

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/05757/FUL
Location: 127a Marlpit Lane, Coulsdon, CR5 2HH
Ward: Old Coulsdon
Description: Change of use from B1 Carpenters workshop to Sui generis window cleaning business
Drawing Nos: Location Plan received 30.10.19, 302-EX-01A, 302-EX-01B, Revised Planning Statement, Revised Management Plan received 30.10.19 and revised Transport Statement dated Oct 2019 received 30.10.19
Applicant: C/O Agent Darren Waterer Window and Cleaning Services Ltd.
Case Officer: Hayley Crabb

- 1.1 This application is being reported to committee because the application was referred by the ward councillor (Cllr Margaret Bird). Councillor Bird has been re-notified of revised information and maintains her referral.

RECOMMENDATION

- 2.1 That the 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 carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) In accordance with Management Plan
- 3) Hours of use
- 4) Environmental and Historical Site Review Condition (6 months)
- 5) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The application comprises the following:

- Continued use as window cleaning business (Sui Generis) as the use has already commenced.
- Darren Waterer Window Cleaning Services Ltd provides cleaning services to a variety of businesses which includes cleaning of business premises prior to the start of typical business hours.
- The company's core operating hours are between 08:30-17.30 Monday-Friday, excluding weekends. Reduced office hours are operated on public holidays. In addition, at 6.30 a maximum of 5 employees arrive at the premises to collect company vehicles to attend early appointments. The offices are then closed with no further comings and goings until 08:30 and the start of core operating hours.
- The company has implemented a policy requiring employees attending the premises at 06:30 to keep levels of noise to a minimum when collecting vehicles.
- Vehicle collection happens within 5 minutes.
- During core operating hours operations are typically office based and open to visiting customers, deliveries and collections with approximately 2 water sales per day.
- Company vehicles are typically returned to the premises between 12:00-17:00 when they are prepared for the following day and left at the premises overnight. It should be noted that only 2 company vehicles are on site at any given time. The 2 company vans are re-filled with water when they return to the premises.
- During the day when vans are offsite, on-site parking spaces can be utilised by collection/delivery vehicles and customers.
- Employees do not park on site and typically take public transport or walk to work.
- The company uses over the counter cleaning products which are stored in a locked storage unit and purified water stored in tanks within a locked storage unit.
- A revised application form was submitted including a certificate B.

Site and Surroundings

3.2 The application site is on the north side of Marlpit Lane to the rear of Robe & Hitchens Ltd (a vehicle workshop and service centre). Opposite the site is a Ministry of Defence site for army Reserves and Cadets. The surrounding area is residential in character.

3.3 The application site consists of a two storey building. The ground floor and remainder of the site are in commercial use and the first floor is in residential use.

3.4 The site was previously used as a carpenter's workshop within use class B1. The window cleaning business has been in operation since around July 2018.

3.5 The site adjoins the Brandmore Green Conservation Area. There are no other constraints affecting the application site as identified by the Croydon Local Plan 2018.

Planning History

3.6 18/04329/ADV – Non-illuminated single sided advertisement board on a metal pole – A Advertisement Consent Granted.

3.7 88/01598/P – Conversion to form flat and maisonette; erection of single storey rear extension – Planning Permission Granted

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The use is considered acceptable considering the previous lawful use of the site.
- The use would not have a detrimental impact on the appearance of the existing building, the character of the area, or the residential amenity of adjoining nearby occupiers.
- The parking/highway issues considered acceptable;
- Noise and hours of use aspects can be controlled by conditions.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 The application has been publicised by 12 letters of notification to neighbouring properties in the vicinity of the application site. The application was advertised in the local press and on site. 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: 11 Objecting: 9 Supporting: 1 Comment: 1

6.2 Neighbouring properties have also been re-notified of amended drawings/information. One further representation has been received in respect of the last re-consultation.

6.3 The following local groups/societies made representations:

The South Croydon Conservation Area Advisory Panel

- No Observations.

6.4 The following Councillor made representations:

Councillor Margaret Bird (referred to Planning Sub-Committee)

- Not in keeping with the area/impact on appearance of the property/surrounding area/Bradmore Green Conservation Area
- Overdevelopment
- Noise and Disturbance/impact on neighbours/hours
- Overlooking, overshadowing, loss of privacy, vibration, fumes and early activity
- Parking/congestion
- Safety
- Should be located elsewhere

