

Agenda Item: 6.3

07/00486/P

06/02/2007

Broad Green

Application for full planning permission

Agent:

Nick Hollands

RPS

1st Floor West

Cottons Centre

Cottons Lane London

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Applicant:

Prudential Property Investment

Managers Ltd

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London

WC1V 7NE

Location: 226 Purley Way and 25 Progress Way, Croydon

Description: Demolition of existing buildings; erection of building to provide four units for purposes within class B1 (b) & (c) (business), B2 (general industry) , B8 (storage and distribution) comprising 1,934 square metres of gross floorspace and a two storey building to provide 1 unit for purposes within Class A1 (non food retail) comprising 1,900 square metres of gross floorspace; formation of and alterations to vehicular accesses on Progress Way and Purley Way, associated parking and servicing areas, and 2 wind turbines.

Drawing No(s): JLE0372/01A, , 3122/101/G, 15000/PI/001.dwg.rev1, 271.01 rev B, 3122 106, 3122 96B, 3122 107A, 3122 105C

Recommendation: Refuse Permission

Reason(s) for refusal :-

1. The development would result in the loss, without justification, of a site used for employment generating purposes (B1(b), B1(c) , B2 and B8) which the Council is seeking to retain for such uses outside of the designated Employment Areas. As such the proposal would be contrary to Policy EM5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

Ward: Broad Green**Lead Officer: Head of Planning Control****PLANNING COMMITTEE****6th December 2007****Application Number: 07/00486/P, 226 Purley Way & 25 Progress Way, Croydon**

1 SUMMARY

1.1 Full application for :

- Demolition of existing buildings
- Erection of a two storey building for uses within Class B1(b) & (c) (business), B2 (general industrial) and B8 (storage & distribution)

- Erection of a two storey building for use within Class A1 (non-food retailing) purposes
- 59 on-site parking spaces and formation of vehicular access.
- 2 wind turbines

2 RECOMMENDATION

2.1 Refuse permission for the reason set out in the agenda.

3. BACKGROUND

3.1 Site Description :

The site:

- Is located between Purley Way to the east and Progress Way to the west, with frontages to both.
- Consists of two distinct separate parcels of land comprising;
 - the western parcel of land (25 Progress Way) which is currently vacant
 - the eastern part of the site (226 Purley Way) currently comprising 5 units (totaling 1430 sq.metres of floorspace), 1 which is occupied by Majestic Wine Warehouse (Use class B8 with ancillary retail sales), 1 of which is used by a heating supplies company (Use Class B8), and the remainder of which are vacant. Two of the vacant units were previously occupied by Selex Photocopiers, one as a warehouse (B8) and one as the associated office (B1a). These have recently been vacated. According to Council records the additional vacant unit was last used for B8 purposes.
- Has vehicular access from Purley Way with parking and hardstanding, and vehicular access from Progress Way.

3.2 Surrounding Area

- The area is characterised by a range of industrial, warehousing and retail uses including food and non-food.
 - To the north of the site is a single storey non-food retail unit occupied by Comet (electrical goods). A car park for 96 cars lies between the retail store and Purley Way and is accessed via Beddington Farm Road some 60 metres west of the controlled junction with Purley Way.
 - To the South of the site is a bakery fronting Progress Way and a range of 4 retail units fronting Purley Way.
 - To the East of the site, on the opposite side of Purley Way are two large retail units currently occupied by Supermarket Retailer Sainsbury's and Mothercare World.
 - To the West, on the opposite side of Progress Way are a range of industrial units.

3.3 Designations

- The site is located within an Archaeological Priority Zone.
- Purley Way is part of the Transport for London Road Network.
- The western part of the site (25 Progress Way) is located within the Purley Way North Employment Area and in a Strategic Employment Location. This is also designated as a Strategic Employment Location within the London Plan.
- There are no designations relating to the use of the eastern part of the site. However this part of the site has previously been located within a designated retail park.

