

PART 5: Planning Applications for Decision

Item 5.2

1.0 APPLICATION DETAILS

Ref: 18/03670/FUL
 Location: Unit 8 Block B 15 Whitestone Way
 Ward: Waddon
 Description: Installation of air vents to the front elevation
 Drawing Nos: A-01 Rev E, B-01 Rev E, A-03 Rev E, A-02 Rev E, Planning Statement July 2018, H-V-C Louvre Systems specification March 2018
 Applicant: Pirate Studios Ltd
 Agent: DLP Planning Ltd
 Case Officer: Violet Dixon

Existing floor space	786.3m2
Proposed floor space	786.3m2

1.1 This application is being reported to Sub Committee because objections above the threshold in the Committee Consideration Criteria have been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) In accordance with approved plans
- 2) Unless otherwise stated materials should match the existing
- 3) Permission should begin within 3 years
- 4) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

Informatives

- 1) Any informative(s) considered necessary by the Director of Planning & Strategic Transport

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The applicant seeks full planning permission for the installation of two air vents to the front elevation of the unit. The louvres would replace two window panes and would be black in colour.
- 3.2 The scheme has been amended during the consideration of the application with the number, size and location of the air vents altered.

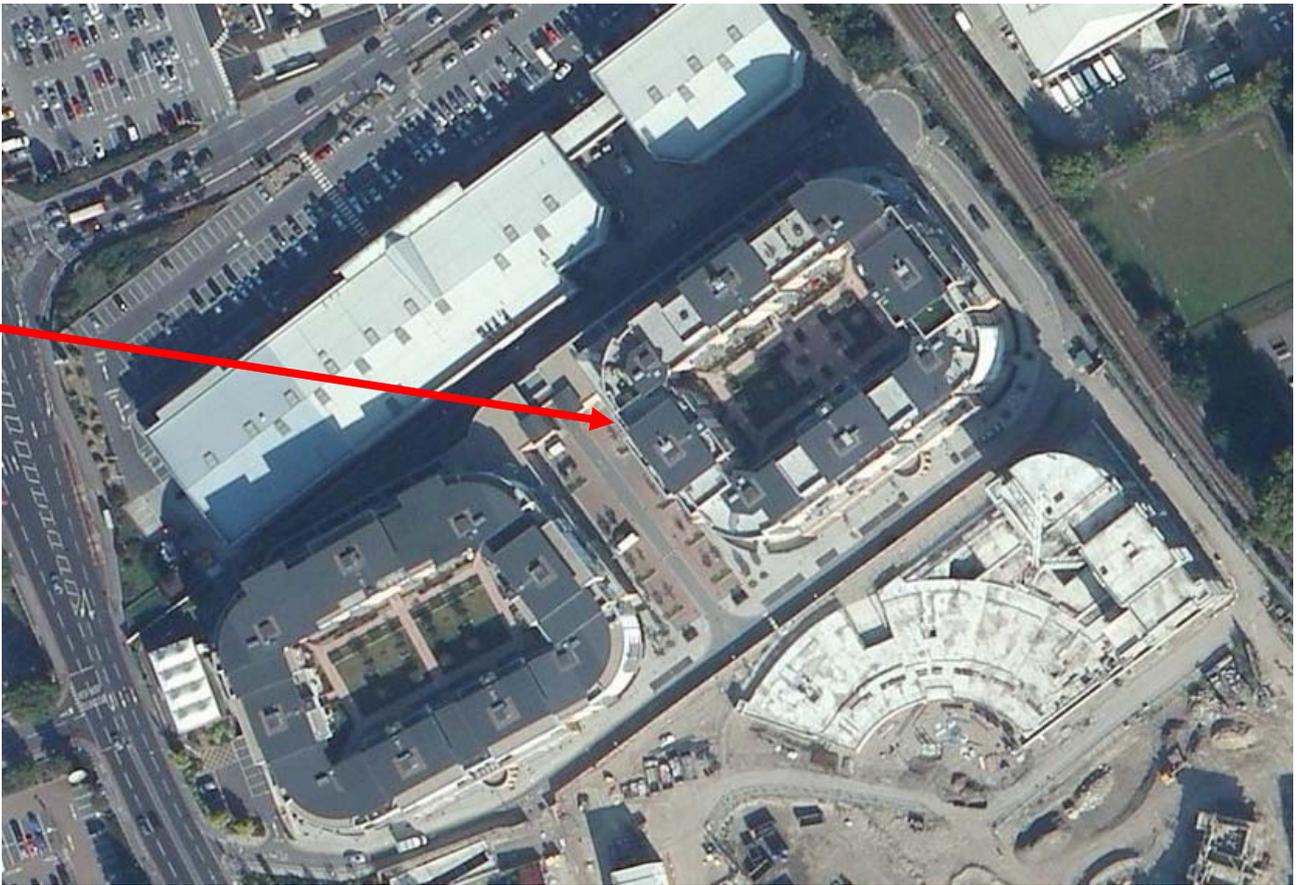


Figure 1: Aerial view highlighting the application site within the surrounding streetscene

Site and Surroundings

- 3.3 The unit concerned is Unit 8, Block B. This ground floor commercial and workshop unit is located within the 9-storey mixed commercial and residential New South Quarter development constructed by Barratt London. The unit was completed in 2007 and has been vacant since that time.
- 3.4 The New South Quarter comprises 923 one, two and three bedroom apartments set around the River Wandle. At the ground floor there are a number of commercial and workshop units.
- 3.5 The front elevation of the unit is finished in yellow London stock brick and large glazed panels surrounding the entrance. The adjacent commercial unit to the west of the site is occupied by Access Self Storage.
- 3.6 The application site is designated as being within a Strategic Industrial Location.

