

**Agenda Item: 6.1**

**This is a Major Application for which the 13 week period expires on 03/10/2006.**

06/02756/P

04/07/2006

Purley

Application for outline planning permission

Applicant:

Ms Janet O'Neill

O'Neill Associates

Lancaster House

James Nicolson Link

Clifton Moor York

YO30 4GR

Location: Purley Baptist Church, Banstead Road, 1 Russell Hill Road, 1-4 Russell Hill Parade, Russell Hill Road, 2-12 Brighton Road, Purley, CR8

Description: Demolition of existing buildings; erection of 6 storey building comprising retail use on ground floor and community/church use on upper floors; erection of 6 storey building comprising 65 flats with basement parking on two levels (115 spaces in total); and construction of vehicular accesses off Russell Hill Road and Banstead Road (Outline application with only siting and means of access to be determined).

Drawing No(s): 626.602A, 603A, 604A, 605A, 606A, 607A, 608A, 220A201J, 202E, 203H, 204E, 205F, 206F, 207E, 208D, 401J, 401.1A, 402C, 402.1A, 403B, 403.1A, 601A, 301A, 303C, 304B, 305B, 315B, 505, 506 and 508.

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. 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.

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

2. 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 Act 1990

3. Prior to the commencement of any building or engineering operations, (including demolition), a Phasing Programme and Construction Method Statement shall be submitted to the local planning authority for approval. The Programme and Statement shall include the following information for identified phases of the development and shall only be implemented as approved:-
- (1) hours of construction,
  - (2) hours of deliveries,
  - (3) parking of vehicles associated with deliveries, site personnel, operatives and visitors,
  - (4) loading and unloading of plant and materials,
  - (5) siting of any site huts and other temporary structures,
  - (5) storage of demolition or excavation material, and plant and materials used in the construction of the development,
- Reason: To ensure that the development does not prejudice the free flow of pedestrian and vehicular traffic and conditions of safety on the highway or cause inconvenience to other highway users.
4. Prior to the commencement of each phase of the development identified in the Phasing Programme required by Condition 4, the approval of the Local Planning Authority shall be obtained with respect to the following matters in relation to that phase of development:-
- (1) sight lines and visibility splays to and from the site and within the development,
  - (2) measures to prevent through traffic from using the accesses into and out of the site and to prevent unauthorised vehicles from using the parking areas,
  - (3) full details of all facilities for the loading and unloading of vehicles within the site, including turning and passing areas,
  - (4) details of the lighting of any building, including security lighting, and lighting to all parking and circulation areas and amenity areas,
  - (5) details of any garden, balcony and patio areas, including green roofs and communal areas,
  - (6) any sound insulation measures,
  - (7) roads, footpaths and access routes within the site including levels and gradients,
  - (8) refuse collection facilities,
  - (9) any boundary walls and fences or other means of enclosing the site,
  - (10) finished floor levels of the building(s) in relation to existing and proposed site levels,
  - (11) any screen walls and fences.
- Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
5. Unless otherwise agreed by the Local Planning Authority, application for approval of the details referred to in Condition 5 in relation to the first phase of development 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 and to ensure that an acceptable standard of development is provided and retained having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan).

6. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 5 shall be provided before any part of the relevant phase of the development is occupied and those numbered (1) to (4) inclusive shall also be retained for so long as the development remains in existence.

Reason: To ensure that an acceptable standard of development is provided and retained having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan).

7. Prior to the commencement of any building or engineering operations (including demolition) the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only be carried out in accordance with the agreed programme

Reason: To safeguard the heritage of the Borough by providing an adequate opportunity to investigate and excavate archaeological remains on the site before development is carried out, in accordance with Policy UC11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

8. Prior to the commencement of any building or engineering operations 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 EP3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

9. Prior to the commencement of any building or engineering operations in relation to each phase of the development identified in the Phasing Programme required by Condition 4, details of all external facing materials relevant to that phase shall be 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 Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

10. Prior to the commencement of any building or engineering operations in relation to the residential element of the proposal the applicant shall provide to the Local Planning Authority for approval an independently verified EcoHomes 2006 report that achieves 'Excellent' rating with certification, unless otherwise agreed in writing with the Local Planning Authority. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.  
Reason: To accord with Policies UD1 to UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
11. Prior to the commencement of any building or engineering operations the applicant shall provide 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 implemented in accordance with the approved details prior to the first occupation of any part of the development and thereafter retained for so long as the development remains in existence.  
Reason: To comply with Policy EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
12. Prior to the first occupation of any part of the development, details of a Travel Plan shall be submitted to and approved by the Local Planning Authority, to include measures that will reduce reliance on the car and promote alternative modes of transport to and from the site, and to monitor the effectiveness of such measures. The Travel Plan shall be implemented as approved unless otherwise agreed in writing with the Local Planning Authority.  
Reason: To comply with Policies T2, T8, H10 and CS1 of the Croydon Replacement Unitary Development Plan (the Croydon Plan).
13. Prior to the first occupation of the church/community facilities a Management Plan shall be submitted to the Local Planning Authority for approval to provide full details of the operation, use, availability and charging structure for the community facilities. The Management Plan shall include details of the facilities available and the proposed publicity arrangements for the public use of such facilities over a minimum period of two years, and it shall be implemented within six months of the approval of the details. Reason: The justification for the scale and form of the development is in part to support the provision of new community facilities on this site and the successful regeneration of Purley town centre, which in the absence of improved and readily accessible community facilities for all would fail to meet these objectives as set out in Policies CS1, CS3 and UD7 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Purley Town Centre Regeneration Strategy (SPG13).
14. Any new planting and/or other landscaping treatment approved in compliance with Condition 1 shall be provided before that phase 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).

