

PART 5: Planning Applications for Decision**Item 5.2****1.0 SUMMARY OF APPLICATION DETAILS**

Ref:	18/05085/FUL
Location:	Venture House, 23-25 High Street, Purley, CR8 2AF
Ward:	Purley and Woodcote
Description:	The change of use of 25 High Street (ground floor only) from Use Class A1 (retail) to Use Class A3 (cafe) with an ancillary child's play area and amalgamation of units nos. 23 and 25 High Street.
Drawing Nos:	00(00)P105; 00(PL)P102-P01; 001A; 002; Planning Statement prepared by Boyer Planning - reference 18.5121 and dated 15 October 2018; Marketing Letter from Stiles Harold Williams Partnership LLP dated 26 June 2018.
Applicant:	N/A
Agent:	Mr Ben Pope (Boyer Planning)
Case Officer:	Rachel Gardner

	Existing gross internal floor space (square metres)	Proposed gross internal floor space (square metres)
A1 - Shops	66.9	0
A3 – Restaurants and cafe	134.6	201.5
Total	201.5	201.5

- 1.1 This application is being reported to committee because the ward councillor Councillor Simon Brew has made a representation in accordance with the Committee Consideration Criteria and requested committee consideration.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to REFUSE planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning refusal for the following reason(s):
- 1) The proposal would further undermine the vitality and viability of the main retail frontage within the Purley District Centre as it would result in a cumulative loss of A1 units within this area, whereby it would result in more than 60% of the ground floor units falling outside the A1 Use Class. As such, the proposal fails to comply with Policy DM4.2 of the Croydon Local Plan (2018).
 - 2) Any other reason(s) for refusal considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3.0 PROPOSAL AND LOCATION DETAILS

3.1 The proposal includes the following:

- Change the use of the ground floor unit of 25 High Street from use class A1 (retail) to use class A3 (café) with an ancillary child's play area
- Amalgamation of the ground floor units of 23 and 25 High Street.

Site and Surroundings

- 3.2 The subject site involves two ground floor units of a 3-storey building at No.23 and 25 High Street.
- 3.3 No. 23 and 25 High Street are currently vacant and No. 25 was most recently used as an opticians (use class A1) and was vacated in early 2012, and No. 23 was most recently used as a restaurant and bar (use class A3) and was vacated in late 2012.
- 3.4 The subject site is located within the Purley District Centre and primary shopping area as identified by the Proposals Map attached to the Croydon Local Plan (2018).

Planning History

3.5 The relevant planning history for the subject site includes:

18/03252/FUL - Planning permission refused on 12.10.2018

The change of use of 25 High Street (ground floor only) from Use Class A1 (retail) to Use Class A3 (cafe) with an ancillary child's play area and amalgamation of units nos. 23 and 25 High Street.

Reason for refusal:

1. The proposal would further undermine the vitality and viability of the main retail frontage within the Purley District Centre as it would result in a cumulative loss of A1 units within this area, whereby it would result in more than 60% of the ground floor units falling outside the A1 Use Class. As such, the proposal fails to comply with Policy DM4.2 of the Croydon Local Plan (2018).

The applicant has appealed the refusal, which is under consideration by the Planning Inspectorate (Planning Inspectorate ref: APP/L5240/W/18/3215423)

3.6 In relation to neighbouring sites, the following planning application for 21 High Street, Purley, CR8 2AF is a material consideration for the subject application:

Reference: 16/02320/P - Proposal description: Use as a health care service - Decision: Refused on 08.07.2018

The proposal was refused as it would result in the loss of an “A” use class. Notably, in the officers report it states that the 21 High Street was a vacant Class A2 (Professional and Financial Services) unit.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would further undermine the vitality and viability of the main retail frontage within the Purley District Centre as it would result in a cumulative loss of A1 units within this area.

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 18 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, and Councillor Simon Brew in response to notification and publicity of the application are as follows:

No of individual responses: 2 Objecting: 0 Supporting: 2 Comment: 0

6.2 The following matters were raised in the representation received from Purley & Woodcote Residents Association:

- The subject units are vacant and the proposal would bring the units back into use
- The use is needed across the road from the leisure centre
- The units have been widely marketed.

6.3 The following matters were raised in the representation from Councillor Simon Brew:

- The subject units are vacant and the proposal would bring the units back into use and increase footfall on the High Street.
- Providing a wider benefit to Purley residential and business community

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 Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

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:

- Ensuring the vitality of town centres

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

7.4 Consolidated London Plan 2015

- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character

7.5 Croydon Local Plan 2018

- DM4 Development in Croydon Metropolitan Centre, District and Local Centres
- DM10 Design and Character
- SP8 Transport and communication

8.0 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Amenity impacts to neighbouring properties
3. Traffic and parking

Principle of Development

8.2 The London Plan and Croydon Local Plan identify appropriate use of land as a material consideration to help to ensure that the vitality and viability of district centres and retail frontages are maintained.

