, EP10, EP12, EP15-16, EP22-23(A), T6(A), T14, T30-31, SP19-22, SP24, H2, H4, H8, H10, and H13(A).

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 housing policies of the development plan
- (n) sustainability issues
- (t) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised.

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**Ward: West Thornton**

**PLANNING COMMITTEE**

**Lead Officer: Head of Planning Control.**

**7 September 2006**

**Application Number: 06/1171/P Granada Social Club, 793 London Road, Croydon**

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## 1. SUMMARY

- 1.1 This report relates to an application for demolition of existing buildings; erection of 3/6 storey building comprising use within Class D2 (assembly and leisure) on ground floor and 36 one bedroom and 15 two bedroom flats above; erection of 4 three bedroom houses, formation of vehicular access and provision of associated parking spaces.

## BACKGROUND

- 2.1 This application was deferred from Planning Committee on June 8th for clarification on the level of contributions in the legal agreement (the original report is attached).
- 2.2 An appeal against non-determination has been lodged since the application was reported to Committee In June. It has been agreed that this appeal is conjoined with the existing appeal scheduled for 12<sup>th</sup> September, 2006 (paragraph 3.2 of the original report).

### 2.3 Section 106 Contributions

The applied PGN1 formula asked for £214,182 but the developer provided no offer of contribution other than to sort contributions out after the resolution to grant planning permission. The analysis of the “3 Dragons toolkit” suggests even the 35% affordable housing now offered would be difficult to achieve. The developer has offered £100,000 and a suggested breakdown (set out below) but is happy for the £100,000 to be allocated in other proportions .It is considered that if all of the anticipated obligations were to happen then the development might not be viable. Having regarded to all the circumstances it is recommended that a contribution of £100,000 be accepted.

£50,000 towards sustainable transport and environmental improvements  
£20,000 towards enhancing local open space  
£15,000 to Education  
£10,000 to Health  
£5,000 to Libraries

### 2.4 Affordable Housing

The proposal is intended for a mix of private and social housing. The applicants originally indicated that they would provide 50% affordable housing in accordance with Policy H13 of the Draft Replacement Unitary Development Croydon Plan. However, they have since indicated this cannot be provided and that the proposal would now have 35% affordable housing (27% social rented and 9% intermediate). A thorough financial assessment of the project has been submitted. This shows that higher levels of affordable accommodation are likely to affect the viability of the development. The Director of Housing concurs with this view.

## 3. RECOMMENDATIONS

- 3.1 ( 1) that the appeal on application 06/1171/P not be contested , and
- (2) that the planning inspectorate be recommended to grant planning permission subject to the conditions and the reasons set out in the agenda and the prior

completion of a Section 106 legal agreement relating to the provision of affordable housing and contributions towards open space, education, health, libraries, public realm and sustainable transport.

**Ward: West Thornton**

**PLANNING COMMITTEE**

**Lead Officer: Head of Planning Control.**

**8 June 2006**

**AGENDA ITEM:**

**Application Number: 06/1171/P Granada Social Club, 793 London Road, Croydon**

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**1. SUMMARY**

- 1.1 This report relates to an application for demolition of existing buildings; erection of 3/6 storey building comprising use within Class D2 (assembly and leisure) on ground floor and 36 one bedroom and 15 two bedroom flats above; erection of 4 three bedroom houses, formation of vehicular access and provision of associated parking spaces.

**2. RECOMMENDATIONS**

- 2.1 Grant planning permission subject to the conditions and the reasons set out in the agenda and the prior completion of a Section 106 legal agreement relating to the provision of affordable housing and contributions (amount yet to be determined towards open space, education, health, libraries, public realm and sustainable transport).
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**3. BACKGROUND**

3.1 (a) Site Description

The site is the 16m high Gala Bingo Hall, formerly a cinema, with car park to the rear located on the west side of London Road. The site adjoins commercial premises to the front including a six storey office building at no.797 and a two storey building at no.791. It is an L shaped site that also adjoins residential properties at the rear of the site along Grove Road. The large carpark at the rear adjoins these residential properties on both flanks of the site. The site area is .32 hectares.

3.2 (b) Relevant Planning History

(05/01407/P-Demolition of existing buildings and the erection of 4/6/7 storey building comprising use within class D2 (assembly and leisure) on ground floor and 30 one bedroom and 24 two bedroom flats; erection of 8 three bedroom houses formation of vehicular access and provision of 18 parking spaces.- Refused in June 2005 (and now subject to appeal to be heard in September, 2006) on grounds of overdevelopment, loss of privacy and visual intrusion, lack of affordable housing, no contributions towards open space, inadequate provision for

parking and servicing and lack of a sustainability/renewable energy report .