15. The development shall be begun no later than 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 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 UD1-UD4, UD6-UD8, UD10, UD12-UD16, UC5, UC9, UC11-UC13, RO12, NC4, EP2-EP4, EP7, EP16, T2-T4, T8, T11, H2-H4, H9, H10, H13, H14, SH1-SH3, LR1, CS1 and CS3. Also of relevance is Supplementary Planning Guidance Note 13 on Purley Town Centre.

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 trees to be retained
- (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 shopping policies of the development plan
- (l) the housing policies of the development plan
- (m) the archaeology policies of the development plan
- (n) the character, quality and setting of the adjoining Local Area of Special Character
- (o) the setting of and impact on the adjoining Listed building
- (p) the impact of the loss of the locally listed building
- (q) sustainability issues
- (r) the recreational open space policies of the development plan
- (s) the urban design policies of the development plan
- (t) the environmental protection policies of the development plan
- (u) the transport policies of the development plan
- (v) the community services policies of the development plan
- (w) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised.

Informative(s) :-

- 1 The applicant is advised that an oversailing licence will be required from the Highway Authority if any part of the building is to overhang the public highway

(including pavements) such as is the case in respect of the proposed auditorium in Banstead Road. Such agreement should be obtained prior to the submission of reserved matters. The Highway Authority in this instance is currently Transport for London (TfL).

- 2 The applicant is advised to consult the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites" before commencing work on the site. The Code gives advice on how to undertake work on site in a considerate manner. A copy can be obtained by calling 020 8760 5483.

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**Ward: Purley**  
**Lead Officer: Head of Planning Control**

**PLANNING COMMITTEE**  
**11<sup>th</sup> January 2007**

**06/2756/P –**  
**PURLEY BAPTIST CHURCH, 1 RUSSELL HILL ROAD, 1-4 RUSSELL HILL PARADE, RUSSELL HILL ROAD AND 2-12 BRIGHTON ROAD, PURLEY**

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**1. SUMMARY**

- 1.1 This report is in respect of an outline planning permission for the demolition of all the existing buildings on the site and the erection of new buildings to provide 5992m<sup>2</sup> of floorspace for church and community purposes (including circulation space and up to 650m<sup>2</sup> for retail purposes), together with 65 residential units (5584m<sup>2</sup>) and new vehicular accesses off Banstead Road and Russell Hill Parade to serve 115 parking spaces within an underground parking area.
- 1.2 The application has been amended from that originally proposed and is an outline application with siting and means of access to be determined.

**2. RECOMMENDATION**

- 2.1 That outline planning permission be granted subject to the conditions and reasons as set out in the Agenda but subject to the prior written conclusion of a Section 106 Agreement, at the applicants expense, to secure the provision of the community facilities within an appropriate time period, and to avoid the possibility of a partly vacant site that would cause visual harm to this key site within Purley Centre.

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**3. BACKGROUND**

a. Site Description

- 3.1 The site is a key site within Purley Centre, being prominent from many places and occupying substantial frontages within the town. It is 4372m<sup>2</sup> in area and is bounded by the three heavily trafficked roads that form the one way gyratory system within Purley: Russell Hill Road, Brighton Road and Banstead Road. Land levels generally rise from south to north and north-west.
- 3.2 The site is currently occupied by a number of buildings in various states of repair. The Banstead Road frontage is primarily occupied by buildings historically associated with the Purley Baptist Church – this currently includes the church and a

two storey hall/community building with forecourt area, and a parking area/games court. To the south-east of the games court, and within the central part of the site, is a large retail building (A1 use) that has been vacant for over 20 years. Dropped kerbs allow for vehicular access and parking to the front of the church buildings, in the games court, and to the front of the vacant retail building.