8.3 Policy DM4.2 and associated Table 5.3 of the Croydon Local Plan (2018) states that within the borough's District Centres and on main retail frontages, A1 uses are accepted in principle however, A2-A4 uses are accepted in principle as long as the proposal does not result in more than 60% of the ground floor units falling outside the A1 Use Class, so as to ensure that District Centres maintain the vitality and primary function for retailing.

8.4 The lawful use of the ground floor unit of no. 23 High Street is already considered to be Use Class A3. The proposal seeks to change the use of the ground floor unit of No. 25 High Street from Use Class A1 to A3. The principle of A3 can be accepted in principle if it does not result in more than 60% of the ground floor units falling outside the A1 Use Class.

8.5 The Local Plan outlines that for the purposes of calculating the percentage of non-A1 uses within a given frontage, the Council will apply a rule of seven units either side of

the subject property and an equal number of units on the opposite site of the road (if the frontage designation extends there also).

8.6 Figure 1 below shows the main retail frontage within the Purley District Centre, the subject site and the area surveyed for their current and lawful uses, in accordance with guidance contained within Table 5.3 and Appendix 2 of the Local Plan.

8.7 The surveyed area (marked by a blue circle in Figure 1 below) contains 10 units and from officers surveys it was found that 4 of these units, or 40% had an A1 Use. Therefore, the proposed development involving the loss of one A1 unit would result in only 3, or 30% of the surveyed units with an A1 use. This would result in a further deficit of A1 units beyond the minimum 60% required by Policy DM4.2 of the Local Plan. It is noted that the applicant was sent a copy of the officer's survey results and they were not disputed.

8.8 For thoroughness, a survey was undertaken of the uses of units within a wider area of the main retail frontage (marked with a green circle in Figure 1 below). However, this survey also found that the proposed development would result in only 35% of this surveyed area being within an A1 Use.



Figure 1: Main retail frontage and surveyed area

8.9 The applicant has submitted some marketing evidence for the units but this is considered to be incomplete and not comprehensive, outlining that the units have been unsuccessfully marketed for a period of time. Additionally Policy DM4.2 is not a policy whose application is dependant on marketing information.

- 8.10 The Council's Annual Monitoring Report details that Purley District Centre had a vacancy rate of 18% in 2017, whereby the highest vacancy rate between 2008-2017 was 23% and the lowest vacancy rate in this period was 13%. The applicant has indicated that there is a prospective end user for the proposed development however, given the existing vacancy rates within the Purley District Centre, there appears to be sufficient opportunity for this end user to occupy an alternative unit within this District Centre which already has a lawful A3 use.
- 8.11 Furthermore, it is noted that the lawful use of the ground floor unit of No. 23 is A3 (restaurant/ café) and so could be occupied without requiring permission whilst protecting the viability and vitality of the district centre from further harm.
- 8.12 In the submitted documentation the application has stated that the ground floor unit of No. 25 is set back from the street frontage and therefore does not benefit from the level of foot traffic that other units do along the High Street. Whilst this may be the case, the unit is off a passageway linking High Street to Brighton Road which passes directly in front of the shopfront of No. 25, making it part of the Main Retail Frontage. Furthermore, if amalgamated in to no 23, this would form one large non-A1 use directly on the High Street.
- 8.13 Finally, it is noted that the proposal is not significantly different from application ref 18/00144/FUL which was refused under delegated powers, which is a material consideration.
- 8.13 The proposal would result in the cumulative loss of A1 units and represents more than 60% of the ground floor units falling outside of the A1 use class within the Purley District Centre. A1 uses are required to maintain the vitality and viability of retail frontages and a further shortfall of this use would cumulatively undermine the function of this retail frontage and District Centre. As such, the proposal fails to comply with Policy DM4.2 of the Croydon Local Plan (2018).

Residential Amenity for Neighbours

- 8.14 The proposal does not involve any external changes to the building and therefore no loss of light, outlook or privacy is anticipated to any neighbouring properties.
- 8.15 The proposed change of use is not anticipated to generate additional noise levels beyond the existing lawful use, nor noise levels above what is expected for this location within the Purley District Centre.
- 8.16 Had the application been supported it would have been considered suitable to impose a condition regarding the operating/ opening hours of the resultant units and details of ventilation equipment be submitted.

Traffic and Parking

- 8.17 The London Plan does not require any on-site parking, nor cycle parking for the proposed A3 unit, as the size of this unit does not trigger the minimum threshold for when car parking and cycle parking standards would apply.

Conclusions

- 8.13 The principle of development is not considered acceptable as the proposed change of use, and loss of an additional A1 unit within the main retain frontage and Purley District centre would further undermine the vitality and viability of these areas.
- 8.14 All other relevant policies and considerations, including equalities, have been taken into account.