3.3 (c) Proposal

The scheme would have 2 elements: the main mass of the building fronting London Road comprising 36 one bedroom and 15 two bedroom flats above 575m<sup>2</sup> of D2 use (Assembly and Leisure) and the rear part facing Grove Road consisting of 4 three bedroom houses.

3.4 The frontage element would have an overall height of 19.4m. It would have a frontage width along London Road of 36m with an overall depth of 34.2m extending into the centre of the site with a new service yard for the D2 use. A recessed landscaped decking area (275m<sup>2</sup>) would be provided on the first floor for the residential flats. The terrace of 4 houses fronting Grove Road would be 8.8 m high with a width of 21.7m.

3.5 29 parking spaces including the use of car stackers are proposed for the 51 flats and 4 garage parking spaces are proposed for the 4 houses. The access to the residential parking area at the rear would also be shared for the servicing of the D2 use.

3.6 The materials for the development would primarily consist of London Yellow stock brick with cedar shingles and timber panelling

3.7 The application has been amended during the course of its consideration with regard to the design, parking arrangements and provision of affordable housing.

#### **4. PLANNING POLICIES**

4.1 The relevant policies of the Unitary Development Plan are SP1, SP2, BE1, BE3-14, BE16-18, BE23, SP12-14, EP10, T23, T37, T46, SP30-32, H2, H8, H10 and H18.

4.2 The policies of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) which would amend the above and which impact upon the proposal are SP1-3, UD1-2, UD4-6, UD10-II, UD13-14, UD18, EP1-2, EP4-5, EP7, EP10, EP12, EP22-23, T6, T14, T30-31, SP19-22, SP24, H2, H8, H10, H13.

4.3 The relevant policies contained within the Proposed Modifications to the draft Croydon plan are SP1-3, UD1(A),UD2.1(A),UD2.2(A), UD4, UD 5(A), UD6, UD10(A),UDII, UD13,UD14(A), UD18, RO15(A), EP1(A), EP7, EP10, EP12, EP15-16, EP22-23(A), T6(A), T14, T30-31, SP19-22, SP24, H2, H4, H8, H10, and H13(A).

#### **5. CONSULTATIONS**

5.1 The application has been advertised in the press as a major application and 73 adjoining properties have been consulted.

One letter of objection has been received. A summary of the issues raised are as follows:

- (a) the proposal would lead to overdevelopment, with little or no facilities for the residents
- (b) there is insufficient parking and this would lead to difficulties for refuse

- collection lorries  
(c) a much smaller development is preferred , enabling children to be accommodated in local schools and parks

## **6. CONSIDERATIONS**

6.1 The main issues regarding this proposal are

- (a) whether residential density complies with the policies in the development plan
- (b) the impact of the development on the visual amenity of the locality
- (c) the impact of the development on the residential amenity of adjoining occupiers
- (d) the impact of the development on the future occupiers
- (e) the impact on trees on the site
- (f) parking and highway issues
- (g) provision of recreational open space.

### 6.2 Residential Density

Policy H8 of the Proposed Modifications to the draft Croydon Plan requires that mixed housing residential schemes should result in a density in the range of 160 to 300 habitable rooms per hectare and H10 allows for densities in excess of this in areas of high accessibility, within which this site would fall. Although this proposal has an element of D2 use (575m<sup>2</sup>) it would result in density in excess of those specified in H8. The proposal would have 137 habitable rooms and would result in a density of 494 habitable rooms per hectare on a developable site area of .27 hectares. Policy H10 allows for densities in excess of this on appropriate sites in areas of high accessibility to services and public transport provision. In assessing whether a site is suitable for higher density residential development four factors will be taken into account. The site satisfies the factor relating to accessibility as the site has a PTAL rating of 3 and has good access to public transport provision.

### 6.3 Residential/ Office Amenity of existing and future Occupiers

There is a separation distance of 24m between the new infill housing block in Grove Road and the rear of the proposed building that would face London Road. This proposed block would also have less of an impact on the existing houses than that of the existing building which covers the majority of site to the front and rear. These separation distances are considered to be acceptable and are considered to overcome the deficiencies of the previous scheme with regard to overlooking, visual intrusion and loss of privacy at the rear of the existing houses in Grove Road. 18m would now separate the side of the front block and the flank of the adjoining six storey office building. This is also now considered to be satisfactory and addresses a further deficiency from the previously refused scheme.

6.4 The floor areas of the flats vary from 47m<sup>2</sup> to 75m<sup>2</sup> and in principle the internal layouts are satisfactory. All of the houses would have gardens and all of the flats would have balconies or access to the landscaped area.

### 6.5 Visual Amenity of the Locality

The massing and the height of the building fronting London Road is considered to be acceptable and matches the height of the adjoining office building at no. 797. The height has been reduced adjoining no.791 London Road and thereby addresses one of the reasons for refusal from that of the previous scheme. The contemporary design of the houses on Grove Road is also considered to be

acceptable.