- 3.3 The Russell Hill Parade frontage (1-4) is occupied primarily by single storey commercial units (A1/A3/D1/Youth Centre uses) fronting the highway. The Brighton Road frontage is more substantial with a three storey locally listed building providing ground floor commercial units (A1/A2/A3 uses) with ancillary accommodation above (some being long term vacant/derelict). There is however separate residential accommodation above 10 Brighton Road.
- 3.4 Vegetation within the site is effectively limited to one large tree in the forecourt to the church buildings, although there are also a number of significant trees within the grounds of Purley Library to the northwest of the site.
- 3.5 With respect to the surrounding area, on the opposite side of Banstead Road are two storey semi-detached properties, primarily in residential use, although some are partly occupied by solicitors and dentists. These buildings become increasingly elevated in comparison to the road as one travels away from Purley Cross. Immediately to the northwest of the site in Banstead Road is Purley Library, a council owned, Grade II Listed Building.
- 3.6 This part of Russell Hill Road is characterized by substantial three storey mansion house type buildings comprising ground floor retail (designated in the Croydon Plan as a primary shopping area) with residential flats above. The buildings on the opposite side of Russell Hill Road have mock Tudor detailing typical of many of the buildings characteristic of Purley centre.
- 3.7 The rear of the Russell Hill Road buildings back onto the application site separated by a private vehicular access that provides servicing and parking arrangements. There have been a number of alterations and additions to these properties over the years to provide and improve primarily residential units that face towards and overlook the application site. The vehicular access is from Foxley Lane, at the top end of the block, where there are a number of two storey buildings in care home and dentist uses that face obliquely towards the site.
- 3.8 The Brighton Road frontage of the site faces onto the Purley gyratory system and the landscaped pedestrian areas in between, beyond which are a number of buildings of differing styles and ages, including Tesco's superstore, the two storey, 1905, Jolly Farmer public house and the 1980's, 5 storey office development known as Purley Point. The main retail part of Purley is to the north-east of the site, comprising substantial three storey buildings of sufficient merit to warrant designation as a Local Area of Special Character.
- 3.9 All roads surrounding the site are Strategic Roads, and designated as "red routes" by Transport for London (TfL). Traffic flows on these roads are all currently one-way; northwards along Banstead Road, southwards along Russell Hill Road and north-eastwards along that part of Brighton Road immediately in front of the site. The main junctions are controlled by traffic lights with pedestrian crossing facilities, and there is an additional pelican crossing opposite no.5 Banstead Road.

3.10 The Croydon Plan identifies the site as being within the Town Centre of Purley, and as a Proposal Site (Proposal H85) for community, residential and shopping uses. The southern part of the site is within an Archaeological Priority Zone. The main and secondary retail frontages of Purley and the Purley Local Area of Special Character lie to the north and north-east of the application site.

b. Relevant Planning History

3.11 There is a reasonable amount of history relating to the individual parcels of land that make up the application site. The most recent and relevant history is restricted to three planning applications:-

- 99/01211/P – In November 1999 planning permission was granted for alterations and the erection of first and second floors to provide office accommodation within use classes A2 and B1 at 1-4 Russell Hill Parade. This has not been implemented and has now expired.
- 00/2259/P – In September 2000 planning permission was granted for alterations and extensions to no.10 Brighton Road to provide 2 two bedroom flats on the first and second floors and the provision of an additional rear entrance door and external staircase. It is understood that these works were implemented and completed in 2001.
- 05/00611/P – In August 2005 an Environmental Screening Application was submitted to the Council to determine whether an Environmental Impact Assessment was required in respect of redevelopment of the current site to provide community, church, residential and retail facilities. The Council determined that an Environmental Impact Assessment was not required.

3.12 It should also be noted that there have been a number of recent developments in the immediate vicinity, including alterations and the provision of residential accommodation to the rear of many of the buildings in Russell Parade. There has also been some recent planning history in respect of the redevelopment of 1-5 Banstead Road for three and four storey buildings. Whilst no planning permission for this site exists as yet, the Council is currently considering a planning application 06/4916/P (received 28/11/06) for the erection of a three and four storey building for use as a 107 bed residential care home.

c. Proposal

3.13 The application is an outline application to consider the siting and means of access only. Design, external appearance and landscaping are reserved for later consideration. The proposal is for the demolition of the existing buildings on the site and the erection of a new development comprising the following:-

- A six storey building fronting Brighton Road with a foyer area, and community and retail uses on the ground floor, with upper floors comprising further community uses including charity offices, day centre, youth facilities, and meeting rooms. Church facilities would be contained within floors 3 to 6, to include a main auditorium, activity hall, classrooms, ancillary offices and accessible green roof. The total floorspace for this element would be 5992m<sup>2</sup>.

- A three to six storey building fronting Banstead Road linked to the main community building to provide a total of 65 residential units in a mix of one, two and three bedroom apartments, and including a basement and semi-basement car park with 115 parking spaces for both the residential element and the community/church use. Total residential floorspace would be 5584m<sup>2</sup>. Whilst the applicant has indicated 24 one bed units, 33 two bed units and 8 three bed units, this could be adjusted at detailed design stage depending on demand and need at the time of construction.
  - New vehicular accesses off both Russell Hill Parade and Banstead Road, leading to central servicing and drop off area, “porte-cochere” and basement car parks.
- 3.14 The applicant has submitted a significant amount of illustrative material to indicate the likely form of the development. This includes an innovative and prominent building at the Brighton Road end of the site that uses significant amounts of glazing and a curved engineered façade, very much of a contemporary design. This contemporary approach would be reflected throughout the rest of the development, and would include prominent curved green roofs to the auditorium and activity hall.
- 3.15 The applicants have submitted a comprehensive set of information and supporting statements in relation to the application. This includes a Planning Statement, Design and Accessibility Statement, Environmental Performance Statement, Transport Statement, Noise Assessment, Air Quality Assessment, and Archaeological Statement.
- 3.16 The plans were amended on 17<sup>th</sup> October to increase the number of parking spaces from 80 to 115, to alter various aspects of the proposals and to provide clarification that “design” is not to be considered as part of this application.