6.5 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
Not in keeping with the area/impact on appearance of the property/conservation area/obtrusive by design/not appropriate site/Overdevelopment	Addressed in Section 8.4-8.6 of this report
Noise and Disturbance	Addressed in Section 8.8-8.9 of this report
Overlooking/loss of privacy/ overshadowing	Addressed in Section 8.10 of this report
Health and wellbeing	Addressed in Section 8.8-8.9 of this report
Traffic/highways/in-sufficient/parking/light pollution/dust/vibration/fumes/congestion/disruption	Addressed in Section 8.12-8.18 of this report
Should be time restricted	Addressed in Section 8.8 of this report

6.6 One representation received in support of the application – Use does not generate noise.

6.7 The following issues were raised in representations, but they are not material to the determination of the application:

- Damage to vehicles/fencing (Officer comment: This is a matter between third parties)
- Should be located elsewhere (Officer comment: Each application is judged on its own individual merits)

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. Such 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 (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) issued in February 2019. 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 sustainable transport;
- Delivery of housing

- Promoting social, recreational and cultural facilities and services the community needs
- Requiring good design.

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

7.4 Consolidated London Plan 2015

- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage

7.5 Croydon Local Plan (adopted February 2018)

- SP3 - Employment
- SP4 – Urban Design and Local Character
- DM10 – Design and character
- DM18 – Heritage
- DM23 – Development and Construction
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development
- SP6.4 - Reducing flood risks
- DM40 – Kenley and Old Coulsdon

8 MATERIAL PLANNING CONSIDERATIONS

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

The principal issues relate to:

- a. Principle of use
- b. Impact on visual amenity
- c. Amenity of adjoining occupiers
- d. Other planning considerations

Principle of use

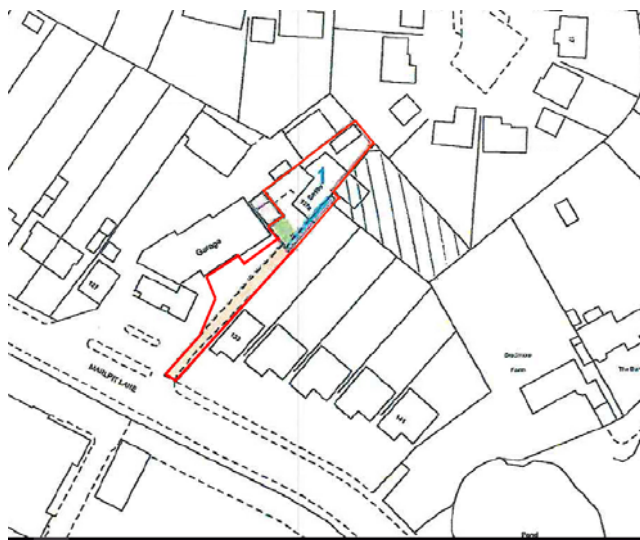
8.2 The previous use of the site was as a Carpenters workshop which was deemed to fall within Use Class B1. The use the subject of this application is a window cleaning business which is deemed to be Sui Generis. The use has already commenced on site.

8.3 SP3 of the Croydon Local Plan 2018 states there is a '4 Tier' approach in respect of industrial locations including employment sites/sites falling outside Tiers 1, 2 and 3. Given the site was a former carpenters workshop within class B1, it is considered that the site would fall within Tier 4 'scattered Employment Sites' in which employment generating uses (including sui generis employment generating uses) are protected. Given the previous use of the site as a Carpenters workshop (B1) and that there would be no change to the Vehicle servicing and repair centre with parking to the

front and side of the site, this site is a characteristic Tier 4 site which are generally found in residential areas. The previous use fell within Use Class B1, which relates to light industrial uses which are appropriate to operate from residential areas, and based on the size of the existing buildings a similar number of people and level of activity would have occurred under the B1 use as under the use currently under consideration. As such, whilst the use does not fall within the “B” use classes, it can be considered to result in a similar level of economic activity and employment than the lawful use and so is considered acceptable from the perspective of protection for employment generating uses.

Impact on visual amenity

- 8.4 The site adjoins the Bradmore Green Conservation Area. The Conservation Area is characterised by historic properties fronting on to a series of green spaces. The building is located to the rear of the site behind a roadside vehicle servicing and repairs centre with parking to the front and side. No external changes are proposed to the building.
- 8.5 Representations were received objecting on the grounds the proposal is not in keeping with the area/impact on appearance of the property/conservation area/obtrusive by design/not appropriate site/Overdevelopment.



- 8.6 Given it was in use as a carpenter’s workshop previously and is located away from the core of the conservation area next to some modern housing albeit with spacious front gardens, is distinctly different character to the conservation area. The change of use does not result in external alterations to the building and therefore it is deemed the use does not cause harm to the special interest of the conservation area. The amount of hardstanding would not change and the amount of vehicle movements which may occur under a B1 use are broadly equivalent. It is therefore considered the use does not have a detrimental effect on the character and appearance of the area or the adjoining conservation area in this instance or result in the overdevelopment of the site.

