

**Agenda Item: 8.1**

**This is a Major Application for which the 13 week period expires on 19/09/2006.**

06/01113/P

20/06/2006

Purley

Application for full planning permission

Applicant:

Robin Harper

Chantry Estates

70 High Street

Teddington

Middx TW11 8JD

Location: 51-61 Whytecliffe Road South, Purley, CR8

Description: Demolition of all buildings ; erection of 1 two/three storey building and 1 five/six storey building comprising a total of 88 flats and use of part of the ground floor for purposes within Class A2 (financial and professional services) or B1 (business); formation of vehicular access and provision of associated car parking and cycle parking

Drawing No(s): 06WEL-P-024, 025, 026, 027, 028, 06WPL-01.1, 01.3, 062 , 101, 102, 103, 104, 105, 106, 110,151, 152, 153, 154, 155 and 156,

Recommendation: **Contest Appeal**

Reason(s) to contest :-

1. The development would be detrimental to the visual amenity of the street scene by reason of its design and appearance and would thereby conflict with Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
2. The development would not provide satisfactory private amenity space nor provide a satisfactory environment for new occupiers and would thereby conflict with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
3. The development would not provide accessible public open space and no contribution has been offered in lieu of providing or improving public open space nearby and would therefore be contrary to Policy RO12 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and Planning Guidance Note 1 on Planning Obligations
4. The application does not demonstrate that the proposal will incorporate renewable energy production equipment to provide at least 10% of the predicted energy requirements of the proposal and would thereby be contrary to Policies SP1, UD1, UD8, EP15 and EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and Supplementary Planning Guidance Note No.15 on Renewable Energy.

**APPLICATION NO. 06/01113/P - 51-61 WHYTECLIFFE ROAD SOUTH, PURLEY**

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- 1.1 This report concerns an application for full planning permission for the demolition of 51-61 Whytecliffe Road South and the erection of 1 two/three storey building and 1 five/six storey building a total of 88 flats and use of part of the ground floor for commercial purposes within Class A2 (financial and professional services) or B1 (business); formation of vehicular access and provision of associated car and cycle parking.
- 1.2 The application is now subject of an appeal against the failure of the Council to determine it within the thirteen week statutory time period.

**2. RECOMMENDATION**

- 2.1 That the appeal be contested for the reasons set out in the agenda.
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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 currently occupied by a former vehicle repair workshop and low rise industrial sheds and at Nos. 51 and 53 there is a pair of two storey semi-detached buildings, formerly residential but in the case of one unit, it has more recently been used as an office.
- 3.2 The application site has a frontage of some 46m, and a maximum depth of 65m measured from the centre of the site. The site area is approximately 0.29 hectare (0.73 acre). The land falls from south-east to north-west. Whytecliffe Road South is a Borough Distributor Road.
- 3.3 The former car repair workshop was positioned towards the western boundary of the site and on lower ground adjacent to the rear gardens of a two storey residential terrace fronting Woburn Avenue. There was also a large single storey workshop to the front of the site fronting Whytecliffe Road South. Both of these uses have now ceased to operate and have been vacated. A service road is located between the workshop and number 53.
- 3.4 To the south-west of the site is the attached dwelling no. 51 Whytecliffe Road South, which has until recently been occupied for residential use. There is a large three storey public car park with basement parking, situated to the south of the application site. Astoria Court is a large six storey residential building fronting Whytecliffe Road South and Purley Parade and lies to the north of the site. To the north-east there is a community hall, serviced offices and Azalea Court which is a 4 storey residential development.
- 3.5 The surrounding area is mixed in character containing two and three storey houses, residential estates shops, offices and the Purley Railway station to the south of the site. The whole site lies within the Purley Town Centre area for

which a regeneration strategy has been drawn up and which identifies problems and opportunities for improving the town centre.

