

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/02651/FUL
Location: Leon House, 233 High Street, Croydon, CR0 9XT
Ward: Fairfield
Description: Re-configuration of bin storage, erection of Green Fencing screen, Vehicle and pedestrian access control gates to Mason's Avenue
Drawing Nos: 16031 20-101 Rev C1P, 2359 AG(04) 36 Rev F, 14365-101, 2359 AG(04) 37 Rev B, 2359 (AG04) 100, Refuse strategy.
Applicant: Mr Sheridan, FI – Real Estate Management
Agent: Mr Jon Howarth, Ellis Williams Architects
Case Officer: Helen Furnell

- 1.1 This application is being reported to Planning Committee because objections (14) above the threshold in the Committee Consideration Criteria have been received.

2 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) Development to be in accordance with the plans submitted
- 2) Submission and approval of details/samples of materials
- 3) Submission and approval of details of the provision and maintenance of landscaping.
- 4) Details of times for moving bins out for collection.
- 5) Commercial bins only to be stored in the timber bin store shown on drawing 2359 AG(04) 36 Rev F.
- 6) Residential bins to only be stored in refuse room on 1st Floor of Leon House.
- 7) Residential bins not to be moved out of the internal bin store prior to 7am on the day of collection and returned to bin store within 1 hour of collection.
- 8) Residential bins only to be collected on Monday, Wednesday and Friday between 07:30-10:30.
- 9) Commercial bins only to be collected on Friday between 07:30-10:30.
- 10) Development to commence within 3 years
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Community Infrastructure Levy
- 2) Any other informative(s) considered necessary by the Director of Planning

