

Planning Committee Agenda



To: Councillor Paul Scott (Chair)
Councillor Muhammad Ali (Vice-Chair)
Councillors Chris Clark, Felicity Flynn, Clive Fraser, Toni Letts, Jason Perry,
Scott Roche, Gareth Streeter and Oni Oviri

Reserve Members: Joy Prince, Nina Degrads, Niroshan Sirisena,
Maggie Mansell, Sherwan Chowdhury, Stephen Mann, Yvette Hopley,
Stuart Millson, Ian Parker and Simon Brew

A meeting of the **Planning Committee** which you are hereby summoned to attend,
will be held on **Thursday, 16 August 2018** at **6.30pm** in **Council Chamber, Town
Hall, Katharine Street, Croydon, CR0 1NX**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Kieran Pantry-Melsom
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www.croydon.gov.uk/meetings
Wednesday, 8 August 2018

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the right-hand side.

To register a request to speak, please either e-mail

Democratic.Services@croydon.gov.uk or phone the number above by 4pm on the Tuesday before the meeting.

THIS MEETING WILL BE WEBCAST LIVE - Click on link to view:

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N.B This meeting will be paperless. The agenda can be accessed online at

www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee.

2. Minutes of Previous Meeting (Pages 7 - 10)

To approve the minutes of the meeting held on 2 August 2018 as an accurate record.

3. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Development presentations (Pages 11 - 12)

To receive the following presentations on a proposed development:

5.1 18/01011/PRE Site Of The Former Taberner House And The Queen's Gardens (Pages 13 - 22)

Proposals for the layout and landscaping for Queen's Gardens (discharge of Condition 4 attached to permission 17/05158/CONR).

Ward: Fairfield

6. Planning applications for decision (Pages 23 - 26)

To consider the accompanying reports by the Director of Planning & Strategic Transport:

6.1 17/06314/FUL Land to the North and South of Shrublands Avenue, Croydon, CR0 8JD (Pages 27 - 46)

Demolition of garages and erection of one four-storey building and two three-storey buildings comprising of 26 residential units (15 x one-bedroom and 11 x two-bedroom flats) together with associated car parking and cycle parking spaces, hard and soft landscaping, alterations to ground levels, servicing arrangements, refuse and recycling facilities, and public and private amenity space.

Ward: Shirley South
Recommendation: GRANT permission

6.2 17/06344/FUL 29 Beech Avenue, South Croydon, CR2 0NN (Pages 47 - 58)

Demolition of existing single-family dwelling and erection of one 3-storey block, containing 9 flats with associated access, 9 parking spaces, cycle storage and refuse store.

Ward: Sanderstead
Recommendation: GRANT permission

6.3 18/01186/FUL 200-220 Selsdon Road, South Croydon, CR2 6PL (Pages 59 - 68)

Erection of two storey building with accommodation in roof space comprising 8 one bedroom flats (Amendment to Planning Permission 18/00423/CONR to provide 2 additional flats in roof space).

Ward: Croham
Recommendation: GRANT permission

6.4 18/01211/FUL 5-9 Surrey Street (Pages 69 - 106)

Demolition of the existing building and replacement with a six/seven/eight storey development. Commercial units would be provided on the lower ground (sui generis, A3 and D1/D2) and ground floor (flexible use A1, A2, A3, D1, D2, B1(a)), with 55 flats above with associated public realm improvements and landscaping including

courtyard area with, disabled car parking and cycle parking.

Ward: Fairfield

Reccommendation: GRANT permission

7. Items referred by Planning Sub-Committee

To consider any item(s) referred by a previous meeting of the Planning Sub-Committee to this Committee for consideration and determination:

There are none.

8. Other planning matters (Pages 107 - 108)

To consider the accompanying report by the Director of Planning & Strategic Transport:

There are none.

9. Exclusion of the Press & Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

Planning Committee

Meeting of Croydon Council's Planning Committee held on Thursday, 2 August 2018 at 6.31pm in Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

This meeting was Webcast – and is available to view via the Council's Web Site

MINUTES

Present: Councillor Paul Scott (Chair);
Councillor Muhammad Ali (Vice-Chair);
Councillors Chris Clark, Felicity Flynn, Clive Fraser, Toni Letts, Jason Perry, Gareth Streeter and Oni Oviri

Also Present: Councillors Simon Brew, Simon Hoar and Badsha Quadir

Apologies: Councillor Scott Roche

PART A

51/18 **Minutes of Previous Meeting**

RESOLVED that the minutes of the meeting as amended in the addendum held on 19 July 2018 be signed as a correct record.

52/18 **Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

53/18 **Urgent Business (if any)**

There was none.

54/18 **Development presentations**

There were none.

55/18 **Planning applications for decision**

The Head of Planning Officer shared a letter with regards to the guidance of an up to date delivery of the determination of planning applications. Planning applications should be determined in the London planning plan which included material considerations. Applications should not be refused if

there was any inaccuracies. The planning division would take considerations of all planning applications very seriously.

The Planning Committee considered application 18/01575/FUL 28 Grasmere Road first, followed by application 18/00891/FUL 28 Russell Hill second, and lastly 18/01996/FUL 2 Purley Hill.

56/18 **18/00891/FUL 28 Russell Hill, Purley, CR8 2JA**

Demolition of existing building. Erection of 1 x three/four storey building and 1 x two storey building comprising 5 x one bedroom, 5 x two bedroom and 3 x three bedroom flats. Provision of vehicular access and provision of parking spaces, refuse storage and landscaping.

Ward: Purley and Woodcote

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Mr David Ciccone (Agent) spoke in support of the application.
Councillor Badsha Quadir, Ward Councillor, spoke against the application.

Councillor Fraser proposed a motion for **APPROVAL** of the application.
Councillor Scott seconded the motion.

Councillor Oviru proposed a motion for **REFUSAL** of the application on the grounds of parking. Councillor Streeter seconded the motion.

The motion of approval was put forward to the vote and was carried with six Members voting in favour and four against. The second motion therefore fell.

The Committee therefore **RESOLVED** to **GRANT** the application of the development of 28 Russell Hill, Purley, CR8 2JA.

57/18 **18/01575/FUL 28 Grasmere Road, Purley, CR8 1DU**

Demolition of the existing bungalow and garage, erection of a three storey building in association with eight self-contained flats (C3), with associated landscaping, terraces, refuse store, cycle stores and car parking.

Ward: Purley Oaks and Riddlesdown

Details of the planning application was presented by the officers with no clarifications.

Mr Thomas Allport spoke against the application.
Mr Matthew Corcoran (Agent) spoke in support of the application.
Councillor Simon Hoar, Ward Councillor, spoke against the application.

Councillor Scott proposed a motion for **APPROVAL** of the application. Councillor Clark seconded the motion.

Councillor Perry proposed a motion for **REFUSAL** of the application on grounds of over-intensification as demonstrated on parking levels and the impact of neighbouring properties. Councillor Streeter seconded the motion.

The motion of approval was put forward to the vote and was carried with six Members voting in favour and four against. The second motion therefore fell.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 28 Grasmere Road, Purley, CR8 1DU.

58/18 **18/01996/FUL 2 Purley Hill, Purley, CR8 1AN**

Demolition of the existing two storey property and garage structure, erection of a part two /part three storey building with roof level, creation of nine self-contained flats (C3), with associated landscaping, front light wells, level changes, terraces, refuse store, cycle stores and car parking.

Ward: Purley and Woodcote

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Mr Phillip Luff spoke against the application.

Mr Matthew Corcoran (Agent) spoke in support of the application.

Councillor Simon Brew, Ward Councillor, spoke against the application.

Councillor Millson proposed a motion to **REFUSE** the application on the grounds of over development and out of keeping in the local area and parking. Councillor Oviri seconded the motion.

Councillor Ali proposed a motion for **APPROVAL** of the application. Councillor Clark seconded the motion.

The motion of refusal was put forward to the vote and fell with four Members voting in favour and six against.

The motion of approval was put forward to the vote and was carried out with six Members voting in favour and four against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 2 Purley Hill, Purley, CR8 1AN.

59/18 **Items referred by Planning Sub-Committee**

There were none.

60/18 **Other planning matters**

There were none.

The meeting ended at 8.20 pm

Signed:

Date:

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PLANNING COMMITTEE AGENDA

PART 5: Development Presentations

1 INTRODUCTION

- 1.1 This part of the agenda is for the committee to receive presentations on proposed developments, including when they are at the pre-application stage.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

2 ADVICE TO MEMBERS

- 2.1 These proposed developments are being reported to committee to enable members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 2.2 Members will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Planning Code of Good Practice Part 5.G of the Council's Constitution). Failure to do so may mean that the Councillor will need to withdraw from the meeting for any subsequent application when it is considered.

3 FURTHER INFORMATION

- 3.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

4 PUBLIC SPEAKING

- 4.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

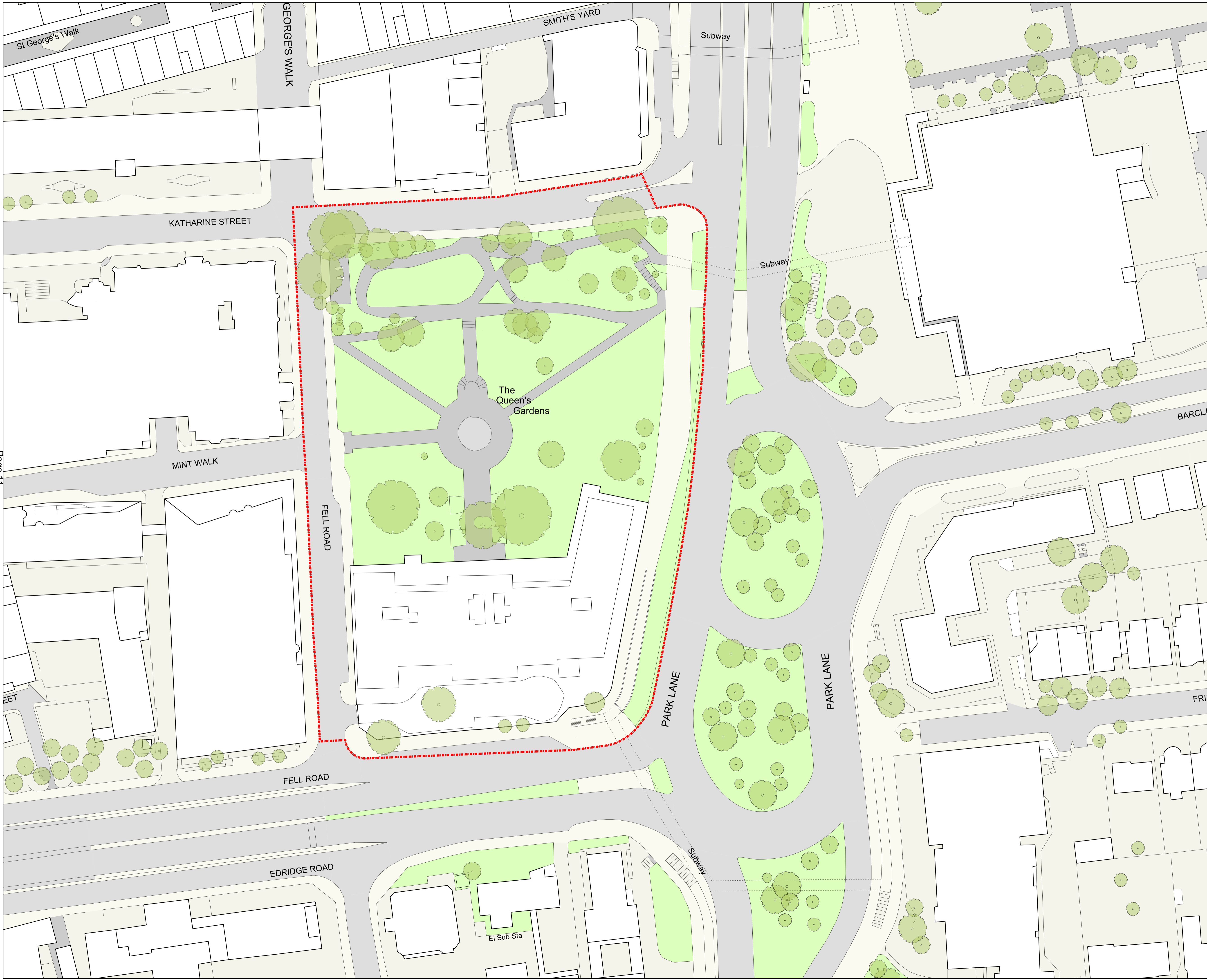
5 BACKGROUND DOCUMENTS

- 5.1 For further information about the background papers used in the drafting of the reports in part 8 contact Mr P Mills (020 8760 5419).

6 RECOMMENDATION

- 6.1 The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The attached reports are presented as background information.