(b) Planning History

- 3.6 03/03277/P – An application for outline planning permission was refused for the demolition of 53a and 55-61 Whytecliffe Road South and the erection of four/six/seven storey building comprising 73 flats with basement parking for 40 cars and formation of vehicular access; alterations and conversion of 53 to form 5 one bedroom flats.
- 3.7 04/2563/P - An application for full planning permission for the demolition of 53 and 55-61 Whytecliffe Road South and the erection of a 1 two/three storey building and 1 six storey building with basement comprising 1 unit within class A1 (retail), or A2 (financial and professional services) or B1 (business) 38 one bedroom, 36, two bedroom and 1 three bedroom flats along with the formation of a vehicular access and associated car parking and cycle parking. The application is now subject of an appeal against the failure of the Council to determine the application within the statutory time period. The appeal was subsequently withdrawn.
- 3.8 05/2053/P - An application for full planning permission for the demolition of all buildings except No. 53 Whytecliffe Road South and the erection of a one/ two/three storey building and 1 six storey building comprising 25 one bedroom, 40 two bedroom and five three bedroom flats; alterations and extension to no. 53 and use of ground floor for commercial purposes with a one bedroom and one two bedroom flats over; formation of a vehicular access and provision of associated car and cycle parking spaces. This application was entered in the Planning Register as Not Determined.
- 3.9 05/0914/P- A proposal for the demolition of the existing buildings other than 53 Whytecliffe Road South and redevelopment to include 72 flats and 66 sq m of commercial space on the ground floor and 13 car parking spaces was the subject of an appeal against non-determination. The appeal was contested but was subsequently upheld with planning permission being granted on 29 September 2005.

(c) Proposal

- 3.10 This is an application for full planning permission for the demolition of nos. 51 and 53 and nos. 55-61 Whytecliffe Road South and the erection of a two/three storey building and a five/six storey building comprising a total of 88 flats and use of part of the ground floor for commercial purposes within Class A2 (financial and professional services) or B1 (business) use, vehicular access and parking for 13 cars and provision for 25 cycle parking spaces are also proposed. The accommodation comprises 33 x 1 bed, 40 x 2 bed and 15 x 3 bed family flats.
- 3.11 In support of the application the applicant has submitted a travel plan, design statement and a renewable energy strategy.
- 3.12 The proposed means of access would be positioned centrally to the building and would measure 4m in width. The access would lead into a ground floor parking area which would include two spaces for disabled drivers adjacent to the cycle parking racks.

- 3.13 The design of the development would be similar in style to that of the previous scheme which was approved at appeal. The main difference being that No 51 would be demolished and the replacement part of the building for No 53 incorporated into the overall design of the new building.

#### **4. POLICIES**

- 4.1 The relevant policies of the Replacement Unitary Development Plan (The Croydon Plan) are SP1-3, UD1-3, UD6-8, UD10, UD12-16, UC11, SP17-22, H2-4, H9-10, H13, RO12, EM2, SP14, T2-4, T8, T11, EP1-3, EP6, EP15-16. Supplementary Planning Guidance on Planning Obligations, Environmental Performance, Purley Town Centre (13), Purley Town Centre Regeneration Strategy are also relevant.

#### **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 Two hundred and forty occupiers of adjoining and nearby property in Woburn Avenue, Astoria Court, Azalea Court and Whytecliffe Road South have been notified. One letter has been received in support of the development and thirteen letters have been received from objecting to the proposal for the following reasons:-

- (a) loss of light;
- (b) loss of privacy;
- (c) increased parking and traffic congestion;
- (d) the price of the proposed flats would not be affordable;
- (e) vehicle egress from the site would increase accidents;

- 5.3 The Archaeological Officer, English Heritage has suggested that any permission granted should be subject to a condition and informative which would safeguard the archaeological interests at 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, design of the building and the visual amenities of the street scene;
  - (ii) the amenities of surrounding occupiers and future occupiers of the proposed flats;
  - (iii) amenity space
  - (iv) access arrangements and car parking provision;

- (v) the provision for affordable housing;
- (vi) open space contribution
- (vii) environmental performance

6.2 The site is identified in the adopted Purley Town Centre Supplementary Planning Guidance Note<sup>13</sup> as a site with development potential for high density, high quality residential development with ground floor retail/commercial uses. An intensive development of this site would therefore make more efficient use of land within this sustainable town centre location. A well planned and high quality development would be consistent with the sustainable approach to development set out in PPS1, PPG3, PPG13 and the strategies set out in the Council's adopted Replacement Unitary Development Plan (The Croydon Plan).