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

- 4.1 The relevant policies of the Adopted Croydon Plan are UD1-UD4, UD6-UD8, UD10, UD12-UD16, UC5, UC9, UC11-UC13, RO12, NC4, EP2-EP4, EP7, EP16, T2-T4, T8, T11, H2-H4, H9, H10, H13, H14, SH1-SH3, LR1, CS1 and CS3. Also of relevance is Supplementary Planning Guidance Note 13 on Purley Town Centre.

#### **5. CONSULTATIONS**

- 5.1 The application has been advertised on site and in the press as a Major Development. 114 adjoining or nearby occupiers have also been notified in writing of the application, and of the subsequent changes referred to in paragraph 3.15 above.
- 5.2 Letters have been received from the occupiers of the remaining two premises that are not yet owned by the church, commenting on the notification procedures. In particular representations have been made suggesting that the Council should not entertain the application where the applicant has not given the requisite notice of the application to all landowners of the site prior to the submission of the application. One of these occupiers has also raised objections to the scheme on the following grounds:

- (a) The design is not in keeping with neighbouring properties in Brighton Road,

- (b) Only a small proportion is for community and church use,
  - (c) The current church premises should not be lost in favour of residential development which is a purely commercial venture,
  - (d) The Council should protect the small existing business on the island site and should encourage the applicant re-develop the church at their current site and redesign the Brighton Road frontage in keeping with the historical design,
  - (e) There is no provision for social housing, and,
  - (f) This is an overdevelopment of a tiny site surrounded by busy traffic.
- 5.3 With respect to the comments made relating to the developer giving notice of the application to all landowners, Officers are of the view that an error or irregularity in a certificate or type of certificate does not prevent a local authority from validating or deciding an application. The appropriate notice has now been given by the developer to all owners/interested parties that the Council is aware of, and in addition to the Council's own notification procedures all interested parties have had the opportunity to comment on the application prior to the Council making a decision on the application.
- 5.4 6 other letters of objection have also been received from surrounding occupiers on the following grounds:-
- (g) The development is out of scale and will dwarf many other buildings,
  - (h) The style of the development is inappropriate and out of keeping,
  - (i) There will be an increase in parking and traffic congestion,
  - (j) There will be a loss of privacy and overbearing impact to nearby houses,
  - (k) There will be loss of sunlight to nearby houses, and,
  - (l) There will be an increase in noise and disturbance from all of the proposed uses.
- 5.5 1 further letter has been received following consultation on the amended plans, maintaining the objections referred to originally.
- 5.6 The Croydon Society oppose the design of the development, although do not oppose the uses put forward. They consider the height to be excessive with the facades being out of character with the area and detrimental to the nearby Local Area of Special Character. The monolithic design appears bulky and lacks architectural features to provide interest to the streetscape. Since the proposal involves the demolition of a locally listed building only a building of exceptional merit should be allowed to replace it. In addition the development would not be compatible with possible future traffic schemes.
- 5.7 Transport for London submitted a draft response to the Council dated 12<sup>th</sup> September 2006 in which they state that there are a number of issues relating to this application that need to be resolved before TfL can recommend an approval. Comments are made that parking should be in accordance with the Croydon UDP and allocated to the various uses, that a full Transportation Assessment be carried out to analyse the impact of additional trips on nearby junctions and the Transport for London Road Network, that a Travel Plan be prepared, and the access road should be to appropriate standards and adequately controlled to ensure there are no highway/pedestrian/vehicular safety concerns, particularly with vehicles that may be queuing to get into the site. Emergency and service vehicle access should be catered for, and cycle parking provided. Furthermore they state that *"In addition to the foregoing, TfL in partnership with Croydon Council have developed and*

*consulted on a major road improvement scheme for this area and is concerned that they could be compromised by this development. Given that the highways proposals are the catalyst for the regeneration of Purley, it is critical that this matter be addressed.”*