3.4 Relevant history

- 3.4.1 (84/01755/P) – Permission was granted at 226 Purley Way for ‘Erection of industrial buildings and estate road.’ This permission was implemented and forms the development currently on site.
- 3.4.2 (86/00359/P) – Permission was granted for Unit 2 for ‘Use as wholesale warehouse with ancillary retail sales.’ This is now occupied by Majestic Wine Warehouse.
- 3.4.3 (95/1375/P, 95/1740/P & 96/0288/P) – All three applications proposed were in effect the same development and related to the current site and the Comet store. The development proposed the retention of the existing Comet Store and the demolition of the remaining buildings at 226 Purley Way and 25 Progress Way, erection of two non-food retail units of 3601m² total gross floorspace, formation of vehicular accesses and the retention and provision of a total of 257 parking spaces’. The applications were appealed and dismissed following a public inquiry in June 1996. The grounds related to retail development on part of the site at 25 and 26 Progress Way (which fell outside the designated Purley Way Retail Park and within the Purley Way Industrial Area) that would undermine the emerging retail plan strategy and the Council’s economic base strategy.
- 3.4.4 (97/01765/P) - Outline planning permission was granted in September 2000 for ‘demolition of existing buildings; erection of building for purposes within class A1 (non-food retail) of gross floor space of 1488m²; erection of two buildings to provide four units within Class B1 (Business Use)/B2 (General Industry)/B8 (Storage and Distribution) comprising a total gross floor area of 860m²; formation of and alterations to vehicular accesses; alterations to existing parking layout and provision of associated parking.’ The proposal was considered to overcome the previous land use concerns raised by the Inspector. The non-food retail element was restricted to within the Purley Way Retail Park (the eastern part of the site where the current retail store is proposed) and an appropriate employment use was proposed within the western part of the site (then allocated as an Industrial Area). This application recognised that although the proposal resulted in the loss of business and warehousing uses at 226 Purley Way, which was strictly

contrary to policy, its location within a Retail Park which allowed retail uses, justified this loss. The permission was subject to a condition limiting the type of goods that could be sold to furniture, floor coverings, electrical goods, D.I.Y maintenance and improvement products for the home, garden and ancillary and complementary goods.

3.4.5 (05/03922/P) – This was a renewal of the above planning permission. Outline planning permission was refused in December 2005 for the following reasons:

- lack of a Transport Assessment, Environmental Performance Statement and Design Statement
- failure to demonstrate that the development would not harm the vitality and viability of Croydon Town Centre and lack of a sequential approach

The site also included part of the Comet car park on the adjacent site at 222 Purley Way. This permission (97/1765/P) has now expired.

3.5 Proposal

3.5.1 Full application for:

- Demolition of existing buildings
- Erection of a two storey building comprising 4 separate units for uses within B1 (b) & (c) (business), B2 (general industrial) and B8 (warehousing). A total of 1934 square metres of floorspace would be provided (including mezzanine) with the individual units measuring between 413 - 543 square metres each. The building would be located on the western part of the site (25 Progress Way), 13 metres from the boundary with Progress Way and would measure 9 metres in height with a low pitched roof. The elevation facing Purley Way would be constructed in materials to match the retail building (see below) and the side and rear elevations would have vertical profiled metal cladding. The main frontage of the building (including pedestrian entrances) would be orientated towards Purley Way. Servicing would be provided to the rear (with access from Progress Way).
- Erection of a two storey building for Class A1 (non-food retailing) purposes. The unit would provide 1900 square metres of floorspace (including a mezzanine level). This would be located on the eastern part of the site (226 Purley Way), 7 metres from the frontage with Purley Way. The main façade and pedestrian entrance would be located on the northern elevation facing the Comet store. An end user is proposed for the unit; this being SCS Furniture Store. However the applicant has proposed that the permission be flexible to allow the units to be used for the sale of other bulky goods including furniture and floor coverings, DIY maintenance and improvement products for the home and garden and ancillary and complementary goods. This would be controlled by way of a condition on any permission granted.
- The building would be constructed in metal composite cladding in an off-white colour with a horizontal contrasting grey panel above the

entrance doors and ground floor glazing. The majority of the northern and eastern elevation facing Purley Way would be glazed. The building would have a low pitched metal clad roof.