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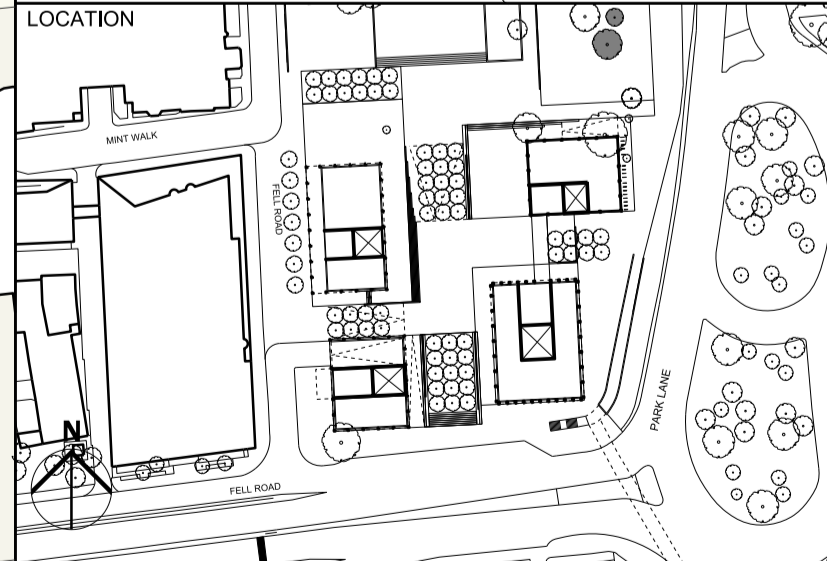


KEY
 PLANNING APPLICATION BOUNDARY

SKETCH

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job title
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drawing title / location
**EXISTING LOCATION PLAN
 PLANNING APPLICATION BOUNDARY**

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LO	SLG	1:500@A1; 1:1000@A3	SKETCH
project	zone	source	classification
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1 DETAILS OF THE DEVELOPMENT

Ref: 18/01011/PRE
 Location: Queen’s Garden, Park Lane, Croydon, CR9 3JS
 Ward: Fairfield
 Description: Proposals for the layout and landscaping for Queen’s Gardens (discharge of Condition 4 attached to permission 17/05158/CONR)
 Applicant: Alex Hall, HUB
 Agent: Kevin Watson, Gerald Eve
 Case Officer: Diana Phiri-Witty

2 BACKGROUND

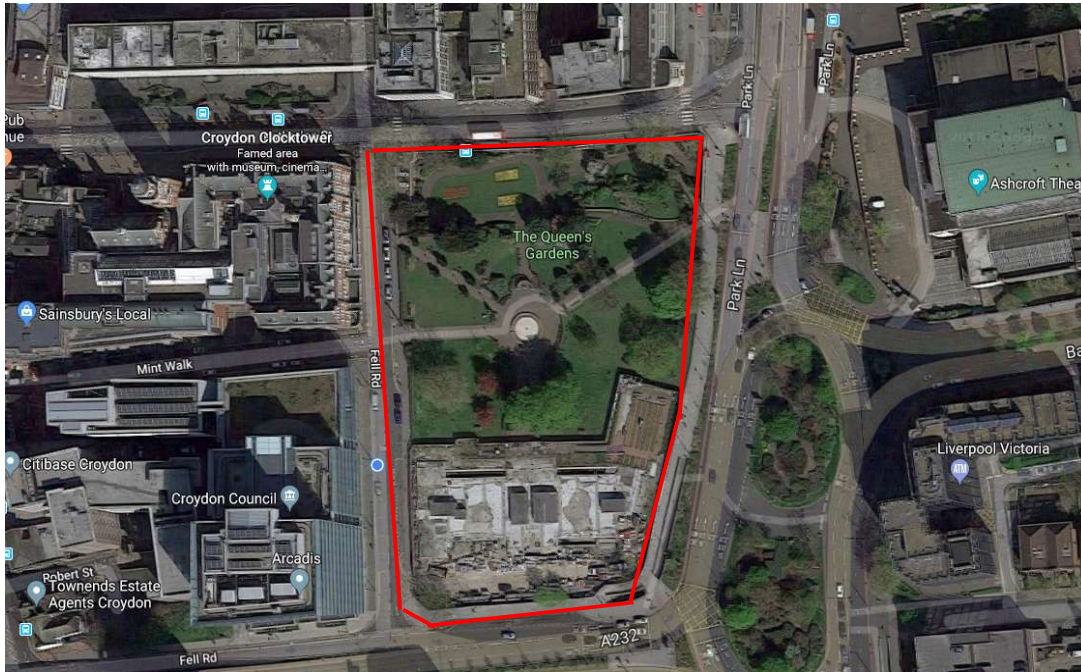
- 2.1 This proposed development is being presented by request of the Planning Committee. The re-landscaping of Queen’s Garden is a condition for the wider Taberner House development which was granted permission in 2017 (LBC Ref 17/01046/FUL). A tree condition was later varied and the planning permission re-issued under LBC Ref 17/05158/CONR. At the time of the original determination, Members requested for the landscaping plan to come back to Planning Committee (at pre application stage) in order to further engage in how the spaces might come forward alongside the Taberner House redevelopment (focussing on the location and form of the various spaces comprising the re-modelled Queens Gardens - including areas of play).
- 2.2 The development does not constitute an application and any comments made upon it are provisional and subject to full consideration of any subsequent application. It is important to note the future submission will be for a discharge of condition, which does not require formal notification in the same way as an application for planning permission.
- 2.3 Condition 5 requires details of the café in the gardens to be submitted; this is being designed in conjunction with a remodelled Queens Gardens but is not for consideration.
- 2.4 It should be noted that this report represents a snapshot in time, with negotiations and dialogue on-going. The plans and information provided to date are indicative only and as such the depth of analysis provided corresponds with the scope of information made available to Council officers. Other issues may arise as more detail is provided and the depth of analysis expanded upon.

3 LOCATION DETAILS AND THE PROPOSAL

Site and Surroundings

- 3.1 Queen’s Garden is located on the western side of Park Lane and is bound by Katharine Street to the north, Fell Road to the west and the Croydon Flyover to the south. The former Taberner House was substantially demolished some time ago, with the site now fully hoarded and with only the baseplate and basement remaining. Works are underway on site pursuant to the planning permission granted last year.

- 3.2 The surrounding area is mixed, and predominated by civic functions. Bernard Weatherill House is situated to the west, whilst the Grade II Listed Town Hall is to the north-west. Segas House to the north (a currently vacant former office/showroom building) and the Friends Meeting House to the southern side of the Flyover (a place of worship) are also Grade II Listed Buildings. Fairfield Halls (a cultural venue currently undergoing refurbishment) lies to the east and is locally listed. The Central Croydon Conservation Area includes the sunken part of the Gardens which extends to the west of the site.



- 3.3 Queen's Gardens is a civic amenity space which is predominantly laid to lawn with several established trees and a historic sunken garden area to the north. The Gardens are designated as Local Open Land. The site is also within an Archaeological Priority Zone and an Area of High Density. The northern part of the Gardens is also a Locally Listed Historic Park and Garden. The character of the sunken gardens is reflected by the change in levels, the rockery and the layout of pathways which officers consider to be an important constituent of its heritage significance.

- 3.4 Part of the Gardens were established in the 1890's as part of the Town Hall Gardens and were created by a late-Victorian Borough Engineer. The Gardens were renamed 'The Queen's Gardens' following their extension and formally re-opening by Queen Elizabeth II on 21 June 1983. The lower (sunken) level of the Queen's Gardens retain their Victorian design.

Relevant Background

- 3.5 The proposals for Queen's Gardens should be designed to cater for the large number of current and future users and activities that will need to be accommodated in the space. One of the key requirements at the time the substantive planning permission was the need for play space to serve the development, with the added benefit of being fully accessible for members of the public.

- 3.6 The scheme has developed proactively and collaboratively through a series of pre-application meetings including formal engagement with the Council's Place Review Panel (PRP). Given the significance and value of the space, the applicant has also undertaken extensive public consultation which treated users of this space as 'co-designers'.
- 3.7 As part of the planning permission, a set of design codes for the Gardens were agreed - to guide the further development of the remodelled Gardens (design, landscaping, routes, character and appearance and heritage references).
- 3.8 It is important to note the planning permission consented the footprint of the café and the location of the stairs; finer details of these aspects are controlled by condition, not the subject of this presentation.
- 3.9 Furthermore, the principle of integrating public play facilities into Queen's Gardens is in line with Mid-Croydon Masterplan.
- 3.10 The developer of the Taberner House site is obligated to implement the remodelling of Queens Garden. Following the completion of the works, the Gardens will be handed back to the Council – which will then be responsible to maintain the space. The Council has prepared a brief for the Gardens – which the applicant is interpreting and seeking to deliver in parallel whilst respecting its community consultation processes. The Council's brief was produced and issued collaboration with Parks, Heritage, Contracts, Asset Management and Streets tTams in order to achieve a scheme which the Council will be able to service, manage and maintain.

Relevant planning history

- 3.11 The following planning decisions are relevant to the proposal:

14/00196/P: Demolition of existing building; erection of 5 buildings ranging from 6 to 32 storeys comprising 420 residential units and 2 retail units; provision of landscaping (new and re-landscaping of Queens Gardens), servicing and new access. The application proposed 15% affordable housing. *Approved, but not implemented.*

16/03857/PRE: Pre-application engagement - the residential led redevelopment of the site. The emerging scheme was considered by Planning Committee on 20 October 2016, at which point it proposed 503 residential flats within four buildings of 34, 21, 13 and 17 storeys. 14 basement disabled user car parking spaces were proposed, and 30% of units were proposed to be affordable.

The matters relating to Queens Garden that were raised by Members at the Committee were:

- Use of gardens for events
- The café space was supported
- Community garden and play space well received
- Retention of as many trees as possible
- Relationship working well with regards to heritage assets
- Community engagement was welcomed

17/01046/FUL: Erection of four buildings ranging in height from 13 to 35 storeys comprising 514 residential units (use class C3), flexible A1/A2/A3/A4/B1/D1 space at

ground floor level of the buildings, new basement areas (including demolition of parts of existing basement), landscaping (including re-landscaping of Queens Gardens), new pavilion café in Queens Gardens (use class A3), access, servicing and associated works. *Permission Granted 18/08/2017*

17/05158/CONR: Variation of condition 6 ((tree protection) to allow for the removal of 2 trees (T10 and T11)) of planning permission 17/01046/FUL (redevelopment of the site of the former Taberner House to provide 514 residential units in 4 buildings, including commercial space at ground floor level). *106A - Permission Granted with legal agreement 26.01.2018 and this scheme is now being implemented with works well underway*

Proposal

- 3.12 The proposed scheme would involve re-landscaping of the Queen's Gardens to include the provision of new east-west route, play space, café and steps down from Katharine Street to the north- western corner of the Gardens.



- 3.13 The location of the play-space (dotted in pink above) is considered further below.

4 DESIGN DEVELOPMENT

- 4.1 The overarching narrative for the space is based on an integration of the Gardens whilst reflecting its historic significance. The multi-level character of the Gardens

would largely be retained, whilst incorporating play-space and an accessible route for all across to the café at the lower (sunken) level.

- 4.2 The subway to the north-east of the site is proposed to be closed off; consequently, the resulting space would need to be carefully designed as the north eastern section of the Gardens would become relatively enclosed with limited footfall. Emerging design interventions would need to allow for a quiet enclosed space for respite that is also safe, visible and well-lit at night.
- 4.3 Space that could be used for events and performances has been incorporated into the design as a flexible space which could also be used for park activities and play when not required for events.
- 4.4 The number of park benches has been retained, although the proposed benches would be placed across the site allowing for more opportunities for sitting. Some of the seating has been placed in areas from which specific views around the gardens can be seen.

Place Review Panel (PRP)

- 4.5 The scheme was presented to the PRP on the 21st June 2018. In summary the following observations were made:
 - There is an important balance to be struck between contemporary design and sensitivity towards the significant heritage of the site.
 - The Panel supports the ambition to provide such diverse purpose for the site; however the site is limited in size to fully cater for all desired functions, e.g. significant public play space, a café, events venue and historic park etc.
 - The Panel encourages the inclusion of play designed for all ages.
 - The variation and successful delivery of uses for the site need to be carefully considered, including maintenance issues.
 - From a heritage perspective there is a significant story with The Queen's Gardens that should be told through the designs and enhancements. Surviving elements of the train line followed by the Victorian sunken garden all form part of the site's narrative. The Panel considered that selective retention of the key elements of the site's history can be incorporated into a sensitive re-design to form a successful space for modern use. The success of the scheme will be in the detail and The Panel note that this has not yet been developed.
 - The Panel requested that something more interesting could be done with the south facing wall regarding planting and landscaping, to also tie into the story of the site.

Playspace

- 4.6 The sunken garden would be integrated with the central area through the provision of a café and play space to the western corner (making use of the natural enclosure of the retaining walls, the link with the café space and the natural play opportunities of the level changes). The emerging proposal:
 - Separates the play-space into two areas with one space located in the sunken gardens by the café and the other a level up to the south of the site. Whilst this is considered to cause some harm to the character of the sunken garden, the approach is supported in view of its close association with the café space. Separation of the play space across two levels provides an opportunity to

incorporate different levels into the play design, allowing for more incidental play uses. It also means the bulk of the play is not isolated to the sunken garden area which frees it up for more flexible uses and landscaping opportunities that could re-interpret the historic character of the gardens. Officers continue to work with the applicant to work up further details around how incidental play is incorporated into the spaces and how the form and function of the play areas might suitably interpret the heritage associations.

- The LBC brief and comments from early community engagement has focused on natural play/bespoke play elements with sculptural qualities, which is supported. How this will be incorporated has been shown indicatively through the use of precedent photos. However, officers have yet to be fully satisfied that the play areas have fully embraced this approach. Officers would prefer to see to see more be-spoke abstract or natural play objects to more closely reflect the precedents discussed.
- The LBC brief and the PRP also emphasised the idea of incorporating heritage features as part of the play-spaces (bearing in mind that the sunken garden operated as a railway terminus during the 19th Century. Officers feel more could be referenced as part of the emerging designs, potentially referencing railway related themes. Officers therefore see opportunities for the scheme to further reference railway heritage and part of the play-spaces associated landscaping.

Materials

- 4.7 The materials proposed for hard landscaping that were presented to officers have been selected from a palette that has been utilised in the immediate area - surrounding the gardens. Whilst the approach is broadly supported, officers believe that the palette could be simplified – thereby reducing the number of material changes on site whilst seeking to deliver greater consistency.
- 4.8 The default position is for footways on either side of any given street to match and with the footway on the western side of Fell Road being in Yorkstone, officers believe the eastern side should utilise a similar material.

Planting

- 4.10 During community engagement workshops three planting options were shown to the residents; the preferred option was for a 'native woodland' concept. Whilst this is somewhat at odds with the heritage character of the site, specifically the character of the Victorian sunken garden, further work was undertaken alongside the Councils Contracts team to ensure an acceptable appearance at all times of year and to ensure ease of maintenance. The current planting strategy presented has an overarching theme with different character areas to reflect the differences across the site (differing planting in play-spaces -paces, the sunken garden and across the rest of the site). This approach is generally welcomed.

Heritage Assets

- 4.11 Key aspects of the existing layout of the gardens have been retained; specifically the retaining wall along Katharine Street, the different levels and the 'figure of eight' path configuration in the sunken garden. The applicant has worked hard to accommodate

these requirements – which is to be welcomed. This has been achieved despite changes to the levels of some of these paths.

- 4.12 As raised above, officers feel that greater emphasis should be given to the railway and Victorian history of the site itself within the integrated interpretation. Whilst it is recognised that the community discussed crocus as a historic association and concept (which might well be able to be integrated into a piece of the play equipment) officers feel that this particular site has closer associations with the railway and later a Victorian sunken garden. Some form of interpretation board might well be a worthwhile addition to the space - maybe situated above the café space at the top of the steps down into the sunken garden
- 4.13 There is an opportunity to use the retaining brick wall as a means to highlight the heritage of the site. Some options could be:
- Vertical planting on parts of the wall
 - Brick relief with a train/railway theme

Memorials

- 4.14 There are a number of memorial plaques on benches across the existing gardens. The aim is to re-purpose these and locate them in the new site. The emerging proposal suggests relocating the plaques to the retaining wall of the sunken gardens. Whilst the location of the plaques could be acceptable, this is on the basis that more consideration is given to what could be achieved to activate the rest of the wall. Currently the plaques on their own with the scale of the wall appear insignificant. The design team has proposed to incorporate planting onto the wall as a means of activating it.