- 5.8 A further letter from TfL on 16<sup>th</sup> November comments that *“the proposed development does not make allowance for the additional land required from Banstead Road frontage of the site to facilities making this road two-way. This is a key requirement of the highway scheme thereby enabling Russell Hill Road to become a bus and service vehicle only corridor and in turn improving pedestrian linkage of the “island site” with the rest of Purley town centre. This is clearly of benefit to all commercial properties on the island site, including this development. Whilst it is true to say that it is technically possible to secure the necessary widening on the western side of Banstead Road, there are currently no development plans for the majority of the length concerned and the difference in the vertical levels will significantly increase construction costs.*
- 5.9 *However, the Purley town centre scheme is not currently included in the Mayor’s 5 year investment plan, mainly because it had been anticipated that this would, to a large extent, be developer led by the Tesco site. Purley Cross is however identified as one of the Mayor’s 100 open spaces and officers are continuing to develop the business case with a view to monetising the scheme’s considerable urban realm benefits. You will be aware of the recent discussions between Croydon Council, TfL and Tesco over potential redevelopment of their store and the realignment of the A22. If this were to begin to progress then the current funding gap might be substantially reduced, thereby promoting a reprioritisation of this scheme within the Mayor’s programme.*
- 5.10 *Given that this application conflicts with the requirements of the highway improvement scheme preferred by respondents to TfL and Croydon Council’s public consultation in 2003 we would therefore request that Croydon Council consider refusal of consent. However, should the Council be minded to grant the application then TfL would normally request that a financial contribution under S106 of the Town and Country Planning Act be made towards the development and implementation of future highway improvements in Purley, protected for a period of 20 years. The level of which would be subject to further discussion.”*
- 5.11 English Heritage comment that an assessment of the archaeological implications of the scheme (possibly involving site work) be carried out before any decision is made on the planning application.
- 5.12 Councillors Bass, Millard and Speakman have referred the application in support of the proposals. The reasons cited for supporting the application are that it would be consistent and give a major boost to implementing the Purley Regeneration Strategy, it promises to be a quality designed and built landmark building on a key gateway site, it will remove a long standing eyesore, it will provide extensive community facilities and benefits, provide additional housing of a high standard and has the potential to incorporate the library site should that ever become an option once the road scheme has been determined.

## 6. CONSIDERATIONS

6.1 The principal issues to be considered are as follows:

- (1) The principle of the proposed development in the context of its designation in the Croydon Plan as a development site for community, residential and shopping uses,
- (2) The impact of the development on the streetscene and the character of area,
- (3) The impact of the development on the amenities of the occupiers of nearby properties,
- (4) The parking and highway implications,
- (5) The standard of living accommodation provided for the residential accommodation,
- (6) Possible contributions or other works that are required in respect of land outside of the site, in order to mitigate the impact of the development (Section 106 contributions), and,
- (7) The likely phasing of the development.

6.2 It should be noted that only siting and means of access are to be determined. The detailed design of the building is not for consideration at this stage, although the illustrative drawings submitted by the applicant give a good indication of the likely form of the building that will be constructed if planning permission is granted.

### Principle of the Development

6.3 The Croydon Plan and Supplementary Planning Guidance Note 13 on Purley Town Centre (PGN13) identify this site (and Purley library) as being appropriate for a comprehensive mixed use scheme, and implies that the loss of the locally listed building in Brighton Road is acceptable. PGN13 states amongst other things that a development to a height of up to six stories in height may be acceptable in part, subject to design and townscape considerations and its impact on surrounding land uses. A mix of uses including café, retail, community and residential uses is preferable. As such the principal of the proposal would appear to broadly comply with the aspirations of the Council in the regeneration of Purley centre.

6.4 Notwithstanding the above, consideration has to be given to the scale and likely form of the development in relation to what is a relatively constrained site.

### ***The Housing element...***

6.5 Considering the residential element only, 65 residential units are proposed over six floors, fronting onto Banstead Road. This is currently shown as 24 one bed units, 33 two bed units and 8 three bed units, although the layout does allow for some flexibility between the unit sizes.

6.6 The housing element of the proposal occupies a site area of approximately 2276m<sup>2</sup> and with a net residential area of approximately 2696m<sup>2</sup> hectare (including the road frontage) and 179 habitable rooms proposed, the development would result in a density of 663 habitable rooms per hectare (hrh).

6.7 This is well beyond the 160 to 300hrh stated in Policy H9 of the Croydon Plan, although Policy H10 does permit proposals for residential development at densities higher than those specified in Policy H9 on appropriate sites in areas of high accessibility to services and public transport provision. With a Public Transport Accessibility Level (PTAL) of 5 it is considered that this is such a site where a high

density development could be acceptable, subject to the design being appropriate and all other matters being satisfactory. This is particularly so given that the housing is an important enabling factor to allow the construction of the rest of the development that will provide important community facilities. The density would still be less than other recently approved comparable schemes within Purley centre.

- 6.8 Policy H4 states that on sites of more than 30 units, planning permission will not be granted for residential use unless the mix of units reflects the needs for family and non-family housing. The supporting text to this policy suggests 55% family housing and 45% non-family housing. However, this is a site that is not particularly suited to family housing, given its town centre location and the constraints of the site that allow little opportunity for substantial areas of amenity space to be provided, or indeed child friendly access to nearby amenity space. Consequently it is considered that the 8 three bed units (12%), 33 two bed units (51%) and 24 one bed units (37%) will provide an appropriate mix of units for the site.

***The Church and Community facilities...***

- 6.9 The driving force behind this development is in respect of the provision of a new church to accommodate the growing congregation (currently up to 700 people) and the many additional community orientated facilities associated with the church. The housing element is to provide some of the funding for the church and community facilities, although there would still be a significant shortfall in costs in construction that will be met by the church community.

- 6.10 The proposed use of this part of the site is in line with PGN 13. However, the higher parts of the building would be more than six storeys in height, rising up to 29.5m, or double the height of the main ridge on the existing buildings. The building would thus be the highest and most prominent within the central part of Purley. Essentially the highest part of the “spire” would be the same height as the corner tower on the Sunrise Care Home development at the top end of Russell Hill Parade.