Impact on the amenity of adjoining occupiers

- 8.7 The applicant has submitted a revised Management Plan which outlines that:

- Operating hours between 08:30 and 17:30 Monday to Friday (excluding weekends and reduced office hours are operated on public holidays)
 - Maximum of 5 employees arrive at the premises to collect vehicles at 06:30. The management plan states, vehicle collection happens within 5 minutes.
 - Office closed with no further coming and goings until 08:30 and the start of core operating hours.
 - Company policy requiring employees attending at 06:30 to keep levels of noise to a minimum when collecting vehicles
 - Vehicles returned to premises between 12:00-17:00 when they are prepared for the following day and left at the premises overnight.
 - During the day when vans are offsite, on-site parking spaces can be utilised by collection/delivery vehicles and customers.
 - Employees do not park on site and take public transport or walk to work.
- 8.8 It is recommended for a condition to be attached for the use to be operated as per the revised management plan (including the number of people and company policy regarding noise reduction as outlined in the management plan and hours of use) in order to minimise impact on the neighbouring residents.
- 8.9 Environmental Health have advised one complaint was received in 2012 regarding children in a nearby garden talking and laughing, no further action was taken. No complaints have been received by Environmental Health in relation to the use the subject of this application. Given the previous use and with the condition as stated above would minimise the impact on adjacent neighbouring properties by reason of noise and disturbance. This is considered acceptable.
- 8.10 Representations also received on the grounds of overlooking/loss of privacy/overshadowing. Whilst there are members of staff/people attending the premises, it is considered it would not be so detrimental to the occupiers of neighbouring properties as to warrant a refusal.
- 8.11 The site has been identified as potentially contaminated land. It is recommended for a condition to be attached for an Environmental and Historical Site Review to be carried out. It is recommended given the use has commenced that the information should be submitted within 6 months of the date of decision.

Highway/Parking consideration

- 8.12 A revised Transport Statement was submitted (dated Oct 2019) on 30th October 2019. The Transport Statement states “The business has two vans and 5 cars. These are normally out on business during the working day, calling at the site only briefly to load up with cleaning materials. Only the two vans, if any vehicles, are normally parked on the site overnight. Most company vehicles are normally taken home by staff overnight and consequently not parked in the area. The business has a total of 20 staff, of which 4 are office staff, the others being field-based cleaning staff. 7 employees are either resident on the site or live locally and walk to work. 3 others are known to travel to work by public transport, while the other 10 come by car, but in a total of only 5 cars due to car sharing. The core operating hours are 08.30 – 17.30 Monday – Friday, but there is some activity around 06.30 when a few workers (no more than 5) attend the site to collect vehicles to go to early appointments. Vehicles generally return to the site in the afternoon to be prepared for the following working day”.

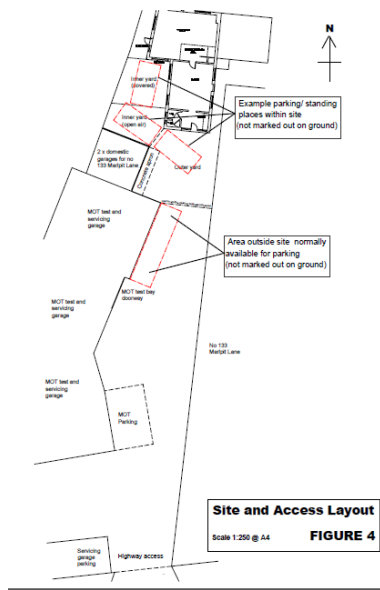
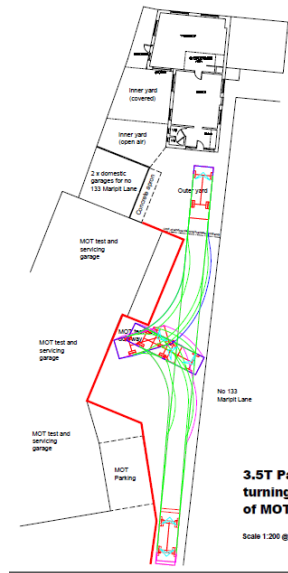
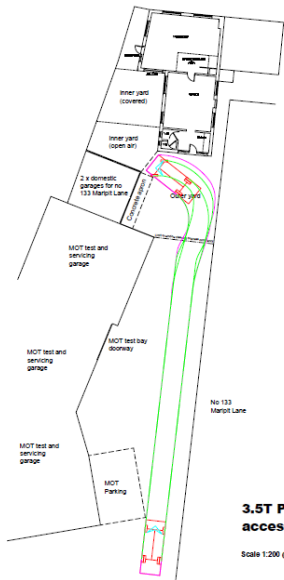
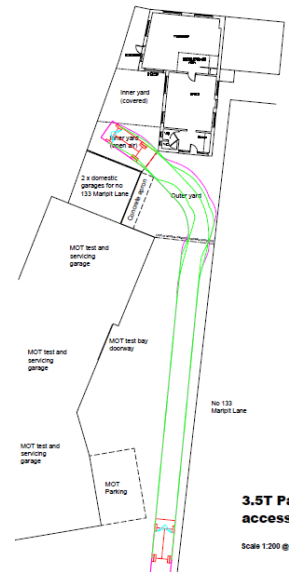
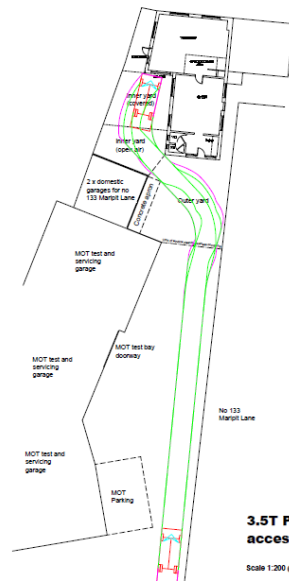