Queens Garden East

- 4.16 The plans for the subway, situated towards the north-eastern corner of Queens Garden (as of 28 June 2018) is for it to be closed off. The narrow steps that serve the Gardens in this location would be retained which would be acceptable bearing in mind that there are very limited options to influence changes in this area.
- 4.17 Whilst the access to the subway will be closed to the public, access may be required for the storage of equipment for maintaining the site. Current maintenance of the site requires street cleansing barrows and 4 x electric vacuums which are required to be accessed daily. The storage of equipment in this location would have the benefit of freeing up the café space which is currently the proposed location for storage of maintenance equipment.
- 4.18 As this part of the site will be enclosed, work needs to be undertaken to reduce the risks of anti-social behaviour within this particular area of the Gardens. A lighting scheme to address the feel of the space at night and a planting strategy would need to be properly considered.

5 SPECIFIC FEEDBACK REQUESTED

- 5.1 In view of the above, it is suggested that Members focus on the following issues.
- How the scheme addresses the changes in levels – whilst delivering step free access into the sunken garden.

- Location of the play-space
- The design of the play-space/play equipment and the extent to which it adequately reflects historic associations
- The proposed materials palette
- The landscaping and planting proposals
- Interpretation of the heritage generally
- Degree of activation of the retaining wall of the sunken gardens

PLANNING COMMITTEE AGENDA

PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning Committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP or Resident Association and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning and Strategic Transport to deal with under delegated powers and not be considered by the committee.
- 1.4 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan (consolidated with Alterations since 2011)
 - the Croydon Local Plan (February 2018)
 - the South London Waste Plan (March 2012)
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 **ROLE OF THE COMMITTEE MEMBERS**

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. **THE ROLE OF THE CHAIR**

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

6. FURTHER INFORMATION

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

7. PUBLIC SPEAKING

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

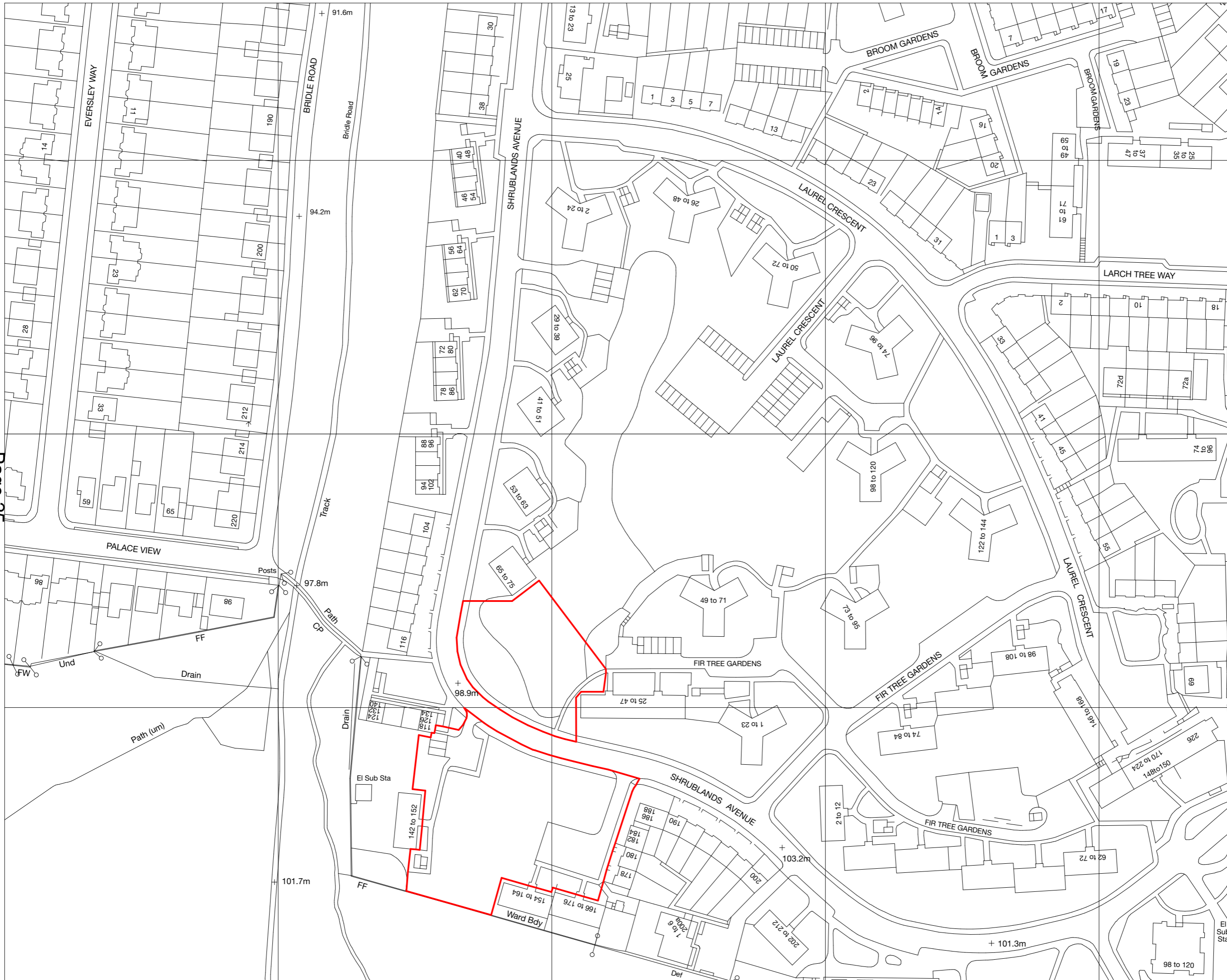
8. BACKGROUND DOCUMENTS

- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

9. RECOMMENDATION

- 9.1 The Committee to take any decisions recommended in the attached reports.

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 12. Existing buildings to be measured on site and confirmed by contractor.
 13. Also refer to accompanying Mae Schedules and drawings.

Revision	Date	Description
P01	10/10/17	Planning Submission

Key Plan

Mae

1 Naoroji Street · London · WC1X 0GB
+44 (0)20 7704 6060
office@mae.co.uk · www.mae.co.uk

CLIENT
Brick by Brick (Croydon) Ltd.

PROJECT NAME
Shrublands

PROJECT NO. 1603	STAGE 2+
----------------------------	--------------------

DRAWING NAME
Site Location Plan

SCALE 1:1250 @ A1	DATE 10/10/2017
DRAWN BY HC	CHECKED BY OB
DRAWING NO. 1603-04-001	REV / STATUS P01 FOR PLANNING

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PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: 17/06314/FUL
 Location: Land to the North and South of Shrublands Avenue, Croydon, CR0 8JD
 Ward: Shirley South
 Description: Demolition of garages and erection of one four-storey building and two three-storey buildings comprising of 26 residential units (15 x one-bedroom and 11 x two-bedroom flats) together with associated car parking and cycle parking spaces, hard and soft landscaping, alterations to ground levels, servicing arrangements, refuse and recycling facilities, and public and private amenity space
 Drawing Nos: See drawing issue register dated 11/01/18
 Applicant: Brick by Brick Croydon Limited
 Agent: Carter Jonas LLP
 Case Officer: Richard Freeman / Chris Stacey

	1B2P	2B4P	TOTAL
AFFORDABLE RENT	15	11	26
PRIVATE	0	0	0
TOTAL	15	11	26
FAMILY UNITS	0	11	11

Number of car parking spaces	Number of cycle parking spaces
33	54

- 1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received and as the former Ward Councillor for the former Shirley Ward (Councillor Chatterjee – now Ward Councillor for Shirley North) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration.
- 1.2 As such, both Councillor Chatterjee and currently sitting Shirley South Ward Councillors have been contacted to determine whether anyone would like to address the Planning Committee.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 This is an application to erect three residential blocks, one of four storeys (Block A) and two of three storeys (Blocks B and C) housing a total of 26 residential units across two parcels of land which are currently used as communal green space.
- 2.2 The application site has not been designated as a protected open space and as such its loss through redevelopment is in principle acceptable. The use of this site for housing would contribute towards meeting the housing targets set out in the Croydon Local Plan (2018) and is thus seen as a positive use for this site.

- 2.3 The proposed housing tenure and mix is acceptable given the circumstances specific to this development and the wording of relevant policy in both the Croydon Local Plan (2018) and the London Plan (2016).
- 2.4 The design and appearance of the scheme responds positively to the surrounding context and is of a high quality, thus considered to be acceptable.
- 2.5 The proposal would have an acceptable impact on the residential amenity of surrounding occupiers, both in terms of daylight and sunlight levels and privacy for existing surrounding residents.
- 2.6 The standard of residential accommodation would be acceptable, as all units would meet the Nationally Described Space Standards (NDSS), would have sufficient private amenity space and access to sufficient communal amenity and child play space. All units would have good access to light and outlook.
- 2.7 The loss of a number of existing trees along with the proposed landscaping strategy, which would include the provision of a number of new trees and is of a high quality, is deemed to be acceptable.
- 2.8 The proposal complies with the London Plan (2016) hierarchy of: be lean, be clean, be green, and would provide a carbon offsetting payment to meet the Mayor's requirement for all new homes to be zero carbon.
- 2.9 Sufficient car and cycle parking has been proposed, and it is not considered that the proposal would have an adverse impact upon either the capacity or safety of the local transport network.
- 2.10 Suitable planning obligations and conditions have been recommended in order to ensure that the proposed development does not have an adverse impact upon either air quality or the risk of flooding.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to:
 - A. The prior completion of a legal agreement to secure the following planning obligations:
 - a) Provision of 100% affordable housing as affordable rent;
 - b) Air quality mitigation contribution;
 - c) Carbon offset payment;
 - d) Local Employment and Training Strategy and financial contribution;
 - e) Provision of a travel plan;
 - f) Provision of a car club space and membership;
 - g) Relevant monitoring fees;
 - h) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport.
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to negotiate the legal agreement indicated above.

- 3.3 Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Development implemented in accordance with drawings
- 2) Details of materials to be submitted and approved including detailed design of specified elements
- 3) Provision and further details of bin and bicycle stores
- 4) Detailed hard and soft landscaping maintenance/management plan including details of children's play space and communal amenity space
- 5) Detailed sustainable drainage strategy to be provided prior to commencement
- 6) Details of proposed ecological enhancement measures
- 7) Tree protection measures, hand-digging within root protection area and details regarding transplanted trees
- 8) Water efficiency targets to be met
- 9) Sustainable development carbon reduction target to be met and details of proposed PV panels
- 10) The requirement to enter into a Highways Agreement to amend access to the site and stop up an area of the eastern car park
- 11) Provision of a Construction Logistics Plan
- 12) Scheme of archaeological investigations to be undertaken
- 13) Development implemented in accordance with noise report
- 14) Noise from any air handling units, mechanical plant, or any other fixed external machinery to be at least 10dB below existing background noise level
- 15) Mechanical ventilation system to be submitted and approved
- 16) Lighting scheme to be submitted
- 17) 10% units to meet Part M4(3), with others to meet either Part M4(2) or Part M4(1)
- 18) Low emission measures
- 19) Development implemented in accordance with contaminated land report
- 20) Secure by design details
- 21) Development to commence within three years of the date of permission
- 22) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Requirement for Highway Licence and S.278/S.247 under the Highways Act
 - 2) Thames Water informatives
 - 3) Subject to legal agreement
 - 4) Boiler details
 - 5) Any other informative(s) considered necessary by the Director of Planning
- 3.4 That, if within 6 months the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.
- 3.5 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is to erect three residential blocks, one of four storeys (Block A) and two of three storeys (Blocks B and C) housing a total of 26 residential units. Block A which sits to the north of Shrublands Avenue would provide one one-bed flat and seven two-bed flats. Block B which sits to the south of Shrublands Avenue would provide ten one-bed flats and two two-bed flats, and Block C which also sits to the south of Shrublands Avenue would provide four one-bed flats and two two-bed flats.



Fig.1 – Sketch plan of the proposed layout of the scheme

- 4.2 The proposed landscaping would feature a mixture of soft and hard landscaping, including replacement and additional car parking, child play space, paved access routes and defensible planting around the proposed buildings.

Site and Surroundings

- 4.3 The site sits in the south west-corner of the Shrublands Estate in Shirley South ward and comprises two parcels of land totalling 0.6ha sitting either side of Shrublands Avenue which is a single carriageway local distributor road served by a bus route (see Fig.2). The parcel of land to the north of Shrublands Avenue is an undulating area of communal green space and features two paved footpaths and a number of trees. The parcel of land to the south of Shrublands Avenue is a relatively flat area of communal

green space and features two areas of hardstanding used for parking along with three garages directly to the south of 118-140 Shrublands Avenue and a number of trees.



Fig.2 – Aerial photo of Shrublands indicating the application site

- 4.4 The surrounding area is characterised by a mixture of 1960s 3 and 4 storey blocks of flats and 2 storey terraced houses set within areas of communal green space interspersed with areas of hardstanding used for parking along with garaging. The Shrublands Estate is bounded by dense woodland on its south, east and west sides and suburban streets featuring semi-detached houses to its north.
- 4.5 There are no Tree Protection Orders on the site, the site does not fall within an Archaeological Priority Area (although lies in an area of archaeological interest as it sits 300m from a Tier 2 Archaeological Priority Area), and whilst the site is not at risk of flooding from surface water, Shrublands Avenue falls within a 1000 year surface water flooding zone. The site has a Public Transport Accessibility Level (PTAL) of 1b indicating poor access to public transport.

Planning History

- 4.6 There are no relevant planning applications.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

Greater London Archaeological Advisory Service

5.3 It is recommended that the submitted archaeological desk-based assessment report be approved, and in order to secure the on-going archaeological interest a condition requiring further evaluation of the site is recommended (OFFICER COMMENT: a condition is recommended).

Lead Local Flood Authority

5.4 No objection subject to a pre-commencement condition requiring the submission of detailed designs of a surface water drainage scheme for the site (OFFICER COMMENT: a condition is recommended).

Thames Water

5.5 No objection subject to informative relating to surface water drainage, connections to sewage and water pressure (OFFICER COMMENT: an informative is recommended).