- Vehicular access would be from Purley Way leading to 59 on site parking spaces (including 4 disabled spaces and 3 van spaces). These spaces would be utilised by visitors and staff to both the retail and commercial units.
- A service area would be located to the west of the retail building.
- A 6 metre wide landscaping strip would be provided along the frontage with Purley Way. Pedestrians and cyclists would access both buildings from Purley Way and pedestrian footways would be provided from Purley Way through the site to the commercial building.
- Two wind turbines measuring 14 metres in height would be sited immediately to the east of the commercial building
- Cycle and refuse storage areas
- The application has been amended during the consideration process. The changes include :
 - An increase in floorspace by 470 square metres for purposes within Class B1(b)&(c), B2 and B8
 - An increase in parking spaces from 53 to 59
 - One large A1 unit as opposed to two smaller units previously including a small electrical store

4 PLANNING POLICIES:

4.1 Replacement Unitary Development Plan (the Croydon Plan):

SP1, SP2, SP3, UD1, UD2, UD3, UD6, UD7, UD12, UD13, UD14, UD15, UD15, SP4, UC11, EP16, SP14, T2, T3, T4, T8, T10, T11, SP15, EM2, EM5, SP23, SH2

5. CONSULTATIONS

5.1 The application was advertised in the local press as a major application and a site notice was displayed. 60 adjacent occupiers were notified. 1 letter of support indicating no objection and 2 letters of objection have been received. Objections on grounds of:

- What would be the noise level and frequency of the wind turbines – these may affect us
- Traffic congestion and pressure on parking is acute; the development should have sufficient on site parking

- 5.2 The Environment Agency have been consulted. They have no objection subject to conditions on any permission relating to ground contamination and the submission of a site investigation.
- 5.3 Transport for London have commented on the application. Their comments are considered below.
- 5.4 English Heritage have requested conditions be placed on any permission granted requiring the implementation of a programme of archaeological work.

6. CONSIDERATIONS

Use policies

- 6.1 The western portion of the site (25 Progress Way) is located within the Purley North Employment Area which is allocated for uses within Use Class B1 (b) & (c), B2 and B8. The proposal would provide 1,934 square metres of floorspace for such purposes on this part of the site and would therefore provide an appropriate use within the Employment Area.
- 6.2 The remainder of the site (226 Purley Way) would be used for non-food retailing (A1 purposes) as described above in paragraph 3.5.1. The site is currently occupied by 5 units, 4 of which are used or were last used for storage and distribution purposes (B8), 1 of which has planning permission for ancillary wine sales and is occupied by 'Majestic Wine Warehouse.' Policy EM5 of the Croydon Plan seeks to protect sites in, or last used for, employment uses (B1(b) & (c), B2 or B8 purposes) outside of Employment Areas unless it has been demonstrated that there is no demand for an appropriate alternative employment use; and the proposal is for housing or a community use; and the proposed use would not prejudice the continued use of adjacent employment sites. The applicant has indicated that the site has not been marketed for such purposes as it would not have been logical or reasonable given the previous planning permission on the site (which expired in September 2005) which granted permission for a retail unit, and the realistic expectations of being able to develop the site for such a use.
- 6.3 Whilst it is recognised that the site would not be suitable for a housing or community use given its location surrounded by industrial and retail uses, it is still considered that the applicant should comply with the policy in respect of providing marketing evidence to prove that there is no demand for an alternative employment use. In the previous approval, the loss of employment was only justified due to the location of this part of the site within a designated Retail Park where retail uses were considered acceptable. With this designation no longer applicable, the applicant will need to justify the loss of the employment use on this part of the site through the provision of marketing evidence. The applicant indicates that a material consideration would be that the development would result in vacant land being brought back into beneficial use in the Employment Area providing modern business premises and that the application has sought to maximise this. However the rear site could feasibly be developed individually and this in itself does not justify approving a proposal which is contrary to policy in the Council's recently adopted Replacement

UDP. It is also indicated that the retail proposal would result in an increase in jobs more than currently created within the units on the site. Again, whilst this is acknowledged, the purpose of Policy EM5 is to protect land and buildings for certain types of employment uses and related jobs. In support of their case, the applicant has also provided information which suggests that there is a considerable supply of available employment premises within the Borough and within the neighbouring Boroughs. However, it is considered that there is an identified need from firms who require convenient access to the M25/M23, and therefore the sites identified by the applicant are not considered as attractive due to their remote location.