3 PROPOSAL AND LOCATION DETAILS

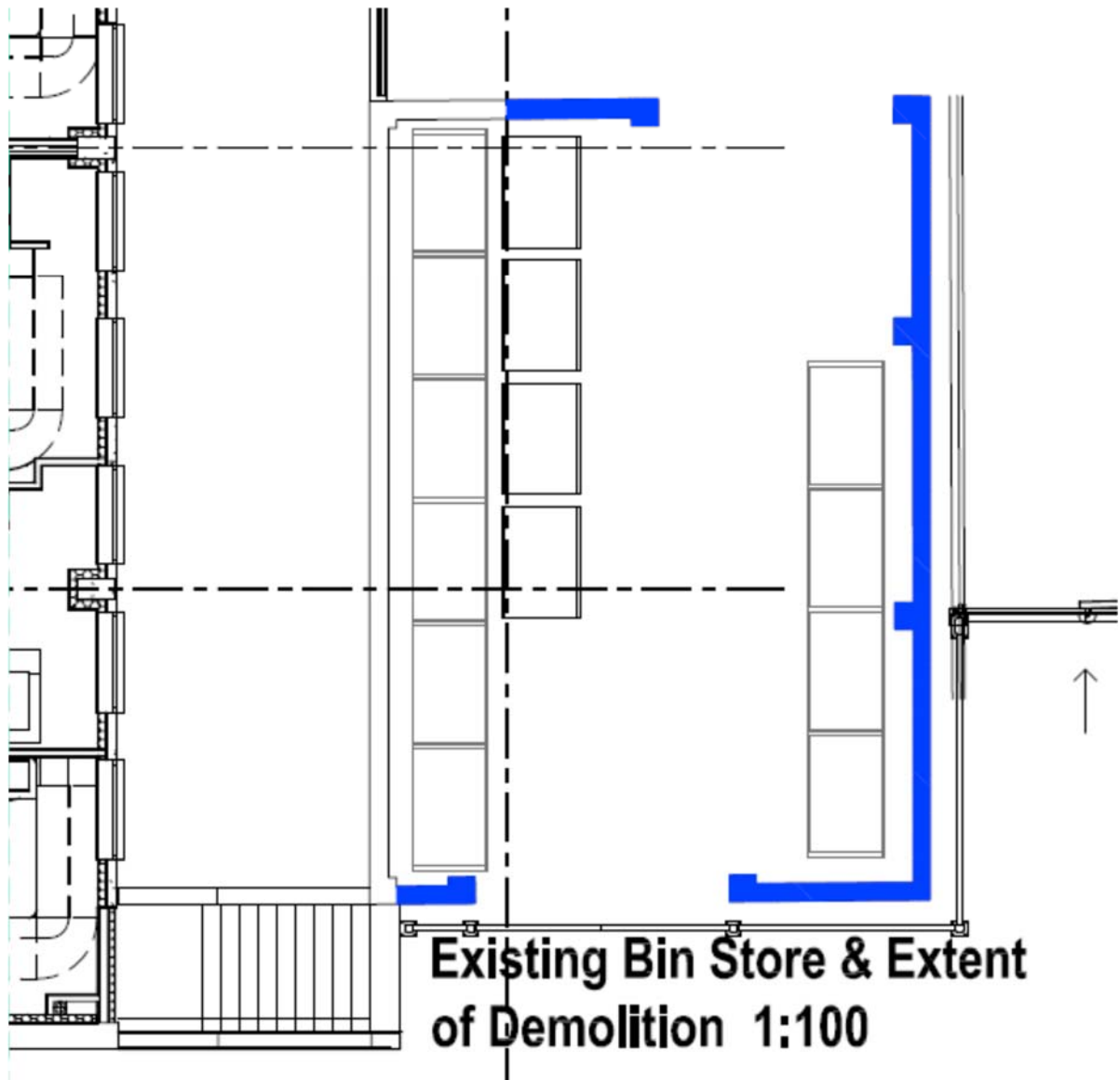
Proposal

- 3.1 This is a full planning application for the reconfiguration of the bin storage at the site with a green fencing screen surrounding it and vehicle and pedestrian access control gates to Mason's Avenue.
- 3.2 The current bin store of 64m² would be amended and most brick walls removed to create a commercial bin store for the adjacent restaurant use of 14m² (which would retain the rear brick wall and have timber slatted walls (with access gates) on the other three sides and a timber roof). Residential bins are proposed to be located within an internal bin store at first floor level of the building (which is at the same level as the existing bin store) and would be moved out on collection days to a holding area which is proposed to be screened from the road by metal mesh fencing which is proposed to be greened with climbing plants.
- 3.3 Commercial bins are proposed to be collected once a week (on Fridays) between 07:30 and 09:30 and the residential bins are proposed to be collected 3 times per week (on Mondays, Wednesdays and Fridays) between 07:30 and 10:30. There will be a management arrangement whereby the building cleaning staff will move the residential bins from the internal store to the collection area (adjacent to the commercial bin store and enclosed by timber slatted fencing) at 07:00 (a process which will take 15-20 minutes). The area is covered by CCTV and the building concierge will be able to see when the bins have been emptied, prompting the building cleaning staff to move the bins back in to the internal bin storage area.
- 3.4 The proposed gates are proposed to be constructed of galvanised steel and will have automatic opening for vehicles and there will be a pedestrian/cycle access gate.

Site and Surroundings

The site is occupied by an existing bin store that has brick walls. There is an existing vehicle access point and there are other open areas that are currently used for the storage of commercial refuse bins.





Planning History

3.5 The following planning decisions are relevant to the application:

15/02926/GPDO Use of floors 1-6 as 67 flats.

Prior approval given

15/02927/GPDO Use of floor 7 as 14 flats.

Prior approval given

15/02928/GPDO Use of floors 9-20 as 168 flats.

Prior approval given

16/01467/P Alterations; use of 8th floor as 8 two bedroom and 1 three bedroom flats.

Planning permission granted (Subject to a S106 Agreement)

16/06157/FUL External works comprising replacement and additional glazing, formation of new entrances, new communal roof terrace, landscaping and associated works.

Planning permission granted

17/04817/FUL Change of use of the eighth floor from Class D1 use to 14 residential units.

Planning permission granted (Subject to a S106 Agreement)

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed changes visible in the streetscene would have a minimal impact and would not have a detrimental impact on the character of the area, which is acceptable.
- 4.2 There would be no significant harm to neighbouring properties amenity, given that the proposed bin store would be smaller, covered and the residential bins would be stored inside the building. In addition, suitable planning conditions are proposed to control any potential for noise and disturbance
- 4.3 The proposal would not prejudice highway safety, the operation of Masons Avenue or result in an unacceptable increase in traffic.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

- 6.1 A total of 275 neighbouring properties were notified about the application and invited to comment. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:15 Objecting:14 Supporting:0 (1 comment received).

- 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:

Summary of objections	Response
<i>Impact on adjoining occupiers</i>	
Bins should be located on other side of the building	This is the proposal that has been put forward and the Council has a statutory duty to determine it. The fact that this is the existing location of bin storage is also a material consideration.
<i>Disruption</i>	
Noise from putting rubbish in and emptying bins	See paragraphs 8.8 & 8.9.
<i>Visual Impact</i>	
Not in keeping with the area.	See paragraphs 8.2 – 8.6.
Obtrusive by design	See paragraphs 8.2 – 8.6.
Overdevelopment	See paragraph 8.2.