6 LOCAL REPRESENTATION

6.1 A total of 73 neighbouring properties were notified about the application and invited to comment and the application was also advertised by site notice and in the local press. 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: 9 Objecting: 9 Supporting: 0

No of petitions received: 1 (containing 81 signatories)

6.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- This development cannot be considered a 'donor site' for another development in Sanderstead
- Impact on parking and safety of local highway network
- Building A will block views for/of approaching traffic
- Building A is much taller than surrounding buildings
- The parking survey has not been carried out at appropriate times
- A traffic management plan detailing sufficient mitigation measures for the development, including during construction, should be secured
- Loss of existing footpath
- Impact on flood risk
- Foul water drainage should be addressed prior to a decision being made
- Will adversely impact upon local character
- Loss of trees
- Impact on surrounding residential properties
- Overdevelopment due to loss of green space

- 6.3 The following issues were raised in representations, but they are not material to the determination of the application:
- The applicant is associated with the Council. [*OFFICER COMMENT: This application has been considered in the normal way and is being reported to Planning Committee for a decision as a Ward Councillor made a referral and a significant number of objections were received.*]
 - The concerns and suggestions raised by residents during the consultation process appear to have been disregarded. [*OFFICER COMMENT: An appropriate level of public engagement has been undertaken and is evidenced in the submitted Statement of Community Involvement.*]
 - The proposed development will have an adverse impact on property prices [*OFFICER COMMENT: Property value is not a material planning consideration.*]
- 6.4 Councillor Chatterjee (the Ward Councillor at the time the application was advertised) objected to the application on the following grounds:
- Out of keeping with the area
 - Would deprive existing residents of much needed amenity space
 - Would lead to surface water flooding
 - Foul water drainage has been inadequately considered
 - The parking survey is not representative
 - Inadequate parking for the development has been proposed
 - No three-bedroom units have been proposed
 - CIL and S.106 funding would not adequately mitigate the impacts of the proposal

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 Croydon Local Plan (2018), Mayor's London Plan (2016) and the South London Waste Plan (2012).
- 7.2 Government guidance is contained in the National Planning Policy Framework (NPPF), revised 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 sustainable transport;
 - Delivering a wide choice of high quality homes;
 - Requiring good design.
- 7.3 The main policy considerations from the London Plan (2016) raised by the application that the Committee are required to consider are:
- Policy 1.1 Delivering the Strategic Vision and Objectives for London
 - Policy 2.18 Green Infrastructure: The Multi-Functional Network of Green and Open Spaces
 - Policy 3.3 Increasing Housing Supply

- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 3.6 Children and Young People’s Play and Informal Recreation Facilities
- Policy 3.8 Housing Choice
- Policy 3.9 Mixed and Balanced Communities
- Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- Policy 3.13 Affordable Housing Thresholds
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.7 Renewable Energy
- Policy 5.12 Flood Risk Management
- Policy 5.13 Sustainable Drainage
- Policy 5.14 Water Quality and Wastewater Infrastructure
- Policy 5.15 Water Use and Supplies
- Policy 6.1 Strategic Approach
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.1 Lifetime Neighbourhoods
- Policy 7.2 An Inclusive Environment
- Policy 7.3 Designing Out Crime
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.14 Improving Air Quality
- Policy 7.18 Protecting Open Space and Addressing Deficiency
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands

7.4 There is a new Draft London Plan that has gone out for public consultation which expired on the 2nd March 2018. The GLA’s current program is to have the examination in public of the Draft London Plan in autumn 2018, with the final London Plan published in autumn of 2019. The current 2016 consolidation Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the plan in general is considered to carry minimal weight.

7.5 The Mayor of London has published and adopted Supplementary Planning Guidance, of which the Affordable Housing and Viability SPG, Housing SPG, Play and Informal Recreation SPG and Sustainable Design and Construction SPG are of relevance.

Croydon Local Plan (2018)

7.6 The new local plan was adopted on the 27th February 2018 and now carry full weight. The main relevant policies to this application are as follows:

- SP2 Homes
- DM1 Housing Choice for Sustainable Communities
- SP4 Urban Design and Local Character

- DM10 Design and Character
- DM13 Refuse and Recycling
- SP6 Environment and Climate Change
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- SP7 Green Grid
- DM27 Protecting and Enhancing our Biodiversity
- DM28 Trees
- SP8 Transport and Communication
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and Cycle Parking in New Development
- DM45 Shirley

8 MATERIAL PLANNING CONSIDERATIONS

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

1. The Principle of the Development
2. Housing Tenure and Mix
3. Design and Appearance
4. Impact on Surrounding Occupiers
5. Quality of Living Environment for Future Occupiers
6. Landscaping, Biodiversity and Sustainability
7. Transport, Parking and Highways
8. Other Planning Issues

Principle of the Development

- 8.2 Both parcels of land which form the site are publically accessible green spaces with grass and trees, with the northern parcel of land also featuring two paved paths. Policy 7.18 of the London Plan (2016) seeks to resist the loss of protected open spaces, as identified by the Local Planning Authority (LPA) through its Local Development Framework (LDF). The application site has not been designated in the Croydon Local Plan (2018) as a protected open space and whilst the space is of amenity value to the wider community its loss through redevelopment can thus in principle be considered acceptable as it is not protected by policy.
- 8.3 The areas covered by the application site are relatively small and offer no formalised facilities, such as benches, play equipment etc. and there are a number of other similar open spaces within the local area as well as extensive woodlands to the south of the Shrublands Estate. Given the context of the site, its redevelopment is thus not considered to significantly impact on the provision of open space available to those in the wider area. Furthermore a notable portion of the areas covered by the application site will continue to be publically accessible green space and will also benefit from enhancements which would include additional planting and play space.
- 8.4 The application site is not allocated within the Croydon Local Plan (2018) for a particular use and there is no policy restricting the proposed use of the site to a specific use. Given this along with the requirement for a minimum of 32,890 new homes to be delivered over the plan period, of which 10,060 are planned to be delivered on windfall

sites (such as this), the principle of a wholly residential use on this site is considered acceptable.

Housing Tenure and Mix

- 8.5 Policy SP2.4 of the Croydon Local Plan (2018) states that on sites of ten or more dwellings the Council will negotiate to achieve up to 50% affordable housing (subject to viability), and seek a 60:40 split between affordable rented homes and intermediate (including starter) homes. The Affordable Housing and Viability SPG states that the Mayor has an expectation that residential proposals on public land should maximise affordable housing provision and deliver at least 50% affordable housing.
- 8.6 The proposed scheme seeks to provide 100% affordable housing, all of which would be in the form of affordable rented units, where rent controls require a rent level of no more than 80% of the local market rent (inclusive of service charges). Whilst the proposed tenure mix is not compliant with the preferred mix set out in policy, relevant policy does not seek to restrict the overall portion of affordable housing that can be provided within a development, and instead generally seeks to maximise affordable housing within schemes so long as regard is had to the need to promote mixed and balanced communities. Furthermore paragraph 4.4 in the Croydon Local Plan (2018) recognises that 91% of housing need in Croydon is for affordable housing, and given that the preferred mix set out in policy will not meet this need, schemes such as this which deviate from the preferred mix by proposing a higher portion of affordable housing can be supported as they meet an identified need.
- 8.7 In this instance the proposed development seeks to provide 26 new affordable homes on an existing estate which currently has 260 houses and 770 flats and maisonettes, of which many are owner occupied and many are affordable rented properties. Given the modest scale of the proposed development and the mix of tenures already present in the vicinity of the site, it is considered that the delivery of a 100% affordable scheme in this location is not contrary to the policy objectives around creating mixed and balanced communities, and thus is acceptable.
- 8.8 The proposed development seeks to provide a total of 15 one-bed units and 11 two-bed units, representing a mix of 58% one-bed units and 42% two-bed units. Policy DM1 of the Croydon Local Plan (2018) states that within three years of the adoption of the plan, where an assessment demonstrates that larger homes would not be viable, two bedroom, four person homes complying with the Nationally Described Space Standards (NDSS) can be considered to be family accommodation.
- 8.9 In this instance the applicant has undertaken research into the existing mix of units on the Shrublands estate which has concluded that around 85% of the existing properties are three or four bed dwellings and that there is a need for smaller sized units in this locality. Given the above, and the fact that all units meet or exceed the NDSS, the proposed two bedroom, four person properties can constitute family accommodation and would thus represent 42% of the dwellings proposed. Whilst lower than the 60% requirement for sites in an urban setting with a PTAL of 1b, the proposed mix is acceptable given the existing mix of properties within the site's locality.

Design and Appearance

- 8.10 The layout of the proposed development features three buildings, of which one is located to the north of Shrublands Avenue and two are located to its south (see Fig. 1).

Each of the buildings have been located so as not to restrict the permeability of the site and thus respond to the existing character and nature of the Shrublands Estate. Furthermore, 'cranked' building forms have been proposed for the three new blocks in order to respond to the form of a number of existing buildings in the area which are a defining feature of the local character, and is an approach which is supported.

- 8.11 The height of Block A, which sits to the north of Shrublands Avenue is four storeys, whilst the height of both Blocks B and C, which sit to the south of Shrublands Avenue, is three storeys. The majority of buildings within the immediate vicinity of the application site are three storeys in height, whilst other nearby buildings extend to four storeys. When viewed within their surrounding context (see Fig.3) the scale and height of the proposed three buildings are considered to respond positively to the scale and height of the existing surrounding buildings and are thus acceptable.

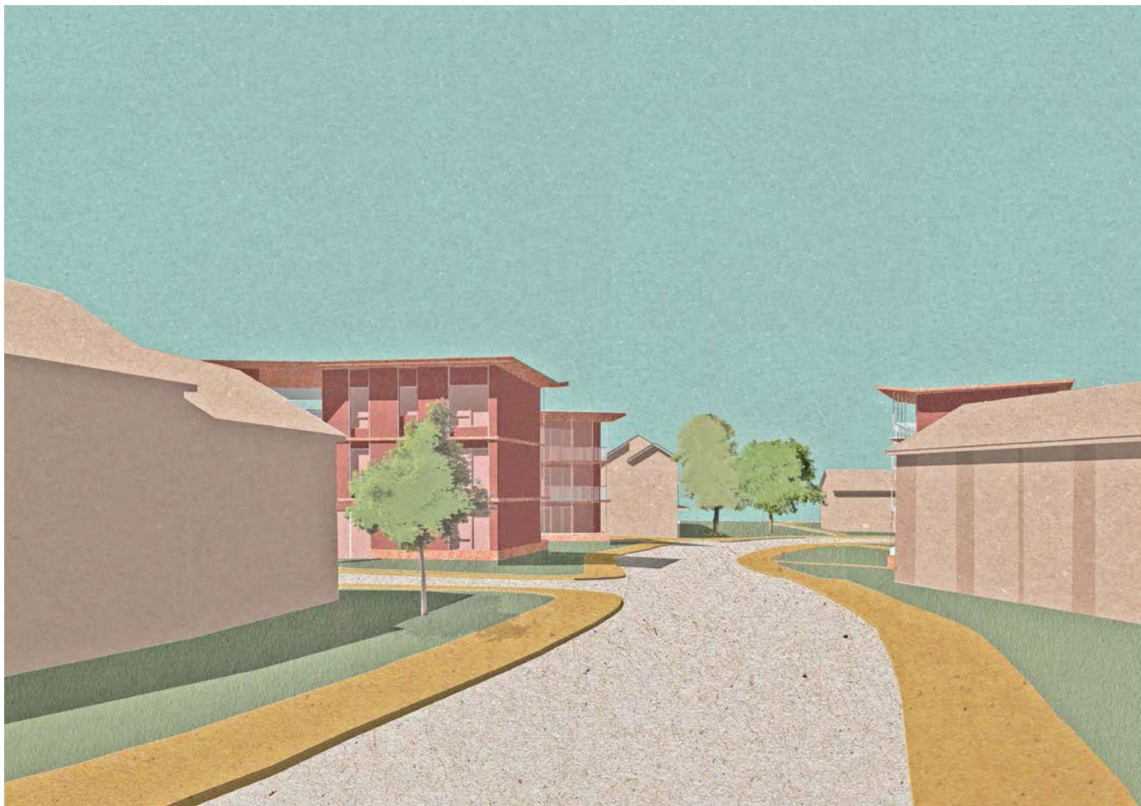


Fig.3 – View of proposal looking west along Shrublands Avenue

- 8.12 A key design feature of the proposed three buildings are their inverted pitched roof forms which have been designed to provide building forms which are distinctive to, yet complement, the existing pitched roof forms found around the Shrublands Estate. Another key design feature found across all three buildings are the external stair cores which aid to break down the mass of the buildings and increase visual permeability through them. Officers are of the view that these design moves are successful in creating distinctive high quality building forms which respect the surrounding character.
- 8.13 The architectural detailing and materiality of the proposed buildings takes reference from the existing buildings found on the Shrublands Estate. The proposed elevations feature a gridded design which emphasises the vertical elements of the buildings through stacking windows and balconies and contrasting them with infill panels, giving the buildings a very strong vertical and horizontal rhythm which is considered to be

successful. The material palette comprises of orange/red brickwork, patterned precast concrete, smooth orange/red precast concrete (for banding details and decks), and silver/bronze metal window frames (see Fig.4). The proposed palette of materials and architectural detailing are of high quality and complement the existing materials found within the surrounding area. In order to ensure quality, a condition requiring further information on the detailed design of the proposal is recommended.