### **Design and the street scene**

6.3 Policy UD1 of the UDP states that "Planning permission will be granted for development proposals that are of a high quality, inclusive, and sustainable in design".

6.4 Policy UD3 of the Croydon Plan also identifies the need to create visual interest and to respect the height and proportions of surrounding buildings which play an important role in determining the character of the street.

6.5 The design of the building would be similar in style to that of the previous scheme which was granted permission on appeal. The main difference being that No 51 would be demolished and the replacement part of the building for No 53 incorporated into the overall design of the new building. The proposed design solution has been to extend the 6 storey part of the new building along the Whytecliffe Road South street frontage. Whilst the previous scheme might have been deemed an appropriate design solution in those circumstances, it does not necessarily follow that a simple extension of the original design would be appropriate for the currently larger building. Having regard to its context, it is considered that the resultant design would provide a monolithic appearance and that its southern flank wall would appear abrupt.

6.6 More specifically it is considered that insufficient contextual information has been provided to properly assess the full impact of the proposal. This should include long sections through the site (to include adjacent sites) long street elevations and perspectives.

6.7 It is considered that the ground floor frontage is confusing in appearance and includes half basements / half levels which mean that there is insufficient level access. The frontage does not positively address the street and is not sufficiently 'active'. It is considered that front doors to the commercial and residential units should be directly on to the street rather than requiring people to walk in to the site and through lobbies / corridors to access the units. The result would be a non-active, blank and unwelcoming frontage to Whytecliffe Road South.

6.8 The contemporary design of the development would include a series of balconies forming the main amenity provision for many of the proposed units. It is considered that the proposed balconies would not be out of place given that

similar features have been included at the nearby Astoria Court to the north of the application site.

- 6.9 In accordance with Supplementary Planning Guidance Note 13 and the previously approved scheme, the applicants have identified a potential route for the pedestrian access from Whytecliffe Road South to the High Street. In addition a portion of the application site has also been identified for inclusion as part of this access and this aspect of the proposal is to be welcomed.
- 6.10 With regard to the impact of the proposal on surrounding premises, it is considered that the development would be unduly dominant and overbearing .
- 6.11 Although this more comprehensive approach, fully incorporating Nos 51 and 53 is a positive aspect to the project, it is considered that the resultant design would not “be of the highest quality, and be innovative, durable, sustainable and distinctive, whilst respecting the surrounding context” (SPG Note 13). It is therefore considered that the design of the proposal would conflict with Policies UD2 and UD3 of the Croydon Plan.

### **Impact on the amenities of neighbouring and future occupiers**

- 6.12 Policy UD8 relates to the protection of residential amenity. With respect to the impact of the proposal on residential amenity, it is considered that the additional floor space incorporated as a result of the inclusion of nos. 51 and 53 would not have any significant impact on the amenities of adjoining occupiers as the new element of the building is adjacent to the pedestrian access to the south-west of the site. The minor changes forming part of the rear section of the building would be no closer to the Woburn Avenue properties than was previously the case.
- 6.13 In terms of the amenities of the future occupiers of the development, the bedrooms and living rooms of the ground and first floors adjacent to the western flank of the building look directly onto each other, some 16.6m apart between facing windows. It is considered that this relationship would be unacceptable as it would result in direct overlooking contrary to policy UD8 of the Croydon Plan.