- 6.11 To justify the size of the building it is necessary to consider the community and other benefits that may arise, and not just those associated with the provision of the new church. A number of facilities would be provided within the building that are proposed to be for general public use, and the internal layout of the building is such that access would be available to all, not just church users. If planning permission were to be granted, and to justify such a large building, appropriate conditions should be imposed to ensure that the facilities are retained and available for general public use. The size of the building, if the design is satisfactory, could therefore be justified by the exceptional community benefits and regeneration objectives that arise out of the scheme.

***The retail element...***

- 6.12 Parts of the ground floor of the church/community part of the development are proposed to be occupied by small retail units, with up to 650m<sup>2</sup> retail floorspace. It is at this stage envisaged that the retail element would be in the form of independent, specialist retailers that are appropriate to the main use of the site, such as a bookstore. Given that the site is within Purley town centre, a retail element is supported, subject to ensuring that access and servicing arrangements are satisfactory. The nature and amount of retail floorspace proposed is nevertheless considered satisfactory, and would complement the existing retail provision within Purley.

### Impact on the streetscene and the character of the area

- 6.13 The proposal will have a major impact on the character of the area. The site is nevertheless considered capable of accommodating a landmark building of significant note.
- 6.14 On Brighton Road the existing three storey Victorian locally listed but largely poorly maintained buildings would be replaced with a new six storey building with a maximum height of 29.5m from the Brighton Road. The illustrative material submitted with the application indicates a landmark building of contemporary design with curved glazed facades extending out from the base.
- 6.15 Given that this is an outline application, the detailed design is for later consideration. However, it is considered that a building of this scale and massing to provide the requested amount of accommodation could sit comfortably within the existing streetscape, acting as a focal point to the area, and providing a suitable frontage for the “town square” that the Council aspires to see created in this area. It is nevertheless imperative that a high quality approach to the design and quality of materials is adopted from the outset and seen through to completion. Given the bulk and prominence of the building, a failure to achieve a high standard of design and use of quality materials would result in a poor form of development that would be unacceptable. The proposed conditions would provide some control over these matters.
- 6.16 The building accommodating the housing would be on a landscaped deck and would be set back a minimum of 6m from the back edge of the pavement, with floors 5 and 6 being set in further from the main elevation to lessen their impact and allow for areas of rooftop amenity space.
- 6.17 The buildings would traverse over the vehicular accesses into the site, and being double height would provide a significant gap between the buildings at street level. It is important that the vehicular accesses do not impede pedestrian flow, and that they are constructed in such a way as to provide and maintain a safe and attractive environment. The applicants have indicated that the access would lead to a “porte-cochere” type arrangement, rather akin to a hotel lobby/reception area with extensive use of glazing that would allow light and activities within the building to be clearly visible. It is considered that such an arrangement could possibly work, subject to significant further detailed design considerations, which will need to include appropriate safety and security measures to prevent unauthorized access.
- 6.18 In Russell Hill, the vehicular access would be overhung by the activity hall, which is proposed to be in the form of a curved sloping structure with green roof. This would not be characteristic of the area, but would clearly relate to the contemporary approach to the design of the main building. This would be a prominent feature when travelling down Russell Hill Road from the Purley Way, and again detailed design work will be required to ensure that this is satisfactory.
- 6.19 The Banstead Road frontage would include the main church auditorium at second floor level that would overhang the building below, as well as part of the adjoining pavement. The auditorium would be a prominent feature with a sloping curved green roof. The housing element of the proposals, beyond the vehicular exit from the site would be set further back from the highway, and again a contemporary design of the

building is proposed to provide consistency between the two elements. It is considered that the impact on streetscene would be satisfactory, relating to both existing and proposed buildings on the opposite side of the road.

- 6.20 The development would step down to three storeys adjacent to the Listed library building in Banstead Road. This would be comparable with the existing adjoining unsympathetic buildings, and subject to detailed design matters it is considered that there could be an opportunity to maintain, if not improve the setting of the Listed building.