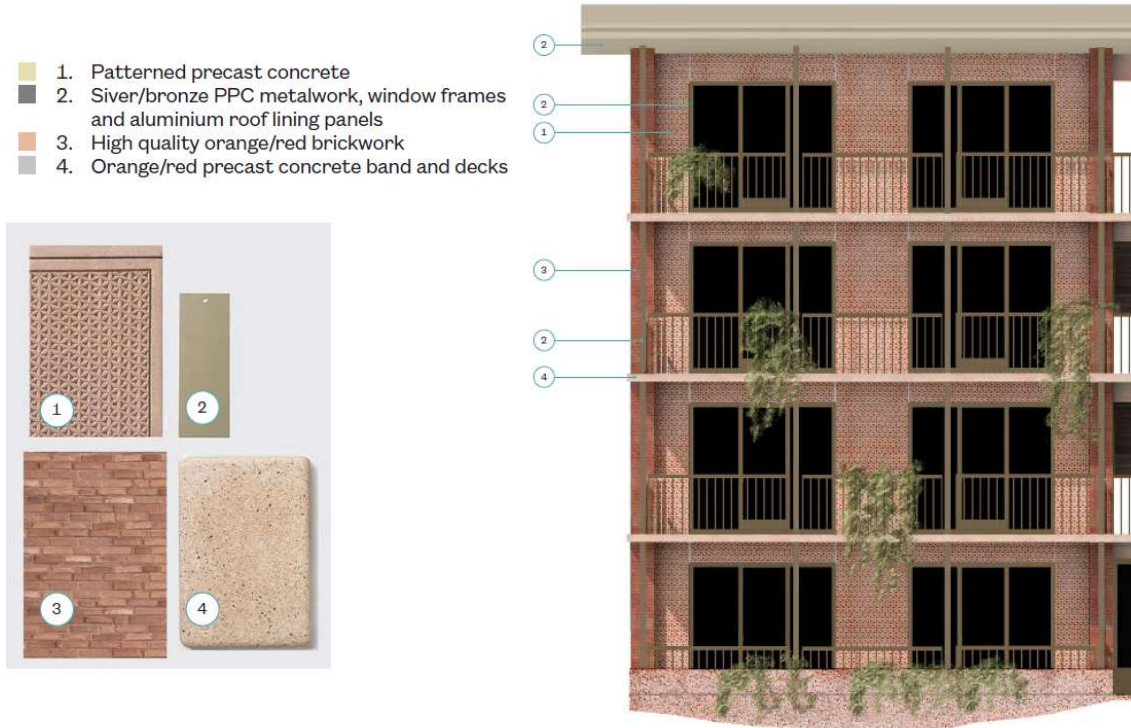


Fig.4 – Proposed material palette and partial elevation

Impact on Surrounding Residents

8.14 The surrounding properties that have the most potential to be affected by the proposals are indicated by Fig.5.

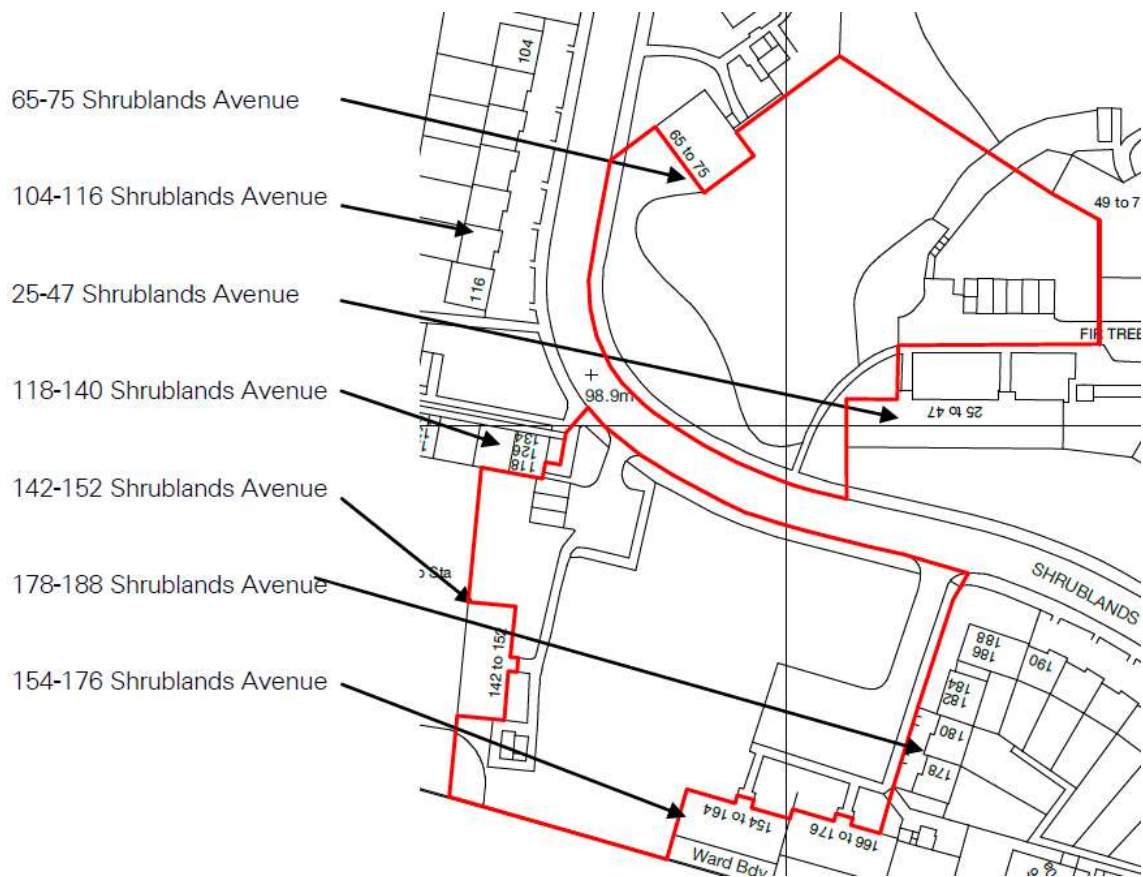


Fig.5 – Surrounding properties in relation to the application site

8.15 A daylight and sunlight report has been submitted which demonstrates the impact of the development on all of the above properties. The assessment undertaken is in accordance with the BRE Guidelines. In terms of daylight impacts (assessed through calculating the Vertical Sky Component of individual windows) 159 of the 161 windows assessed comply with BRE guidelines. For the two which do not comply (a ground floor window at 65-75 Shrublands Avenue and a ground floor window at 142-152 Shrublands Avenue), it should be noted that the resultant values for both of these windows are only marginally outside of the BRE guidelines and as such the impact on these properties can only be considered to be minor. In terms of sunlight impacts (assessed through calculating the Annual Probable Sunlight Hours of individual windows that face within 90 degrees of due south) all 42 windows assessed comply with BRE guidelines. A number of surrounding gardens and open spaces have also been assessed (in terms of the total hours of sunlight received by them currently and with the proposal in situ) and all such spaces would comply with BRE guidelines. Given these results, the proposal is therefore acceptable in terms of its daylight and sunlight impacts on surrounding properties.

8.16 In terms of overlooking the proposed buildings have been carefully positioned such to reduce instances where windows directly overlook one another. The only instance where proposed windows face each other and are below 18m is between Block B and 142-152 Shrublands Avenue. In this instance the minimum distance between directly facing windows is 16m. Block B has been designed such that all west facing windows (looking towards 142-152 Shrublands Avenue) serve either bathrooms or bedrooms. Furthermore it should be noted that a street separates these two buildings. Given these

circumstances and the fact that such relationships between buildings are common in an urban environment, officers are content that the proposals will afford suitable levels of privacy to existing surrounding residents.

- 8.17 Concerns have been raised regarding the impact of construction, however such impacts would only be temporary and as such should only be afforded limited weight. In order to ensure that such impacts are acceptable it is recommended that a Construction Logistics Plan is secured by condition.

Quality of Living Environment for Future Occupiers

- 8.18 All of the proposed units comply with the Nationally Described Space Standards (NDSS) and all feature generous external balconies, which are a minimum of 1.8m in depth and meet the minimum quantum's stipulated by policy DM10.4 of the Croydon Local Plan (2018). Each stair core throughout the development serves no more than two units per floor.
- 8.19 In accordance with policy DM10.5 of the Croydon Local Plan (2018) communal amenity space is provided to the rear of Block A and between Blocks B and C in the form of informal soft landscaping with paved paths which will be accessible to both future occupants of the proposed development and existing residents of the estate.
- 8.20 The proposed development will result in a child yield of 14 and as such a minimum of 140sqm of child play space is required. Child play space for the proposed development is located between Blocks B and C and will be accessible to both future occupants of the proposed development and existing residents of the estate. In order to ensure the quantum and quality of the communal amenity space and child play space a condition requiring further details and the minimum quantum of such spaces is recommended.
- 8.21 With respect to the amenity of future occupants of the proposed buildings, it is noted that all of the proposed units are either dual or triple aspect, enabling their cross ventilation and ensuring they have good access to light and outlook. The daylight and sunlight assessment submitted confirms this to be the case as all rooms achieve Average Daylight Factor levels in excess of BRE guidelines. In terms of the privacy afforded to future occupants of the proposed buildings, the only instance where proposed windows directly overlook one another occurs between Blocks B and C. It is noted that the distance between these buildings is a minimum of 16m, and this is from the edge of one balcony to another. The distance between the actual windows is a minimum of 19.5m; as such the amenity levels afforded to the proposed units are good.
- 8.22 All three blocks feature level access to the communal lobbies. 10% of the proposed units (in the form of two one-bed dwellings) comply with Part M4(3) (Wheelchair User Dwellings) and whilst the remaining units have been designed to comply with Part M4(2) (Accessible and Adaptable Dwellings), 18 of these do not comply with Part M4(2) due to their location on upper levels without access to a lift. Given the scale and nature of the proposal however it is not considered viable to provide lifts to all three blocks and as such upper level units will instead be required to comply with Part M4(1) (Visitable Dwellings). Three accessible bays have been proposed for the development which is in excess of London Plan (2016) standards.

Landscaping, Biodiversity and Sustainability

- 8.23 The existing site features two areas which are predominantly grassed and features a total of 37 trees. The proposed scheme seeks to remove 14 trees, including some which are considered to be of a moderate quality and value. However it is proposed to transplant two of these trees into the proposed landscaping and plant a further four semi-mature trees, as well as a number of smaller less mature trees. Given the heavily wooded nature of the surrounding area officers do not object to the loss of the proposed trees, and a condition is recommended in order to secure details of the tree protection plan, including further details relating to the two trees which are proposed to be transplanted.



Fig.6 – Illustrative view of the central garden between Blocks B and C (looking north)

- 8.24 The proposed landscaping strategy for the site seeks to provide a sequence of varying spaces across the development creating different character areas. The central garden which sits between Blocks B and C (see Fig.6) has been designed as a series of three glades featuring extensive planting, open areas of grass for informal uses and child play equipment. The space to the rear of Block A has been envisaged as a rain garden featuring a Sustainable Urban Drainage System attenuation area and naturalised landscaping. It is considered that the proposed landscaping strategy is of high quality and will enhance the proposed development and its immediate surroundings. Furthermore given the variety of spaces proposed within the landscaping it is considered the proposals will enhance the biodiversity value of the site. In order to ensure the quality of the proposed landscaping a condition requiring the submission of further details of landscaping and biodiversity enhancements, including their ongoing management, is recommended.

- 8.25 The Mayor's Housing SPG requires new dwellings to be zero carbon, meaning that new dwellings must achieve at least a 35% reduction in regulated carbon emissions over Part L 2013, employing the London Plan (2016) hierarchy of: be lean, be clean, be green, with the remaining regulated CO2 emissions, to 100%, to be offset through a cash in lieu contribution. In this instance the proposed scheme achieves a 38.8% reduction in regulated carbon emissions over Part L 2013 with the remaining regulated CO2 emissions shortfall (to 100%) being covered by a carbon offset payment which would be secured through a section 106 agreement. Renewable technologies are proposed for this development (in accordance with the 'be green' principle) in the form of roof mounted photovoltaic (PV) panels.
- 8.26 In order to ensure that the proposals meet an on-site CO2 emissions reduction of 38.8% a condition requiring details to be submitted confirming that this level of CO2 reductions has been met, along with securing the proposed quantum of PV panels, is recommended. A condition requiring the proposed development to meet a minimum water efficiency standard of 110/litres/person/day is also recommended.

Transport, Parking and Highways

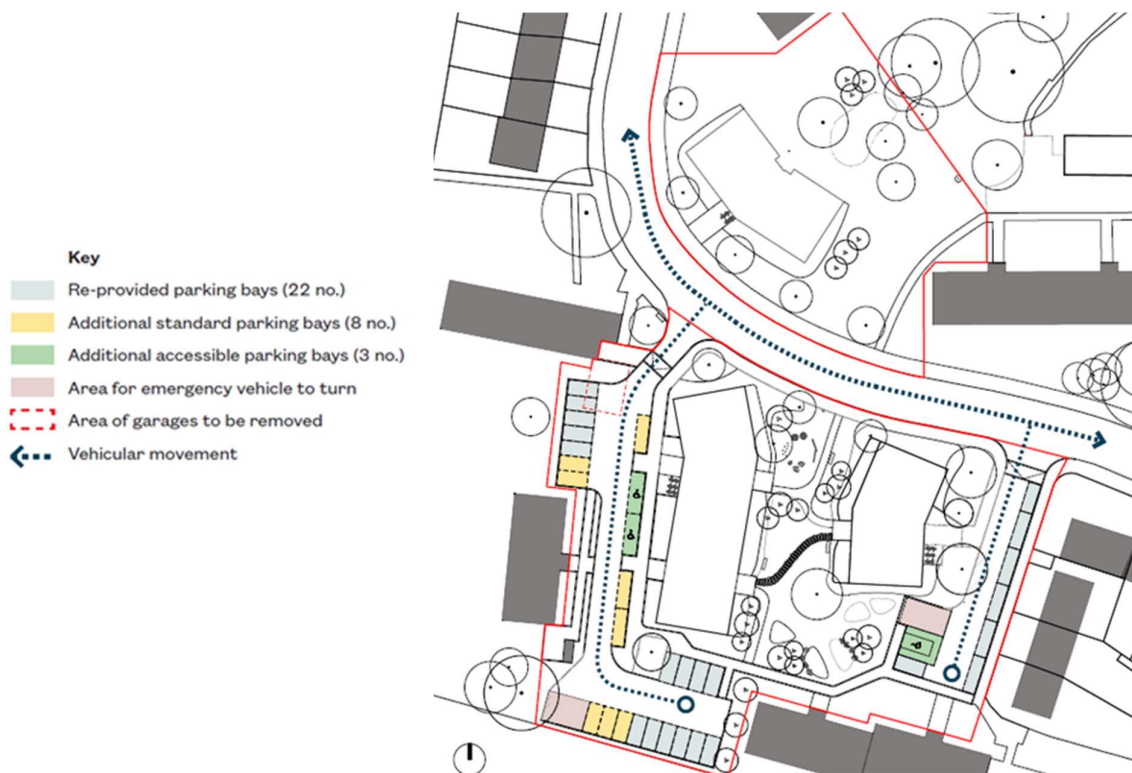


Fig.7 – Proposed parking strategy

- 8.27 The site has a public transport accessibility level (PTAL) of 1b indicating poor access to public transport provision. The application site currently features two surface car parks, adjacent to 118-140 Shrublands Avenue and 154-188 Shrublands Avenue, with the latter being accessed via a narrow access road. Combined these two car parks provide a total of 22 parking bays (however these bays are not clearly demarcated) and directly adjacent to 118-140 Shrublands Avenue sits a block of three garages. All

of the existing car parking and associated hardstanding is set to be removed as part of the proposals. Two new access roads are to be provided at the east and west edges of the southern site serving a total of 33 parking bays, of which 22 comprise of the re-provision of existing parking on site, 8 are additional standards bays for the new dwellings, and 3 are additional accessible bays for the new dwellings (see Fig.7).