### **Amenity Space**

- 6.14 The proposed amenity space is limited for the scale of development proposed and it is considered that the quality of the space would be poor because it would also be used by delivery vehicles turning in and out of the site. The applicants contend that the proposal is similar to the approved scheme. However the approved scheme was for 72 flats while the current proposal includes an additional 16 additional flats, 9 of which are 3 bedroom family units. It is therefore considered that this represents a material difference from the previous scheme.
- 6.15 On the issue of private amenity space the Inspector noted that most of the proposed flats had balconies but he recognised that none would be large enough to be called a ‘garden’. Nevertheless he felt that the available amenity space was comparable to that of neighbouring developments at Azalea Court and Astoria Court. However of the 16 additional units, the current scheme incorporates nine 3 bedroom family flats with no increase in available amenity space.
- 6.16 While it is recognised that this is a town centre location which benefits from high levels of accessibility, it is considered that the available amenity space would not be insufficient to cater satisfactorily for the recreational needs of the prospective

occupants many of whom would be families with children. Moreover eight of the family units would have no direct access to garden amenity space.

- 6.17 The total amenity space proposed would be less than 235 square metres. This represents only 2.7 square metres per unit. The quality of amenity space is further undermined by its dual role as communal amenity space and a turning area for delivery vehicles. It is considered that this provision would be particularly difficult for children to enjoy and play safely.

### **Access Arrangements and Car Parking Provision**

- 6.18 The previous scheme included 13 car parking spaces for the 72 proposed flats and the current arrangement does not provide any additional car parking provision despite the increase of 16 units. Given the sustainable location of the site and the Inspector's comments when allowing the previous appeal, where he stated "There is really no reason why an occupier of this development should be dependent on owning a car, and potential occupiers would be aware before taking occupation of the limited parking available", in the circumstances an objection on car parking grounds could not be sustained and therefore no objection is raised on this issue.
- 6.19 In addition the proposed access arrangements are similar to that of the approved scheme and as such are considered acceptable.
- 6.20 In accordance with the Council's Supplementary Guidance on Planning Obligations, a contribution toward sustainable transport is required. This is set at £700 for each 1-2 bed unit and £1000 for each unit of 3 beds and above. In this case the total required would be amount to £66,000.

### **The Provision of Affordable Housing**

- 6.21 It is proposed to provide one hundred percent affordable housing provision on this site although the form of tenure and the nature of the provision has not been fully explored. In principle this is considered acceptable.

### **Open Space Contributions**

- 6.22 This is a 'major development' which proposes 88 residential units. Although the site is not within an area deficient in local open parks (the site is approximately 0.5Kms walking distance from Purley Rotary Fields) Policy RO12 requires that commuted payments for off site provision of open space will be required for residential schemes. The Purley Town Centre Supplementary Guidance 13 also refers to the need to provide public realm improvements within the site along with the need to provide a green space within the site that is accessible to the public and linked to new pedestrian routes through the site. It is accepted that it may not be possible to achieve all the aims of the guidance. Nevertheless, it is considered that commuted payments toward open space provision/enhancement would be necessary given the number of units proposed and the potential strain that would result on local facilities. In this instance a contribution amounting to £45,000 would be required. The appellant's have made no formal commitment to providing a contribution but have indicated verbally that they may be prepared to do so.

### **Renewable Energy Technology**

- 6.23 Policy EP16 of the Croydon Plan refers to the requirement to ensure that all major developments incorporate renewable energy production equal to at-least 10% of

the energy requirements of the development. The technology to be used in compliance with the policy should be integral to the design of the development so that any design implications may be taken into account as part of the design and planning process. The proposal fails to include any renewable energy production equipment and no assessment has been made of the likely energy requirements of the development. This is considered unacceptable as no mitigating circumstances have been provided to justify why the proposal should be exempt from this requirement.

## **7. ENVIRONMENTAL CONSIDERATIONS**

- 7.1 Redevelopment of this brownfield site is acceptable in principle but the development would fail to improve the environment by meeting design objectives, providing sufficient open space or providing the necessary contribution towards such provision and the provision of sustainable transport initiatives.

## **8. EQUALITIES CONSIDERATIONS**

- 8.1 The proposal includes provision for two car parking spaces for people with disabilities. However an access statement has not been provided.
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Case Officer: David Alabi

Background Documents: Fourteen letters from the occupiers of adjoining or nearby property  
One letter from English Heritage

Contact Officer: Philip Mills Tel. 0208 760 5419