#### Impact on Amenities of Adjoining Occupiers

- 6.21 The adjoining occupiers most affected by the development would be those in Russell Hill Road, to the north of the development. To the rear of these properties are a number of flats set mostly at first, second and third floor level. Within these flats there are a number of windows that obliquely face towards the application site.
- 6.22 The new flats would be inset a minimum 3m from the boundary with the service road that serves the Russell Hill Parade properties, with further 2m steps in at third and fifth floor levels. The minimum distance between the new flats and the main rear elevation of the Russell Hill Parade properties (excluding the numerous single storey extensions at the rear) would be approximately 24m.
- 6.23 The new buildings would be in the region of 6m higher than the ridge of the Russell Hill Parade buildings. Nevertheless, given the change in level of the Russell Hill Parade properties compared with the application site, the relationship could be satisfactory, subject to detailed design considerations such as the positioning and form of windows, and the provision of landscaping, planting and screening to further soften the impact of the building.
- 6.24 There are a number of windows in the two storey side elevation of 5 and 6 Russell Hill Parade, which runs alongside the existing and proposed access off Russell Hill Road. The bulk of the second floor activity hall overhanging the proposed wider access at third floor level would be in close proximity to these windows, although a gap would be maintained, and the increased width of the access would compensate for the nearness of the upper floors. These windows appear to serve a commercial premises rather than residential, and the relationship is on balance considered acceptable.
- 6.25 On the opposite side of Banstead Road are semi-detached houses, set back from the road by 10m. Nos 1-5 Banstead Road are not in residential use and currently subject to redevelopment proposals (planning application 06/4916/P). Nos 7-21 Banstead Road lie opposite the proposed residential element of the new development, which would be set back 6m from the pavement with increased setbacks at upper levels. Taking into account the existing 12m highway there would thus be 28m between the front of the two storey Banstead Road properties and the five and six storey proposed flats. The orientation of buildings and the slightly raised position of the Banstead Road properties assist in providing a reasonable relationship between the existing and proposed development.
- 6.26 On this basis, it is not considered that there would be any undue loss of privacy, loss of light or overshadowing of adjoining properties for this town centre location.

### Parking and Highway Implications

- 6.27 It is accepted that the site has a relatively high public transport accessibility level (PTAL) of 5. Appendix Two of the Croydon Plan (Table 2 - Parking Standards for Residential Developments) suggests at this level where the predominant housing type is mostly flats, then the maximum parking provision should be 1 space per unit.
- 6.28 It is proposed that ingress into the site would be from Russell Hill Parade with egress from Banstead Road. The access road would therefore operate as a one-way road and would be designed and controlled in such a way as to avoid unauthorised traffic from using it as a cut through.
- 6.29 65 of the parking spaces will be allocated to the 65 residential flats, with the remaining 50 spaces allocated for operational and visitor parking for the worship and community uses. A total of 115 cycle parking spaces are also proposed.
- 6.30 The proposed crossovers onto Russell Hill Parade and Banstead Road would be 4m in width and it is considered that this is satisfactory to ensure safe access and egress, and avoid conflict between pedestrians and vehicles, on the basis that the access road will operate as a one-way system. It is considered that the vehicular trip generation from the worship and community uses are unlikely to increase significantly from the existing situation, since the amount of car parking for this use would be similar to that existing.
- 6.31 Servicing of the site will take place within the area between the two accesses where a drop-off area/delivery bay will allow for vehicles to be kept clear of the new thoroughfare. The buildings above the access would be at a sufficiently high level to allow access by large vehicles.
- 6.32 It is recommended that any planning permission be granted subject to a condition requiring a Travel Plan to be submitted prior to the first occupation of the development, to be implemented and monitored thereafter. This is to discourage additional use of the motorcar in this town centre site.

6.33 TfL have made a number of comments on the application as detailed in the consultation responses above. It is acknowledged that the scheme would prejudice the successful implementation of the proposals for making Banstead Road two-way, which is required to implement the preferred scheme for the re-routing of traffic around Purley centre. This would involve a 3 to 4m strip of land being taken from the site frontage. This highway proposal does however involve the co-operation of significant landowners within Purley Centre and is subject to other constraints such as securing appropriate funding and investment, and obtaining approval for the demolition of the Grade II Listed library building that currently houses the Council's local library. At this moment in time it is therefore largely an aspirational proposal and it is thus considered unreasonable to refuse the Baptist church proposals on the grounds of a highways scheme that may never come to fruition, and where there are no statutory formal safeguarded areas identified. The advantage of the Baptist church proposals where there is a strong desire and commitment to implement the proposals within the next 5 years, to regenerate a largely derelict site and to provide significant community and regeneration benefits clearly outweighs prejudice to the as yet unconfirmed highway proposals which could in principle still go forward on an alternative alignment which avoids land take from the Purley Baptist Church site.

#### Standard of Accommodation

6.34 The flats would generally be of a reasonable size and layout, being 46m<sup>2</sup> (one bed) 67m<sup>2</sup> (two bed) and 79m<sup>2</sup> (three bed). Amenity space would be limited to balconies and roof terraces, and the amenity areas immediately to the front of the building. There would be a reasonable outlook from the flats and the standard of accommodation is considered acceptable. One parking space and one cycle parking space would be provided per unit. Refuse collection would be from within the basement parking area.

#### Section 106 Contributions

6.35 A development of this scale and form would normally bring with it the requirement for certain planning obligations to be met by the developer or a "Section 106 Agreement". Such a requirement is to make acceptable development which would otherwise be unacceptable in planning terms. Essentially this may be in the form of a contribution from a developer to mitigate a developments impact on the locality. In Croydon's case the requirements for such contributions are set out in the Council's Planning Guidance Note 1 on Planning Obligations (PGN1).

6.36 With respect to this particular scheme the following would normally be sought:-

- 50% of all habitable rooms should be in the form of affordable housing, with 70% of the affordable component being social rented accommodation and 30% intermediate housing,
- A health contribution of £62,422,
- An educational contribution of £13,623 to enhance the capacity of nearby primary schools,
- An open space contribution of £10,246 and,
- A contribution towards the development and implementation of future highway improvements in Purley, protected for a period of 20 years.