- 8.28 In order to establish the existing level of parking demand in the locality a recent parking study during daytime AM and PM hours, along with a night time parking study undertaken in 2016, have been undertaken which covers all roads and parking areas within a 200m walking distance of the site. Said studies have concluded that on average between 42% and 55% of available capacity within the surrounding locality is occupied at any given time, and as such notable capacity within the surrounding locality is available to accommodate any potential increases in parking demand.
- 8.29 In order to predict potential car ownership for the proposed units, census data for the local area has been analysed, which states that average car ownership is 0.6 cars per household. In this instance the proposal seeks to provide a total of 8 additional car parking spaces (inclusive of 3 accessible spaces and accounting for the loss of the three garages) for the development which equates to 0.42 spaces per household. Whilst this is below maximum parking standards, it is slightly lower than local average car ownership, and could thus result in 5 additional vehicles being parked on street. With the exception of the accessible bays which would be allocated to valid blue badge holders, it is not proposed to allocate the proposed spaces to specific dwellings. Given the extent of capacity in the local area identified above, officers are content that this would not adversely impact the operation of the local highway network.
- 8.30 In terms of trip generation it is estimated that the proposed development would generate 30 two-way trips in the AM peak and 22 two-way trips in the PM peak, which is considered to have a negligible impact on the local transport network.
- 8.31 Cycle parking for the proposed development is provided by way of an internal secure bike store within each block for occupants (totalling 38 spaces) and external stands adjacent to the building entrance for visitors (totalling 16 spaces). This provision is in excess of London Plan (2016) standards and is therefore acceptable. A condition requiring further details of the proposed cycle parking and their retention in perpetuity is recommended.
- 8.32 Two existing paved paths run across the northern site, one in an east-west direction and the other in a north-south direction, both connecting Fir Tree Gardens to Shrublands Avenue. Whilst the east-west path will be removed as part of this proposal, the north-south path will remain thus maintaining a direct paved pedestrian link between these two streets.
- 8.33 Delivery and servicing for Blocks B and C would principally take place from the western car park which has been designed to incorporate turning heads that allow refuse and emergency vehicles to enter, manoeuvre and exit the site, as demonstrated by swept path diagrams submitted with the application. Delivery and servicing to Block A is proposed to be done on-street, as per the existing collection procedures elsewhere on the estate.
- 8.34 Each block is served by a communal bin store which can accommodate the requisite quantum of refuse and recycling demand and is within 20m of the waste collection

vehicle point. Refuse and recycling provision is thus considered to be acceptable subject to a condition requiring its retention in perpetuity.

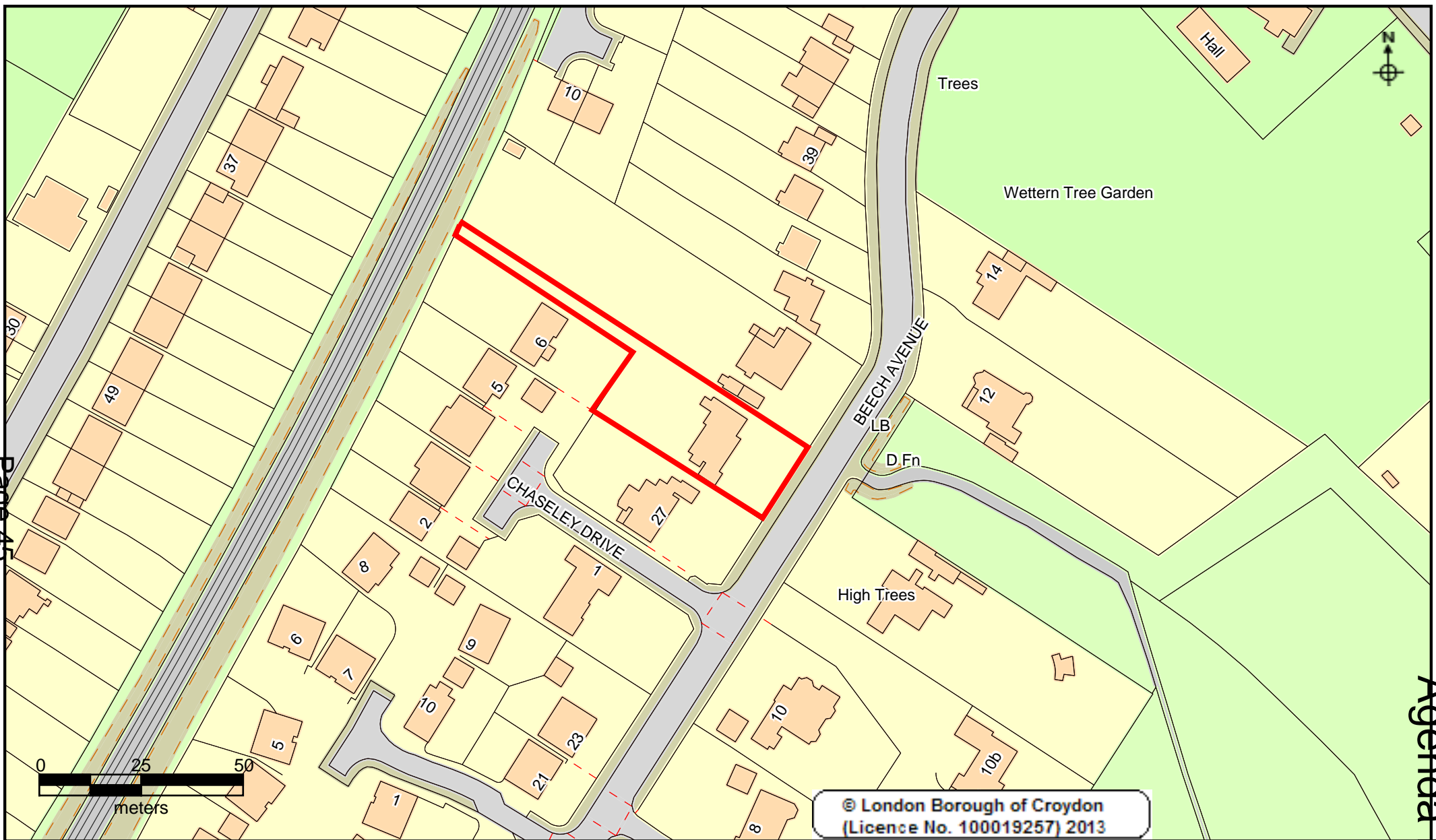
- 8.35 To ensure that the construction period limits impact on the local highway network, it is recommended that a Construction Logistics Plan (CLP) is conditioned.
- 8.36 Furthermore a S.278 agreement for the necessary highway works to amend access to the site would be required, along with a S.247 agreement for the stopping up of an area of the eastern car park. A condition for the provision of a car club bay to be provided in the western car park is also recommended.

Other Planning Issues

- 8.31 As set out in the consultations section of the report, the Greater London Archaeological Advisory Service have requested a condition requiring further evaluation of the site and this has been recommended to be included by officers.
- 8.32 The scheme's impact on air quality has been considered and conditions would mitigate the impact of the construction phase of the development. A contribution to off-site air quality improvements would be secured through a S.106 agreement.
- 8.33 The risk of flooding has been considered and a condition requiring the submission of detailed designs of a surface water drainage scheme for the site is recommended.
- 8.34 This development is no longer being proposed as a 'donor site' for another development in Sanderstead by the same applicant.

Conclusions

- 8.35 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.



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PART 6: Planning Applications for Decision

Item 6.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 17/06344/FUL
 Location: 29 Beech Avenue, South Croydon CR2 0NN
 Ward: Sanderstead
 Description: Demolition of existing single-family dwelling and erection of one 3-storey block, containing 9 flats with associated access, 9 parking spaces, cycle storage and refuse store.
 Drawing Nos: BX24-101; BX24-102; BX24-103B; BX24-104B; BX24-105B; BX24-106B; BX24-108; BX24-110 BX24-S1-112
 Applicant: Mr Gerasimos Stamatelatos of Aventier Ltd
 Case Officer: Robert Naylor

	1B 2P	2B 3P	2B 4P	3B 4P	3B +	Total
Existing Provision					1	1
Proposed Residential Mix		8		1		9

1.1 This application is being reported to committee because the ward councillor (Cllr Lynne Hale) have made representation in accordance with the Committee Consideration Criteria and requested committee consideration. Furthermore, 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. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. No works until details facing materials
- 3. Refuse/Cycles/Boundary/Floor levels
- 4. Details of car parking
- 5. No additional windows in the flank elevations
- 6. Hard and soft landscaping to be submitted
- 7. 19% reduction in CO2 Emissions
- 8. 110L Water Restriction
- 9. Permeable forecourt material
- 10. Trees – Details in accordance with AIA
- 11. Visibility splays
- 12. Construction Logistics Plan

13. Time limit of 3 years
14. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) CIL
- 2) Code of practise for Construction Sites
- 3) Wildlife protection
- 4) Any other 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:

- Demolition of existing detached house
- Erection of a three storey building (inclusive of accommodation in roof-space)
- Provision of 8 x two bedroom flats and 1 x three bedroom flat fronting Beech Avenue.
- Provision of 9 off-street spaces including one disabled bay access via Beech Ave.
- Provision associated refuse/cycle stores

Site and Surroundings

- 3.2 The application site consists of a large detached house located on the north-west side of Beech Avenue. The property occupies a large plot size with a small additional access way at the rear of the site. There are no site designations.
- 3.3 The site is currently occupied by a large dwelling-house which has a traditional design. Whilst there is a varied mix of styles in the locality, the main feel of the area is two storey residential accommodation. There are currently two vehicle access points onto Beech Avenue.

Planning History

- 3.4 The most recent and relevant planning history associated with the site is as follows:
- 3.5 Planning permission was granted in April 1995 (Ref: 95/00258/P) for the erection of detached five bedroom house with integral double garage; extension of Chaseley Drive.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate
- The living conditions of adjoining occupiers can be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory and Nationally Described Space Standard (NDSS) compliant
- The level of parking and impact upon highway safety and efficiency is considered acceptable and can be controlled through conditions.

- Sustainability aspects can be controlled by conditions

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 5 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, MPs, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 34 Objecting: 34 Supporting: 0 Comment: 0

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:

- Overdevelopment
- Lack of parking
- Not in keeping with the surrounding area
- Noise and disturbance during construction phase
- Overlooking and loss of privacy
- Poor standard of accommodation
- Scheme is too dense
- Noise and disturbance associated with additional units
- Impacts on residential amenities
- Lack of renewable energy and electric vehicle charging points
- Loss of trees
- Impact on air quality
- Impact on the local services
- Drawings are misleading and erroneous details [OFFICER COMMENT: The applicant has made a number of amendments to correct drafting errors and errors that have been highlighted throughout the application and officers are satisfied that the information received is adequate to enable the application to be considered or determined]

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

- Application not properly advertised [OFFICER COMMENT: The application was notified and re-notified in accordance with the statutory guidance]

6.4 The following Councillors made representations:

- Cllr Lynne Hale (Sanderstead Ward Councillor) –

1. An over-intensification of the site;
2. The application is inaccurate;

3. Out of character in terms of the amount of plot size it covers;
4. The general size and massing forward of the building line and is incongruous;
5. Detrimental to the amenities of neighbours by way of overlooking, loss of light and privacy; and
6. Insufficient parking adding to the already stressed parking situation in Beech Avenue

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 New 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 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 sustainable transport;
- 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

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self sufficiency
- 5.18 Construction, Demolition and excavation waste
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion

- 6.12 Road Network Capacity
- 6.13 Parking
- 7.6 Architecture
- 8.3 Community infrastructure levy

7.5 Croydon Local Plan (adopted February 2018)

- SP2 – Homes
- DM1 – Housing choice for sustainable communities
- SP4 – Urban Design and Local Character
- DM10 – Design and character
- DM13 – Refuse and recycling
- SP6 – Environment and Climate Change
- DM23 – Development and construction
- DM24 – Land contamination
- DM25 – Sustainable drainage systems and reducing flood risk
- SP7 – Green Grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and Communications
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development
- DM43 – Sanderstead

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- National Technical Housing Standards, 2015
- National Planning Practice Guidance, 2014

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The principal issues of this particular application relate to:

- a) The principle of the development;
- b) Impact of the development on the character and appearance of the area;
- c) Impact on residential amenities;
- d) Standard of accommodation;
- e) Highways impacts;
- f) Impacts on trees and ecology;
- g) Sustainability issues; and
- h) Other matters

The principle of development

8.2 Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular will play in resolving the current housing crisis. The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt.

- 8.3 Sanderstead has been identified as an area of sustainable growth through the use of windfall sites to introduce more homes that respect existing residential character and local distinctiveness. The application is for a flatted development providing additional high quality homes within the borough. Furthermore the scheme would provide a replacement three bedroom unit.
- 8.4 The site is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

The effect of the proposal on the character of the area and visual amenities of the streetscene

- 8.5 The proposal seeks to demolish the existing large detached dwelling-house and the provision of nine apartments – contained within a single building with a common entrance. The design of the scheme has sought to provide a large single building in a more traditional design in order to remain relatively in keeping with the vernacular of the surrounding area, being made up of a number of large detached dwelling houses. Given that the proposed development would take its access off Beech Avenue, the scale mass and overall footprint of the scheme would be acceptable and would be in keeping with its surroundings.
- 8.6 The design of the building would incorporate a traditional styled appearance consisting of a large gable to the front elevation and bay elements in order to appear in keeping with the main street-scene with appropriate materials (render, white timber framed windows and clay roof tiles which can be secured through a condition).
- 8.7 The overall height of the proposal would be similar to the adjoining properties providing an acceptable relationship between eaves and ridge heights. As with the surrounding and existing properties, the proposed building would be centrally located within the site ensuring that the development relates satisfactorily to neighbouring properties – with suitable siting within the plot.
- 8.8 The front of the site would be given over to hard-standing to allow for off street parking for the new dwellings which is generally a feature of the surrounding area. There is some opportunity for landscaping within the frontage, designed to soften the appearance of the forecourt and to help screen the car parking areas. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 8.9 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 2 and as such the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha) and the proposal would be in excess of this range at 232 hr/ha. However, the London Plan further indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad, to enable account to be taken of other factors relevant to optimising potential – such as local context, design and transport capacity. These considerations have been satisfactorily addressed, and the London Plan provides sufficient flexibility for such higher density schemes to be supported.
- 8.10 Furthermore, it is significant that the draft London Plan removes reference to the density matrix, focussing on intensification of the suburbs as a means to achieve

housing numbers. Given that Sanderstead has been identified as an area of sustainable growth with some windfall site opportunity, growth will mainly be delivered through infilling with dispersed integration of new homes that respect existing residential character and local distinctiveness. The current proposal would accord with the general policy objectives.