Galvanised metal fencing out of character and overbearing in height.	See paragraph 8.5.
Views of bins	See paragraphs 8.3 & 8.8.
Highways matters	
Mason's Avenue not wide enough for bin collection	See paragraph 8.14.
Increase in traffic	See paragraph 8.13.
Parking problems – objection to any loss of parking spaces	The development does not propose the loss of any parking spaces.
Other matters	
Works have commenced	Construction works have been ongoing at the site for some time in relation to the implementation of the GPDO prior approvals.
Bin capacity not indicated	Scaled drawing 2359 AG(04) 36 Rev F shows the footprint of the proposed commercial bins and scaled drawing 16031 20-101 Rev C1P shows the first floor room with the footprint of the bins. Information has also been submitted showing the frequency that the bins would be emptied and this can be controlled by condition.
Bad smells coming from bins	See paragraph 8.11.
Will attract pests/vermin	See paragraph 8.10.
Council is unable to cope with the current collections and query what provision is being made for 400 new residents.	The applicant is proposing to use a private company for refuse collections to ensure the frequency of collections, this would not result in additional strain on Council resources.
Non-material issues	
Reduction in property value	This is not a material planning consideration.

7 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:

- Promoting healthy and safe communities
- Making effective use of land
- Achieving well designed places

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

7.4 Consolidated London Plan 2015 (LP):

- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 7.4 Local character
- 7.6 Architecture
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

7.5 Croydon Local Plan: 2018 (CLP2018):

- SP4: Urban Design and Local Character.
- SP4.1 High quality development that responds to local character.
- DM10: Design and Character.
- DM10.1 High quality developments.
- DM10.6 Protection to neighbouring amenity.
- DM10.7 Architectural detailing, materials respond to context
- DM10.8 Landscaping.
- DM10.9 Lighting and light pollution.
- DM13: Refuse and Recycling.
- SP6.3 Sustainable design and construction.
- SP6.6 Waste management.
- SP8: Transport and the Communication.
- SP8.5 and SP8.6 Sustainable travel choice.
- DM29: Promoting sustainable travel.

8 MATERIAL PLANNING CONSIDERATIONS

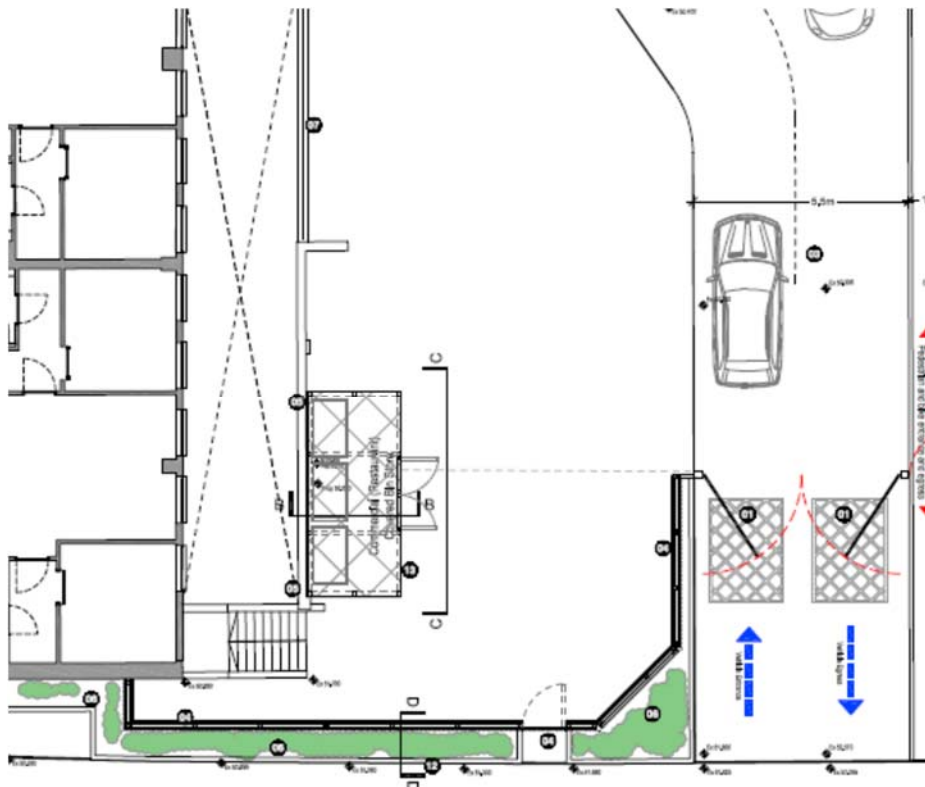
8.1 The main planning issues raised by the application that the committee must consider are:

1. The impact on the visual amenity of the area
2. The impact on the amenity of adjoining occupiers
3. Highways and parking issues

The impact on the visual amenity of the area

8.2 The proposed bin store would be located in the same position as the existing bin store. The existing bin store is an open topped enclosure, constructed from brick. Three sides of this enclosure are proposed to be removed (with the rear wall remaining). A new bin enclosure is proposed for the existing ground floor restaurant at the site. This reduces the footprint of the bin enclosure from 64m² to 14m², which is a significant reduction.