- 6.37 However, the applicants have stated that this is a unique community project that is reliant on significant contributions from the church community. None of the above can therefore be provided. They state that any planning obligations which involve a financial contribution, and any affordable housing, would have a major effect on the financial viability of the scheme and jeopardise its implementation. This would be likely to lead to alternative far more modest proposals for a smaller church hall building and car park to the detriment of the provision of community facilities and the potential for a landmark building on this prominent town centre site.
- 6.38 Detailed financial evidence has been submitted for the Council to consider. Whilst this is confidential information, Officers are of the view that the information provided is a reasonable assessment of the viability of the scheme as it stands. It is acknowledged that the scheme is significantly deficit funded from the outset and that the contributions that would normally be sought would only increase the amount of deficit further and possibly put the project in jeopardy. However, there are opportunities to reduce the deficit by for example reducing build costs, or taking into account revenue from some of the retail elements. Alternatively a different form of development could be put forward that may be more financially viable. The consequent savings made could then be passed onto the Council for public benefit in line with PGN1. Whilst this is a possibility, it is acknowledged that it is likely that any comprehensive scheme would still remain in significant deficit, and could possibly result in a poorer form of development than that currently envisaged.
- 6.39 It is therefore considered that in this case the Council has been provided with sufficient justification to enable the developer to avoid any Section 106 contributions or affordable housing provision. The site is not capable of being considered a precedent by normal commercial developers who operate with a profit motive. The proposal is deficit funded from the outset yet seeks to provide a range of community facilities in a flagship building on a landmark site in Purley Town Centre, achieving the objectives for Purley town centre as set out in the adopted Regeneration Strategy and PGN. The absence of contributions and affordable housing is offset by the value of the community facilities which can be secured in the long term by conditions attached to the planning permission.
- 6.40 Whilst the above paragraphs suggest that a Section 106 Agreement is not required as no financial contributions are proposed, it is nevertheless considered necessary to secure a legal agreement in respect of the provision of the community facilities within an appropriate timescale. The phasing of the complete development, as detailed below, is important in the successful redevelopment of this prominent site.

#### Phasing of the Development

- 6.41 In making a decision on this application it is appropriate to give consideration to the likely phasing of the whole development. The applicants have indicated that it is likely that the housing development would be constructed first, in order to partly fund the church facilities. Thus the church facilities may not be provided for some years until after the completion of the flats. Also, whilst the applicants have suggested that they have a commitment to providing a church on this site, in considering the application the Council should be mindful that for whatever reason the church/community facilities may not actually be constructed, or completed in the form currently envisaged. For example, adequate funding may not be forthcoming, the scale of the church/community facilities would have to be reduced or the church

may find an alternative site preferable. The Council therefore has to be mindful that the housing development could be constructed, with the remainder of the site then left vacant for several years, or indeed an alternative proposal (not necessarily for church or community use) put forward. Since the applicants are using the scale and form of the housing as a justification for the church/community uses, in addition to citing the lack of funds to avoid the provision of contributions that would otherwise be required, it is necessary to secure a legal agreement on any planning permission to ensure the provision of appropriate church/community facilities on the site, and within a reasonable timeframe. A scenario where the flatted development were to proceed and the Brighton Road frontage were to remain indefinitely as a vacant piece of land at this landmark location would not be an acceptable option. Given the intricate financial and legal circumstances associated with this issue the use of a legal agreement is the favoured solution.

## **7. ENVIRONMENTAL CONSIDERATIONS**

7.1 The applicants have provided an Energy and Carbon Emissions Statement in respect of their application at this outline stage. This indicates an intention to achieve a sustainable development through the design of the building and the use of appropriate materials, and the appropriate use of renewable technologies. Whilst further investigation and commitment is required to achieve an EcoHomes and BREEAM Excellent Standard, and 10% renewable energy, it is recommended that a condition to achieve the Council's required standards would be appropriate for this outline planning application.

## **8. EQUALITIES CONSIDERATIONS**

8.1 Since this is an outline application with design a reserved matter, full details of the layout of the building and detailed matters have yet to be finalised. The applicants have nevertheless indicated that they are committed to universal accessibility by providing services and facilities for church members, staff and visitors who have present or impending disabilities or life challenges. Level and lift access can be accommodated and 12 disabled parking spaces are proposed.

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Case Officer: Mr W Pierson.

Background Documents: Letters from the occupiers of two properties within the site,  
Letters/emails from the occupiers of 6 surrounding properties,  
Letter from the Croydon Society,  
Letters from TfL,  
Letter from English Heritage,  
Supporting Information including Planning Statement, Scheme  
Contribution to SPG13, Design Statement, Energy and Carbon  
Statement, Statement of Community Benefits, Summary of  
Consultation, Transport Assessment, Noise Assessment, Air  
Assessment, Archaeological Desk Based Assessment,  
Association 58:12 (14 July 2003).

Emissions  
Public  
Quality  
Memorandum of

Previous Planning File 05/00611/P

Contact Officer: Mr P Mills, Tel: 0208 760 5419.