- 8.11 Whilst the appearance of the development from the street scene would be acceptable, specification and sample of external materials (tiles, render, brick, flat roof, guttering and fascia/bargeboard) would need to be conditioned, alongside details of hard landscape materials (including car park and forecourt paving and play/exercise area surface).
- 8.12 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

The effect of the proposal upon the amenities of the occupiers of adjoining properties

- 8.13 The properties that are most affected are 27 Beech Avenue (to the southwest); 31 Beech Avenue (to the northeast); and 6 Chaseley Drive (west).

27 Beech Avenue

- 8.14 The front building line of the proposal has been set back behind the existing building line where it adjoins this property, providing a subservient feel to the side, albeit that the side will comprise part single, part two storeys with pitched/hipped roof structures. The proposed building would be set back 2.25 metres from the boundary and the neighbouring property is located approximately 4.0 metres off this boundary. Separation and relationships are therefore considered acceptable. Furthermore the scheme would pass the 45 degree BRE test for loss of light to the rear elevation windows.
- 8.15 The boundary treatment between these properties consists of a close board fence with established trees, shrubs and vegetation, which should mitigate any issues of overlooking from ground floor windows. Furthermore, additional screening would be possible within a landscaping plan and can be secured by condition.
- 8.16 The flank elevation of 27 Beech Avenue contains windows at first floor and roof level which serves a bedroom and the proposal includes roof lights at the first and roof levels. These could be conditioned to be obscured glazed above 1.70m from the relevant finished floor level to mitigate actual and perceived levels of overlooking and loss of privacy. In respect to issues of loss of light, the proposal would pass the 25 degree test for the habitable room at the roof level.
- 8.17 Whilst there would be a degree of overlooking of the rear garden areas, this is not uncommon in a suburban location. Given the design, layout and separation between the properties the current boundary treatment and provision of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.

31 Beech Avenue

- 8.18 As with number 27 Beech Avenue the siting of the building and its relationship with 31 Beech Avenue would pass the 45 degree BRE test. The proposed building would be set off the boundary by 2.0 metres and the adjoining property is sited approximately 9.0m off this common boundary. As with number 27 Beech Avenue, there are a number of windows in the flank elevation at ground, first and roof levels. The ground floor windows can be adequately screened through landscaping which can be conditioned. The impact on the light and outlook from these windows is considered to be acceptable. Also the scheme would again pass the 25 degree test for the habitable room at the roof level.
- 8.19 In term of the flank elevation windows proposed at first floor and roof level, these are high level windows and again can be conditioned to be obscured glazed above 1.70m from the relevant finished floor level to mitigate actual and perceived levels of overlooking and loss of privacy.

6 Chaseley Drive

- 8.20 This property is located at the rear of the site in excess of 30 metres from the rear of the proposal. The sites are separated from each other by an established vegetated boundary that screens views between the two sites. Given the separation between these properties and the significant landscaped boundary located between these properties, this relationship is acceptable.
- 8.21 In regard to noise and disturbance the proposed development would not result in undue noise, light or air pollution as a result of an increased number of occupants on the site given the proposal is for a single dwelling-house. The use would intensify the vehicular movement at the site, but this would not be significant given the surrounding residential area.

The effect of the proposal upon the amenities of future occupiers

- 8.22 The Nationally Described Space Standards (NDSS) provide minimum technical space standards for new dwellings in terms of the internal amenity space. All of the proposed units meet the minimum required internal space standard and would contribute to the Boroughs housing need.
- 8.23 With regard to external amenity space, the London Housing SPG states that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm for each additional unit. Units 2, 3 and 4 at the ground floor (2 x 2 bedroom 3 person units and the 3 bed 4 person unit) would have access to private amenity space in excess of this figure. Other units would have access to communal amenity space towards the rear of the site.
- 8.24 The proposal has been designed to be in keeping with the surrounding area. The provision of private balconies on upper floors is not a feature of the area and there is potential for impact on the amenities of the adjoining residents. However, there is a communal space and the upper floor flats would have access to this communal garden area.
- 8.25 The local plan also requires all flatted development to provide new child play space on top of the amenity space to be provided for the scheme itself. In terms of the child play

space the scheme would need to provide 14.2 sqm (based on the population yield calculator). This can be secured through a condition in regard to the landscaping.

- 8.26 There is level access to the site from the front allowing both the ground floor units to be wheelchair accessible and there is sufficient space for one of the car parking spaces to be dedicated to disabled use.

Traffic and highway safety implications

- 8.27 The site is located in an area with a PTAL rating level of 2 which is poor but there is a bus stop at Sanderstead Railway Station to the north east (550 metres) and a further stop is located in 630m to the south east (Sanderstead/Beechwood Road). As such, the site is within walking distance of bus access (about 8 minutes) and walking distance of train access (about 10 minutes) to Purley Oaks Railway Station.
- 8.28 The scheme provides 9 off-street parking spaces that would provide a 1:1 ratio of spaces to apartments which is just below the maximum standards of the London Plan in this location. The Strategic Transport team recommend this provision would promote sustainable travel in the borough. In compliance with the London Plan, electric vehicle charging points have been shown installed in the parking area and this can be secured by way of a condition.
- 8.29 The scheme proposes a new vehicular access to the site and vehicles would be able to access and exit the site in forward gear. It is prudent to attach a condition to ensure that highway visibility splay standards are incorporated and turning heads are incorporated into the rear car parking area. As such the development it is not considered to harm the safety and efficiency of the highway network.
- 8.30 Cycle storage facilities would comply with the London Plan (requiring 18 spaces), and officers are satisfied that there is capacity to accommodate the required number which could be secured through planning condition. The provision of refuse storage has been demonstrated on the plans and has been found acceptable. A Demolition/Construction Logistic Plan (including a Construction Management Plan) will be needed by LPA before commencement of work and this could be secured through a condition.

Impact on trees and wildlife

- 8.31 An Arboriculture Report and Impact Assessment has been submitted with the application, there are no arboricultural objections raised, subject to a condition that the development is carried out in accordance with this assessment.
- 8.32 With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

Sustainability issues

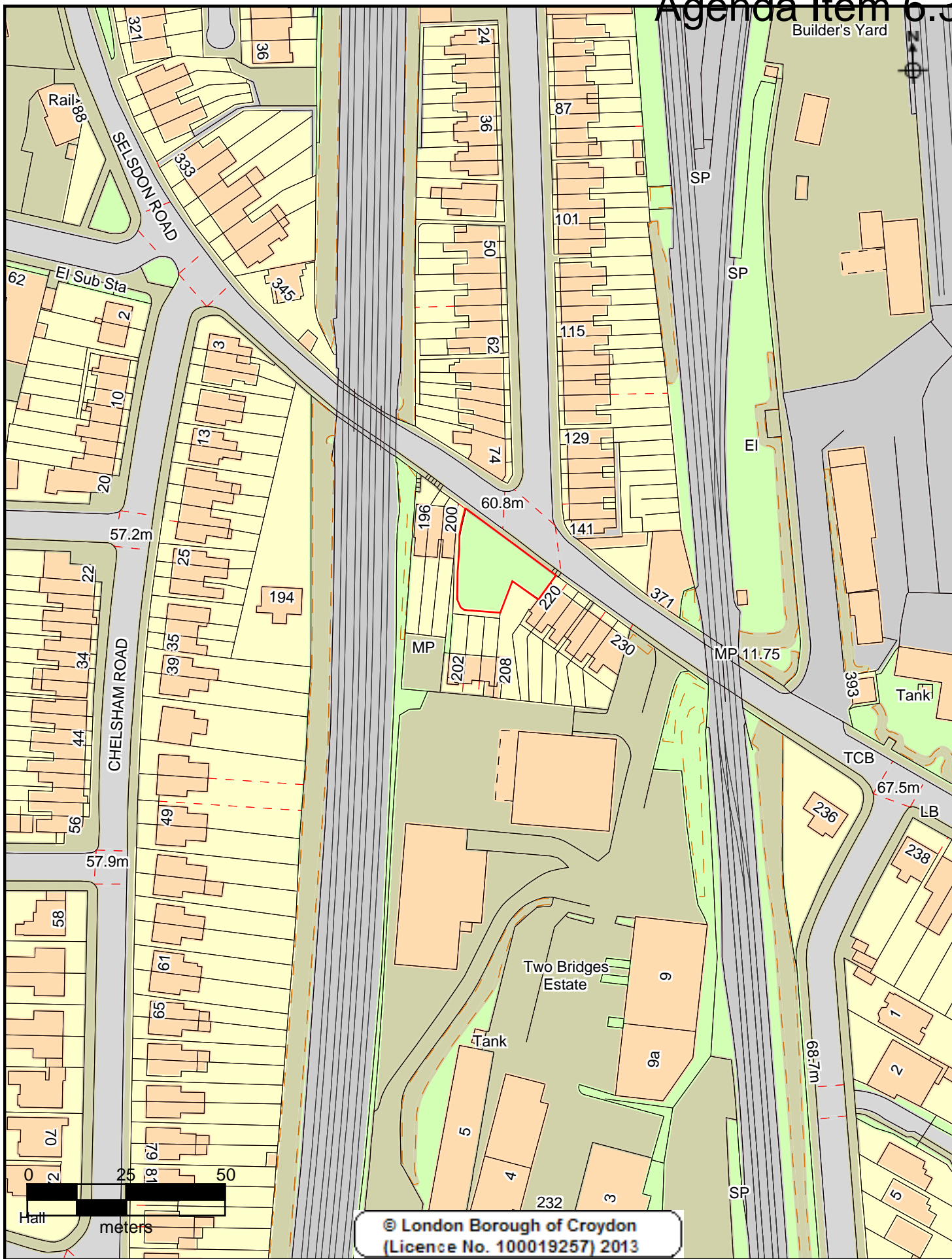
- 8.33 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

Other matters

- 8.34 The site is not located in any designated flood area nor in a critical drainage area. Nevertheless the applicants have submitted a Surface Water and SuDS Assessment which based on a desktop study of underlying ground conditions, infiltration of surface water runoff following redevelopment may be feasible
- 8.35 It is proposed to incorporate permeable paving as part of the parking provision. The permeable paving system has been modelled in Micro Drainage to accommodate surface water runoff from hardstanding areas in up to the 1 in 100 years plus 40% climate change event. The calculations confirm that the car parking area could feasibly accommodate the required volume of runoff. This can be secured through a condition.
- 8.36 The application site is located within an Archeological Priority Zone (APZ) and as such the Greater London Archaeological Advisory Service (GLAAS) have been consulted as they provide archaeological advice to boroughs in accordance with the National Planning Policy Framework. GLAAS have reviewed the application and have concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and that no further assessment or conditions are therefore necessary.
- 8.37 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst it is acknowledged that the site could reasonably be accessed from Beech Avenue, it would be prudent to control details of construction through the approval of a Construction Logistics Plan.
- 8.38 Representations have raised concerns that local schools and other services will be unable to cope with additional families moving into the area. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Conclusions

- 8.39 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard given the proposed and conditioned landscape and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.
- 8.40 All other relevant policies and considerations, including equalities, have been taken into account.



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1.0 APPLICATION DETAILS

Ref: 18/01186/FUL
Location: Land Between 200-220 Selsdon Road, South Croydon, CR2 6PL
Ward: Croham
Description: Erection of two storey building with accommodation in roofspace comprising 8 one bedroom flats (Amendment to Planning Permission 18/00423/CONR to provide 2 additional flats in roofspace).
Drawing Nos: 6529-P01 Rev G, 6529-P02 Rev H and 6529-P03 Rev E
Applicant: Tierra CR2 Ltd
Case Officer: Georgina Betts

- 1.1 This application is being reported to Committee because the Ward Councillor (Councillor Maria Gatland) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

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) The development shall be carried out wholly in accordance with the approved plans
- 2) External facing materials shall be implemented in accordance with those approved under application 17/05292/DISC
- 3) Hard and soft landscaping works shall be implemented in accordance with those approved under application 17/05292/DISC
- 4) Construction Logistics Plan/Management Strategy shall be implemented in accordance with those approved under application 17/05292/DISC
- 5) Prior to the occupation of the development details of the refuse, recycling, bicycle stores and outdoor amenity space shall be provided to and approved in writing
- 6) No window other than as specified shall be provided in the south-eastern or north-western elevation
- 7) Water usage
- 8) Energy Statement implemented in accordance with those approved under application 17/05292/DISC. Prior to the occupation details confirming the carbon dioxide emissions shall be submitted to the LPA for approval.
- 9) Commence within 3 years of the date of the permission
- 10) Restrictions on future occupiers applying for residential parking permits.

11) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

Informatives

- 1) Community infrastructure Levy
- 2) Code of Practice on the Control of Noise and Pollution from Construction
- 3) Any other 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:

- Erection of a two storey building with accommodation in roofspace comprising of 8 one bedroom flats.
- Provision of hard and soft landscaping
- Provision of refuse, recycling and bicycle stores

3.2 This scheme is the same as approved 18/00432/CONR with the exception of:

- Two additional flats in the loft space
- Rooflights in the front roof slopes and rear dormers



Site and Surroundings

- 3.3 The application site lies on the southern side of Selsdon Road on land between 200-220 Selsdon Road and is occupied by a parcel of brownfield land. The surrounding area is residential in character and comprises two storey Victorian terraces and semi-detached properties. There are no constraints affecting the application site as identified by the Croydon Plan.
- 3.4 The No 412 and No 403 bus routes are within a short distance of the application site while Sanderstead and South Croydon Train Stations are within reasonable walking distance of the site. The site has a PTAL rating of 5 having very good access to public transport.

Planning History

- 3.5 16/01873/P – Planning permission was granted subject to a Section 106 Agreement on the 3rd November 2016 for the erection of two storey building comprising 4 one bedroom and 2 two bedroom flats.

This consent is being implemented on site.

- 3.6 17/00432/FUL – Planning permission was refused on the 11th April 2017 for the erection of a two storey building with accommodation in roofspace comprising of 8x one bedroom flats for the following reasons:

- 1) Out of keeping with the character of the locality and be detrimental to the amenities of the street scene by reason of dominance and design.
- 2) The development would result in sub-standard accommodation by reason of poor outlook and inadequate floor to ceiling heights.

- 3.7 17/03306/FUL – Planning permission was refused on the 24th August 2017 for the erection of a two storey building with accommodation in roofspace comprising of 8x one bedroom flats for the following reasons:

- 1) Out of keeping with the character of the locality and be detrimental to the amenities of the street scene by reason of dominance and design

This appeal was dismissed on the harm to the character and appearance of the surrounding area as a result of the 'book end' gables. The SOS did not support the concerns of the LPA in respect of the roof height or pitch.

- 3.8 17/04490/NMA – A Non Material Amendment was refused for the erection of a two storey building comprising 4 one bedroom and 2 two bedroom flats as the amendment required full planning permission.