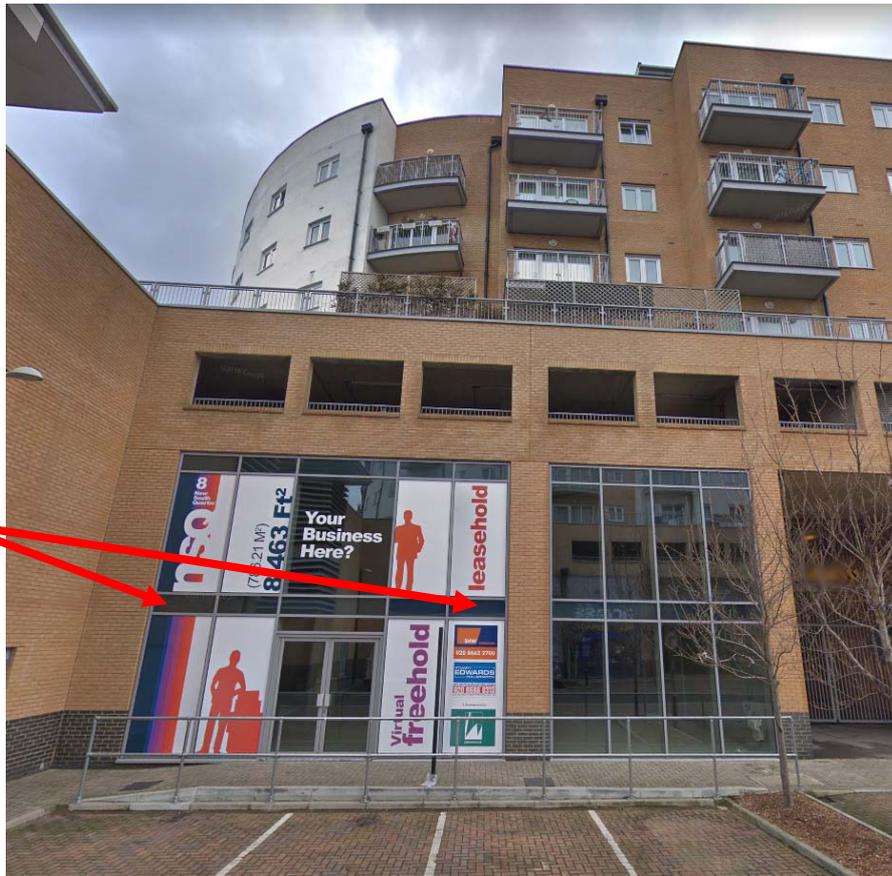


Figure 2: Existing front elevation highlighting proposed location of air vents

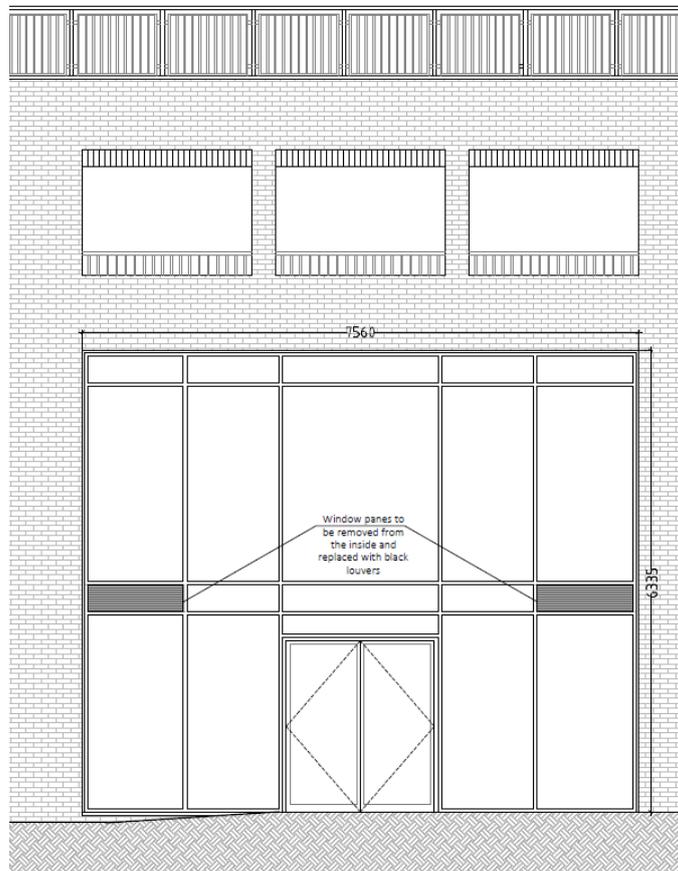


Figure 3: Proposed front elevation highlighting location of air vents

Planning History

3.7 In terms of recent planning history the following applications are relevant:

- Various planning permissions have been granted for the redevelopment of the site as a mixed use of residential and other uses (including B1 (b, c), B2 and B8) (Ref: 05/05134/P, 10/02407/P, 12/02743/DT). These consents have been implemented and relate to the wider development, of which this unit is a part
- Various planning applications have been made to secure flexible use of the floorspace. Two applications (ref 17/01147/FUL and 17/01148/FUL) were refused due to a lack of marketing information to support an office (B1(a)) use but permission was granted (reference 17/04102/FUL and 17/04103/FUL) for flexible uses in classes B1(b), B1(c), B2, B8, D1 and D2 at Units 7 and 8
- The unit has been subject to an enforcement investigation ref. 18/00592/NCC in relation to its use and operating hours. The investigation found that there is currently no breach of any planning regulations as the intended use as a recording/rehearsal studio has not commenced. It was further confirmed that the applicant was able to operate a recording/rehearsal studio within the unit under planning permission 05/05314/P should the use fall under class B1(c) (Business).

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- There is no objection in principle to the installation of air vents in the front elevation of the unit
- The alterations proposed would be acceptable in terms of their appearance and impact on character considering their location, size and scale.
- The proposal would not have a detrimental impact on the residential amenities of adjoining occupiers from increased noise and disturbance
- It is noted that the objections received predominately related to the use of the unit as a 24/7 recording/rehearsal studio. The agent confirmed that the applicant intends to use the unit as a recording/rehearsal studio, implementing the original permission ref. 05/05134/P. A recording studio normally falls within use class B1(c) and therefore the use is granted under the original planning permission. Condition 8 of the original planning permission does not restrict the hours of use for B1 uses at the site. This application is seeking permission for the installation of air vents to the building and does not relate to the use of the building.