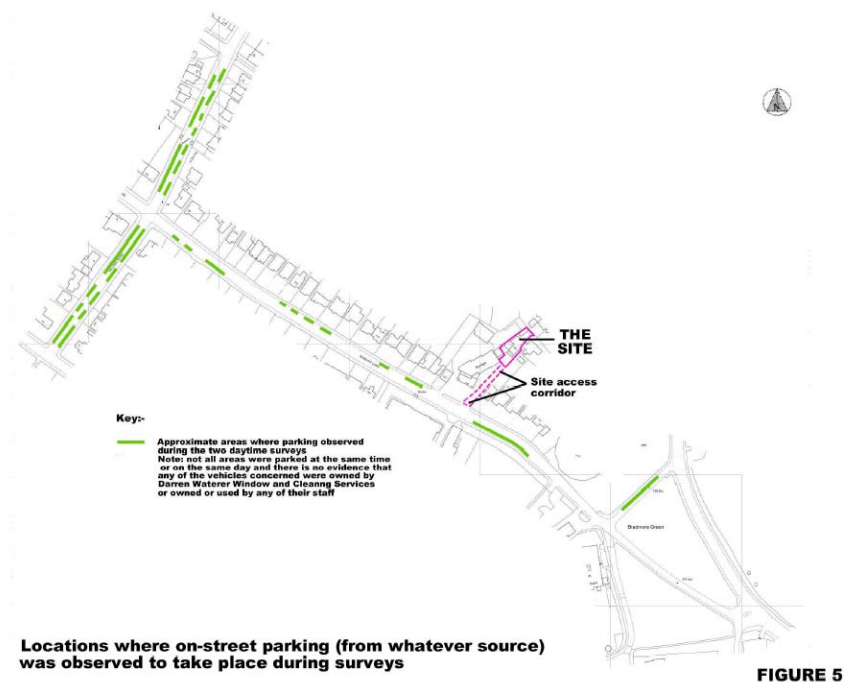
FIGURE 4



8.13 A forecourt plan was submitted showing existing arrangements.



- 8.14 The agent has advised, no 131 does not park in front of their garages and has no right to do so. 131 has no ownership rights to the front of the garages. Therefore there would be sufficient space for the vehicle to turn as shown on the swept path drawing showing a vehicle manoeuvring on site as there would not be a vehicle in front of the garage to impinge this movement.
- 8.15 The Transport Statement confirms in relation to site access and parking “These confirm that although the available yard space is quite compact the site can be satisfactorily accessed and parked in by the small number of vehicles needing to do so and that such vehicles can turn round and leave the premises, either within the premises forecourt or in front of the neighbouring garage MOT test bay, where there would normally be no vehicles parked. Observations confirm the traffic movement to and from the site, and to and from the adjacent commercial garage business, is absolutely negligible at all times and there are no operational problems in relation to either business”.
- 8.16 With regard to off-site parking, the image below shows locations where on-street parking was observed.



- 8.17 Officers are satisfied that there is plenty of on street parking available if required by employees or visitors. Whilst some tight turning is required on site, it is far enough from the public highway to not have a detrimental effect on highway efficiency/safety, it is therefore deemed acceptable. The amount of vehicle trips could be higher under the lawful use and could make use of larger vehicles.

Conclusions

- 8.19 All other relevant policies and considerations, including equalities, have been taken into account.