6.6 Affordable Housing

The proposal is intended for a mix of private and social housing. The applicants have indicated that they would provide 50% affordable housing in accordance with Policy H18 of the UDP and Policy H13(a) of the Proposed Modifications to the draft Croydon Plan.

6.7 Parking and Servicing

The subject site is in an area with a PTAL accessibility rating of 3 and is therefore considered moderately accessible to public transport links. 29 parking spaces including the use of car stackers are proposed for the 51 flats and 4 garage parking spaces are proposed for the 4 houses. 50% parking provision has been provided and is considered satisfactory, given that the site has good public transport accessibility, 3 spaces are designed for disabled use. Cycle parking for 51 residential spaces and 10 cycle spaces for the D2 use are proposed. This is considered acceptable subject to details being provided by way of condition. There is sufficient space for a refuse service vehicle to use the site. A condition requiring the approval and implementation of a travel plan is suggested.

6.8 Section 106 Contributions

Open land:

Policy RO15 of the Proposed Modifications to the draft Croydon Plan is relevant, because the scheme proposes more than 10 dwellings, and the site is in an area deficient in local parks, being greater than 400 metres walking distance from the nearest local park. The developer would be expected to make a commuted payment for the enhancement of the local park equal to the cost of creating an area of on-site recreational open space. The level of on-site provision is 18.5m<sup>2</sup>/person. This is derived from the National Playing Field Association Standard of 23m<sup>2</sup>, but is reduced to reflect the actual level of provision achieved elsewhere. Occupation rates are derived from the 2001 Census and are based on tenure and number of habitable rooms. The hypothetical cost of laying out an informal area of open space is £40m<sup>2</sup>. An on-site requirement for 1,640m<sup>2</sup> and therefore an off-site contribution of **£65,601** to be spent on enhancing nearby public open space would be expected.

Education:

The area is deficient in all educational places. The Nursery contribution will probably be pooled to build a nursery in another development near by.

- Nursery Contribution - £15,194
- Primary Contribution - £30,891
- Secondary Contribution - £35,606
- Total - **£81,695**

Health:

In line with Policies SP40 and CS2 of the adopted UDP and Policies SP30, CS1(a) of the Proposed Modifications to the Draft Croydon Plan the Council encourages provision of an appropriate level of community services, including health and medical care, in appropriate locations having regard to their scale, catchment and accessibility. The proposed development is likely to produce a new population of 92 and consequently will create adverse pressures on the current health system. A contribution towards the following health services is required.

- Primary Care: GP Services
- Intermediate Care: Day Places and Beds
- Acute Facilities: elective, non-elective and day car beds
- Mental Health Services
- Revenue Contributions: Covering running costs of the above and the full range of community health services.

Total expected contribution **£136,994**.

#### Libraries:

In line with Policies SP40 and CS2 of the adopted UDP and Policies SP30, CS1 (a) of the Proposed Modifications to the Second Deposit Draft Croydon Plan the Council encourages provision of an appropriate level of community services, this includes libraries. A contribution of **£6,182** should therefore be made towards the improvements to existing libraries or new library facilities in the area, in line with the Croydon Council's Library Strategy – 2005-2009.

#### Public Realm and Sustainable Transport:

The Developer will be expected to contribute to Public Realm and sustainable transport initiatives in the area, in accordance with Planning Guidance Note 1 on Planning Obligations. A costing has been undertaken for the following initiatives;

- Resurfacing of footways
- Resurfacing of carriageway
- New bus stops
- Tree planting
- Trial Holes
- Street furniture
- Signage
- Kerb realignment
- Street lighting

The total for this development would therefore calculate to £110,000 - £2,000 per unit. However due to the main concentration of works being down the road from this site, 1/2 of this amount will therefore be taken off. The total commuted sum is therefore **£55,000**.

#### Section 106 Conclusions

It is considered that if the development does provide the affordable housing at 50% as required, and all of the above obligations were to happen then the development might not be viable. Therefore it is accepted that it is likely that priorities need to be drawn up from the list above. The applicants have agreed the principle of the contributions; the final agreed amounts have not yet been determined.

## **7. ENVIRONMENTAL CONSIDERATIONS**

- 7.1 The EcoHomes pre-assessment report is acceptable. Attaching the standard EcoHomes condition is recommended in the event of approval. The Renewable energy report is good but should also be subject to a condition in order to further advance its content.

## **8. EQUALITIES CONSIDERATIONS**

- 8.1 3 disabled parking spaces would be provided. The proposed houses have level access and the scheme has been designed to comply with Lifetime homes.

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Case Officer: Kieran Gilmore

Background Documents: 1 letter of objection.

Contact Officer: Mr. P. Mills 020 8760 5419