5.0 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of letters sent to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 57 Objecting: 57

6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Objections

- Use of site as 24/7 recording/rehearsal studio not appropriate [*Officer Comment: The application is for the installation of air vents to the front elevation and is not related to the use of the site. Planning permission for the use of the site under classes B1(b and c), B2, B8 was granted in 2006 ref. 05/05134/P. Condition 8 of this consent does not restrict the hours of use for B1 uses at the site.*]
- Noise and disturbance
- Not in keeping with the area
- Increased traffic and highways issues
- Obtrusive by design
- Overdevelopment of the site
- Overlooking and loss of privacy [*Officer Comment: The proposed air vents would not result in any overlooking or loss of privacy.*]

6.3 The following procedural or non-material issues were raised in representations and are addressed below:

- Impact on value of properties [*Officer Comment: This is not a material planning consideration.*]
- Increased anti-social behaviour [*Officer Comment: This is not a material planning consideration.*]

6.4 The following Councillors made representations:

- Cllr Robert Canning (Waddon Ward Councillor)
 - Use of site as 24 hour recording studio would impact amenities of neighbouring properties

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Croydon Local Plan was adopted in 2018.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Requiring good design.

- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP):

- SP4: Urban Design and Local Character
- DM10: Design and Character

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

1. Principle of Development
2. Townscape and visual impact
3. Impact on neighbouring residential amenity

8.2 Principle of Development

8.3 At the heart of the National Planning Framework 2012 (NPPF) is a presumption in favour of sustainable development which meets social, economic and environmental needs.

8.4 Croydon Local Plan 2018 Policy SP1.4 states that the Council will seek to encourage growth and sustainable development, whilst Policy SP1.2 states that all development in the borough should respond to and enhance local character, the heritage assets and identity of the Places of Croydon.

8.5 This application relates to the installation of two air vents to the front elevation and does not relate to the use of the site. The application has been made to enable the use of the site as a use within Class B1, which is appropriate in an industrial area. On this basis, it is considered the proposal is acceptable in principle.

8.6 Planning permission for the use of the site under classes B1(b and c), B2, B8 was granted in 2006 ref. 05/05134/P, with no restrictions on hours of use for B1 uses. In 2017 planning permission was granted to allow flexible use of the unit for Classes B1(b), B1(c), B2, B8, D1 and D2 ref. 17/04103/FUL. The agent has confirmed that the applicant intends to use the unit as a recording/rehearsal studio, implementing the original permission ref. 05/05134/P. A recording studio normally falls within use class B1(c) and therefore the use is granted under the original planning permission. Condition 8 of the original planning permission does not restrict the hours of use for B1 uses at the site.

Townscape and Visual Impact

- 8.7 Policies 7.4 and 7.6 of the London Plan state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policy DM10 of the Croydon Local Plan requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.
- 8.8 The overall appearance of the unit would not significantly change. The air vents would replace two window panes in the front elevation and would be of the same size and scale as the existing openings. Each air vent would measure 1.3m in width and 0.37m in height. The louvres would be black in colour and would be in keeping with the character and appearance of the building and context of the area. The proposal therefore conforms to Policy DM10.

Impact on Neighbouring Residential Amenity

- 8.9 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 8.10 The nearest residential properties from the site are the Peebles Court apartments located immediately above the unit and the Woodall Court apartments located immediately above the adjacent units 11 and 13 Whitestone Way. A number of these apartments feature balconies and glazed openings that face onto Whitestone Way. The distance between the unit and the nearest neighbouring properties within Peebles Court is approximately 15 metres. The air vents properties would not be readily visible from the nearest neighbouring properties given their size, scale and location.
- 8.11 The air vents are designed with internal acoustic lining and would replace two window panes. It is not considered that the air vents would compromise the acoustic integrity of the building or result in harm to the amenity of the nearest residential properties through undue noise. The Council's Environmental Consultant has confirmed that the proposed air vents would be acceptable in terms of noise.
- 8.12 The works proposed within this application alone would not significantly change the usage of the site in a way that would harm the amenity of the nearest residential properties due to their scale.
- 8.13 The impact on the residential amenities of the occupiers of properties at Peebles Court and Woodall Court is considered acceptable due to the size and scale of the proposal.

Conclusions

- 8.14 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.