8.3 The bin store is able to be so significantly reduced in extent as it is only required to serve the ground floor restaurant rather than the whole of Leon House as well. Bin storage for the residential use being implemented in Leon House would be contained within an internal bin store.



- 8.4 The proposed bin store is proposed to be constructed from timber slats and would have a timber roof. The proposed bin store would be located within the site and a new boundary treatment is proposed. This boundary treatment would be constructed from metal mesh fencing, which would be greened with climbing plants. Due to the sloping nature of Mason's Avenue, the boundary treatment is proposed to vary in height between 2.4m and 3.425m.
- 8.5 The materials of the fence, the density of planting and the species proposed to be used can all be controlled by planning condition and it is considered that a green fence would have a softer impact on the streetscene than the existing wall (which varies from 1.7m - 2.3m in height). The position of the proposed green fence would screen the proposed bin store from view in the streetscene.
- 8.6 The proposed vehicle and pedestrian entrance gates would be adjacent to the proposed green fence and would be located in the same position as the existing vehicle entrance. This element is acceptable and would result in the removal of the existing vehicle barrier, rising bollard and anti-drive infrastructure.
- 8.7 Whilst the provision of a greened fence is a new feature in the streetscene, it is considered to be an appropriate replacement for the existing wall and it would not have a detrimental impact on the character of the area.

The impact on the amenity of adjoining occupiers

- 8.8 Concern has been raised by local residents that the proposal would be detrimental to their amenity and quality of life (as outlined in paragraph 4.2 above). However, these concerns must be assessed in the context of whether or not the concerns are justified and whether or not the proposal will cause harm to residential amenity.
- 8.9 In terms of the potential for noise and disturbance, the area of external bin storage will reduce significantly from the existing situation and the external bin storage will

now have a roof (whereas it is open at present). This will have the benefit of reducing the number of bins with the potential to cause disturbance and the positioning of the bins within the bin store and having a second screen from the proposed fence, will aid in mitigating any potential impact. In addition, the presence of a roof over the bin store will aid in screening the bins from local residents on upper floors of adjacent buildings.

- 8.10 The applicant has confirmed the residential bins will be stored within the building and only moved out on collection days and the location within the building has been specified on a plan. This means that residents filling the bins will be inside the building and not causing disturbance to local residents. The applicant has also confirmed the arrangements for moving the bins outside to be collected and moved back into the building (which is outlined in paragraph 3.3 above). These timings can be controlled by condition, which means that there will be a very limited impact on local residents from the residential bins and the hours stated by the applicant are not considered to be unreasonable. These timings will also mean that the bins will only be visible from the upper floors of adjacent buildings for limited times.
- 8.11 Given that the residential bins will be inside the building, this will mean that they are not easily accessible to local wildlife and will only be outside the building for short periods of time. The commercial bins will be outside, but will be completely surrounded by the bin store and will be on a much smaller scale than the existing bin store, which will be an improvement.
- 8.12 Whilst there are inevitably some smells that emanate from bins, given that the residential bins will, for the most part be inside the building, away from residents and the commercial bin store will be on a much smaller scale than the existing bin store, the situation will be no worse than the existing situation, and is likely to have less of an impact.
- 8.13 Whilst local residents may prefer the bins to be located in an alternative position, the Council is tasked with assessing the proposals that are put before them to assess whether or not they cause harm. The fact that there is an existing bin store in the same location is also a material consideration. It is considered that the proposals, with appropriate conditions as suggested, would have no greater impact on the amenity of neighbouring residents than the current situation and would not cause harm.

Highways and parking issues

- 8.14 Concern has been raised that the proposal would result in an unacceptable increase in traffic. The proposal would result in 4 refuse collections per week (3 residential and 1 commercial). It is considered that this level of traffic movement is not significant and would not have an unacceptable impact.
- 8.15 Concern has also been raised that Mason's Avenue is not wide enough for bin collections. However, Mason's Avenue is of a sufficient width to have marked out parking bays on both sides of the road (as part of the CPZ) and the road is yellow lined immediately outside the vehicle entrance to the site. It is considered that the road is of a sufficient width to allow the passage of bin lorries.

Conclusions

8.16 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

8.17 The details of the decision are set out in the RECOMMENDATION.