- 6.4 In respect of the non-food retail element of the proposal, the site is no longer allocated within a Retail Park and is not located within any designated shopping centre. In this respect, the policy rationale has significantly changed since the previous approval in 2000. Since then, government guidance in the form of Planning Policy Statement 6 'Planning for Town Centres' has also been issued; this requires that major retail development outside of established town centres provide justification for development. This has informed the policies of the Croydon Plan and Policy SH2 is relevant in this instance. This allows retail development outside of defined centres only if all the following criteria are met:
- The need for the development has been demonstrated
 - The development is of an appropriate scale
 - There are no more central sites available
 - There would be no harm to the vitality and viability of the existing centres
 - The locations are accessible from all areas by a choice of transport modes.
- 6.5 The applicant has submitted a Retail Issues report, supporting their case for the retail element and justifying the proposal in respect of the above criteria. It is considered that the applicant has demonstrated that there is an identified need for another furniture store within the appropriate catchment area.
- 6.7 In terms of the sequential test, thorough consideration has been given to suitable sites within the designated centres for all proposed uses and it is not considered that there are any more sequentially preferable sites available that could provide suitably sized premises for a furniture/bulky good use.
- 6.8 In terms of impact on the vitality and viability of existing centres, the Council are satisfied that a furniture use would be unlikely to cause harm to any existing centres, given that such uses are typically located outside of such centres.
- 6.9 Whilst it is considered that the tests of Policy SH2 have been met and that an out of centre retail use could be justified, it does not outweigh the issues relating to the loss of employment land outside of Employment Areas where no special circumstances exist to justify this loss.

Townscape issues

- 6.10 It is considered that the proposal would result in an acceptable addition to Purley Way which is characterised by similar single and two storey industrial and retail warehouse style buildings. Whilst the entrance to the retail unit would be located on the northern side of the building rather than fronting Purley Way, the eastern elevation onto Purley Way would comprise a large area of glazing which would provide adequate visual interest and activity to the public realm.
- 6.11 The retail building would be set back from the Purley Way frontage by 6 metres and the impact of the building on the streetscene would be 'softened' by provision of a 6 metres landscaping strip. London Planes would be provided to the Purley Way frontage to significantly improve the streetscene in this area and large scale tree planting would be provided along the Progress Way frontage.
- 6.12 The wind turbines would be located within the centre of the site, away from the site boundaries. Whilst they would be visible in the street and are 5 metres higher than the proposed buildings, they would not be detrimental to the visual character of this commercial area.

Amenities of adjoining and nearby occupiers

- 6.13 There are no nearby residential occupiers and it is not considered that the uses would be detrimental to the amenities of any of the surrounding retail and industrial occupiers. No information has been received regarding the noise from the turbines but this could be subject to a condition should any permission be granted.

Highways and parking

- 6.14 The proposal would provide a total of 59 on site parking spaces with access from Purley Way. The Croydon Plan requires a maximum of 1 space for every 25 square metres of floorspace for non-food retail and 1 space for every 100 square metres for B1, B2 and B8 uses. This would equate to 57 spaces for the retail element and 19 spaces for the employment uses (a total of 76 spaces). The proposal would provide 77% of the maximum parking standards. This level of provision is considered acceptable as the peaks for the two uses on the site do not coincide. Ten cycle parking stands have been provided which is considered acceptable.
- 6.15 Transport for London (TFL) have no objections to the proposal in respect of trip rates and traffic generation, the level of cycle and car parking provision, the turning movements of vehicles exiting and entering the site and the retention and use of the access onto Purley Way.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The applicant has indicated that they will be achieving Very Good BREEAM standard, with additional credits which can be provided by the tenants at a later date to achieve 'Excellent' standard.

7.2 The application includes the erection of two wind turbines to off-set 10% carbon emissions from the development. Any permission would be subject to a condition requiring these standards are met.

8. EQUALITIES CONSIDERATIONS

8.1 The applicant has indicated that the development would be built to Part M of the Building Regulations.

8.2 Four disabled persons parking spaces would be provided which is considered acceptable.

Case Officer: Samantha Natt
Background Documents: 2 letters of objection
1 letter of support
1 letter from English Heritage
2 letters from Transport For London
1 letter from Environment Agency

Contact Officer: Mr. P. Mills 020 8760 5419