- 3.9 17/04673/CONR – A Section 73 Application was granted for the erection of a two storey building comprising 4 one bedroom and 2 two bedroom flats (without compliance with condition 1 – built in accordance with approved plans – attached to planning permission 16/01873/P). This resulted in the inclusion of three rear facing dormer windows.

3.10 18/00423/CONR – A Section 73 application was granted for the erection of two storey building comprising 4 one bedroom and 2 two bedroom flats (without compliance with Condition 1 – built in accordance with the approved plans attached to PP 17/04673/CONR). This resulted in a change in the pitch of the roof and included three rear facing dormers.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- a. The residential nature of the development is acceptable
- b. The development would have limited impact upon the character and appearance of the surrounding area.
- c. The development would have an acceptable relationship with neighbouring residential properties.
- d. The standard of accommodation for future occupiers is satisfactory
- e. The principle of a car free development is acceptable.

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 occupiers of the application site and site and press notices. 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: 4 Objecting: 3 Neutral: 1

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:

- Loss of light/privacy
- Fear of crime/narrow alleyway
- Over development
- Out of character/keeping
- Traffic congestion

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

- Loss of a view [Officer Comment: this is not a material planning consideration]

6.4 The following neutral comments were raised in representations:

- Unit mix reduces the pressure on local schools

- No additional impact on neighbouring properties above what has already been consented
- Development should be built without delay

6.5 Councillor Maria Gatland has made the following representations:

- Further development would harm the residential 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 Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP):

- SP2 on homes
- SP4 on urban design and local character
- SP6 on environment and climate change
- SP8 on transport and communications
- DM10 on design and character
- DM13 on refuse and recycling
- DM23 on development and construction

- DM29 on promoting sustainable travel and reducing congestion
- DM30 on car and cycle parking in new development
- Applicable place-specific policies

1.4 Supplementary Planning Document No2 on Residential Extensions and Alterations is also relevant to the determination of this application.

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:

- The principle of the proposed development
- The impact on the townscape and the visual impact;
- The impact on the residential amenity of adjoining occupiers;
- The living conditions provided for future occupiers;
- Transportation considerations

Principle of development and the established need.

8.2 The principle of the development has already been established in the previous application [LBC Ref 16/01873/P] and is therefore acceptable. It should be noted that this consent is currently being implemented on site with the ground and first floors substantially complete.

Townscape and Visual Impact

8.3 The only change from that now before the Council and that previously approved is the use of the second floor as two additional one bedroom flats, the installation of 5 sky lights in the front roof slope and the construction of three dormer extensions in the rear roof slope. The installation of 5 sky light windows in the front roof slope and the use of the second floor as two additional flats would have a negligible impact on the front elevation and therefore the character and appearance of the surrounding area.

8.4 The construction of three modest size and well-spaced dormer extensions in the rear roof slope would follow the detailed design guidance of SPD2 and as such would not appear visually intrusive or out of character. The physical amendments would therefore have an acceptable impact upon the character and appearance of the townscape.

Impact on Neighbouring Residential Amenity

8.5 The impact of the development upon the adjoining occupiers was previously found acceptable. It is noted that the three rear facing dormer windows would be noticeable to neighbouring properties however separation distances of 21 metres would be maintained as accepted previously. Given the maintenance of such distances the construction of three rear facing dormer windows is not considered to harm the residential amenities of the adjoining occupiers.

The standard of accommodation for future occupiers

- 8.6 All units would provide a good standard of accommodation and would contribute to the Borough's need for new homes and meet the minimum space standards set out in the "Technical Housing Standards March 2015". The outlook from the two additional flats at the second floor level is considered acceptable given the orientation of the building.
- 8.7 All units either have private amenity spaces or access to a communal garden and as the site is currently being implemented this arrangement is considered acceptable.
- 8.8 The proposals would result in a good standard of accommodation that would meet the needs of the borough and can be supported.

Transportation Considerations

- 8.9 Given the topography of the site the principle of a car free development is supported and there are no changes since the previous application which would alter this view.
- 8.10 It is suggested that a condition is attached to prevent future occupiers from applying for residential parking permits in the future as in the previous application.

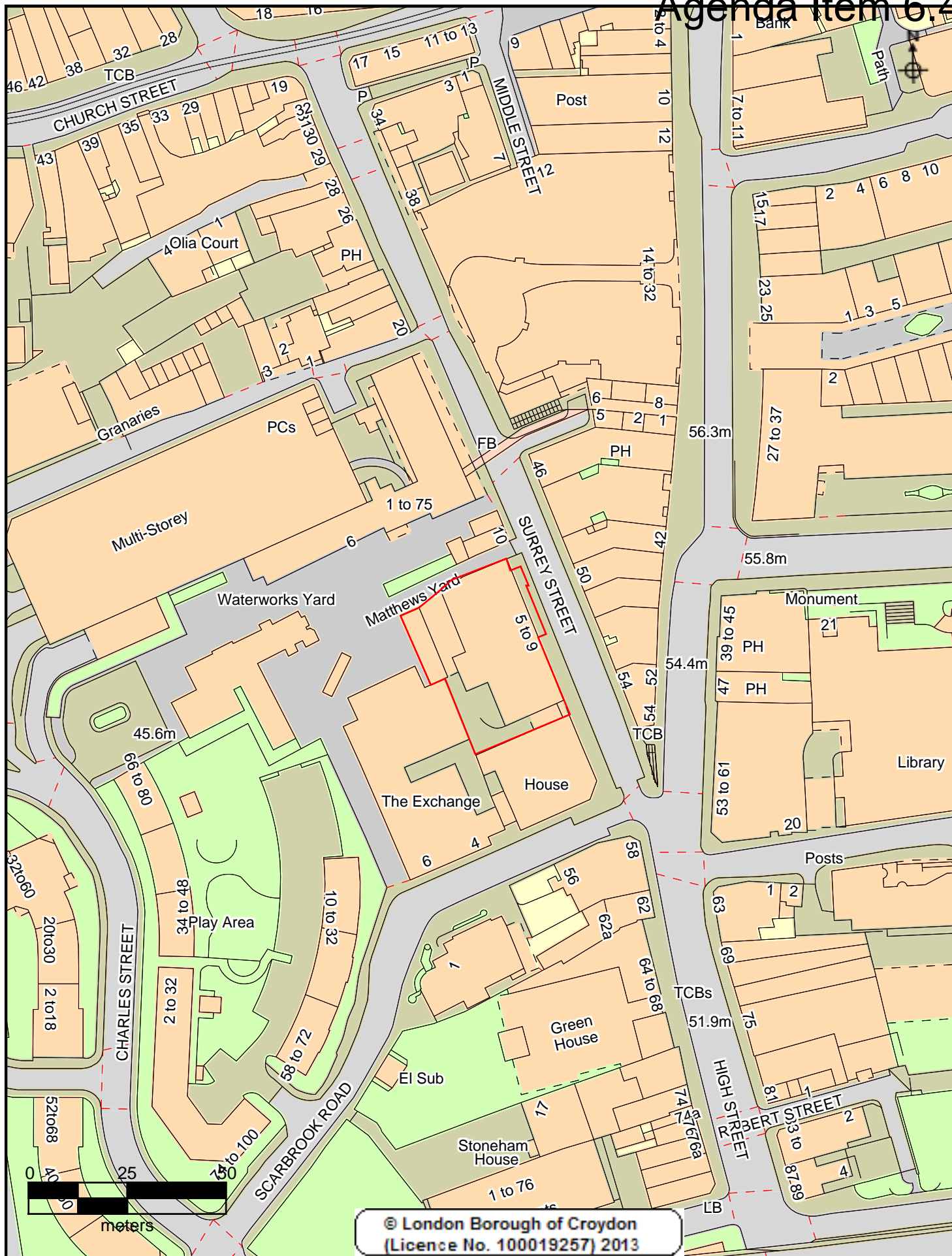
Other matters raised by representations

- 8.11 Representations have raised concerns over the loss of local green space. This matter was discussed in detail in the initial application and to reiterate the site is not formally designated as local open space and is privately owned. Notwithstanding, the development is already underway on site to build out 16/01873/P.

Conclusions

- 8.12 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.

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1 SUMMARY OF APPLICATION DETAILS

Ref: 18/01211/FUL
 Location: 5-9 Surrey Street, Croydon, CR0 1RG
 Ward: Fairfield
 Description: Demolition of the existing building and replacement with a six/seven/eight storey development. Commercial units would be provided on the lower ground (sui generis, A3 and D1/D2) and ground floor (flexible use A1, A2, A3, D1, D2, B1(a)), with 55 flats above with associated public realm improvements and landscaping including courtyard area with, disabled car parking and cycle parking.

Drawing Nos: Location Plan MLUK-607-A-P-XX-0100
 Existing Site Plan MLUK-607-A-P-XX-0160 Rev A
 Existing Lower Ground Floor 228899
 Existing Ground Floor 228899
 Existing First Floor 228899
 Existing Second Floor 228899
 Existing Second Floor 2 228899
 Existing elevations MLUK-607-A-P-XX-0140, -0141, -0142, 0144
 Proposed Site Plan MLUK-607-A-P-XX-0120
 Proposed Site Roof Plan MLUK-607-A-P-XX-0161
 Proposed Lower Ground Floor MLUK-607-A-P-XX-1129
 Proposed Ground Floor MLUK-607-A-P-XX-1130 Rev A
 Proposed 1st – 5th Floor MLUK-607-A-P-XX-1131
 Proposed 6th Floor MLUK-607-A-P-XX-1136
 Proposed 7th Floor MLUK-607-A-P-XX-1137
 Proposed Roof Plan MLUK-607-A-P-XX-1138
 Proposed Elevations MLUK-607-A-P-XX-3100, -3101, -3102, -3103, -3104
 Topographic Survey 160151
 Fire Strategy Lower Ground Floor MLUK-607-A-P-XX-4009
 Fire Strategy Ground Floor MLUK-607-A-P-XX-4010
 Fire Strategy 1st – 5th Floor MLUK-607-A-P-XX-4011
 Fire Strategy 6th Floor MLUK-607-A-P-XX-4016
 Fire Strategy 7th Floor MLUK-607-A-P-XX-4017
 Fire Strategy Roof MLUK-607-A-P-XX-4018

Applicant: Regent Land and Development Ltd and the Folly's End Fellowship Trust
 Agent: Mr Jamie Dempster, GVA
 Case Officer: Helen Furnell

	1 bed	2 bed	3 bed	Total
Private	25	12	6	33
Affordable	6	2	4	12
Total units	31	14	10	55

Affordable Rented	1	0	0	1
Shared ownership	5	2	4	11
Total affordable	6	2	4	12 (25% by hab room)

Type of floorspace	Existing	Proposed	Change
Residential (upper floors)	186.7 sq m	5,276 sq m	+5,089.3 sq m
A1 Retail (ground floor)	880.5sq m	-	-880.5 sq m
Flexible use A1, A2, A3, B1(a), D1, D2 (ground floor)	-	219 sq m	+219 sq m
A3 Food and Drink (lower ground floor)	552 sq m	-	-552 sq m
D1/D2 Conference Centre/Church (upper floors)	1,205 sq m	-	-1,205 sq m
Sui Generis (combined A3/D1/D2) (lower ground floor)	-	485 sq m	+485 sq m

Number of car parking spaces	Number of cycle parking spaces
2 (both blue badge spaces)	114

- 1.1 This application is being reported to Planning Committee because the Ward Councillor at the time the application was submitted (Cllr Vidhi Mohan) and the Chair of Planning Committee (Cllr Paul Scott) made representations in accordance with the Committee Consideration Criteria and requested committee consideration, and objections above the threshold in the Committee Consideration Criteria have been received.

2 BACKGROUND

- 2.1 The development was presented to Planning Committee at pre-application stage on 18th May 2017. The main issues raised at this meeting were as follows:
- Affordable housing is key
 - Ability to put a bolder, bigger building with distinctive character, to fit in with feel, vibrancy and activities of Surrey Street
 - Access and animation of Exchange Square
 - Loss of community use - possibility of looking for a different solution for this interesting and unusual site
 - Access turning into Matthew's Yard - need a clever and imaginative way, respecting existing as well as new occupiers
 - Facilities for traders
 - Vehicular movement around the market

3 RECOMMENDATION

- 3.1 That the Planning Committee resolve to GRANT planning permission subject to:
- A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. The prior completion of a legal agreement to secure the following planning obligations:
 - a) Provision of 25% affordable housing by habitable room, of which 1 unit affordable rent and 11 units shared ownership tenure
 - b) Securing use of the basement by community groups
 - c) Employment and Training Strategy
 - d) Retention of architects
 - e) Restriction on residents obtaining on street parking permits
 - f) Engagement with future District Energy operator
 - g) Air quality mitigation (at a rate of £100 per residential unit and £100 per 500m² commercial floorspace)
 - h) Mitigation for carbon emissions should zero carbon not be achieved for the residential units (at a rate of £60 per tonne of CO₂ for 30 years)
 - i) Car club
 - j) Travel plan monitoring
 - k) Contribution towards TfL (public transport infrastructure)
 - l) Public realm improvements
 - m) Legal and monitoring costs
 - n) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport
- 3.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.
- 3.3 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 a landscape strategy
- 4) Provision of amenity areas, children's play space and play equipment
- 5) Submission and approval of a travel plan
- 6) Submission and approval of details of the provision and layout of disabled parking area
- 7) Submission and approval of details of EVCP's for parking and cycle parking
- 8) Submission and approval of details of photovoltaic panels
- 9) Submission and approval of details of air source heat pumps
- 10) Submission and approval of details of a lighting assessment and scheme
- 11) Submission and approval of details of shopfront elevations
- 12) Submission and approval of a Construction Logistics Plan
- 13) Submission and approval of details of an intrusive site investigation and remediation

- 14) Submission and approval of a delivery and service plan
- 15) Submission and approval of a waste management plan and details of refuse storage
- 16) Submission and approval of details of cycle storage (including elevation details)
- 17) Submission and approval of details of all external mechanical plant (associated with the commercial uses)
- 18) Submission and approval of a scheme for soundproofing/noise mitigation measures (for the commercial units).
- 19) Submission and approval of details of noise levels for the residential units
- 20) Submission and approval of details of how a 35% reduction in carbon emissions for the commercial floorspace will be achieved
- 21) Submission and approval of details of how zero carbon will be achieved for the residential units (and if this cannot be achieved, mitigation through the S106 agreement)
- 22) Submission and approval of details of how the development will connect to any future district energy scheme
- 23) Submission and approval of details of how the scheme will achieve BREEAM 'excellent'
- 24) Scheme to achieve a water use target of 110 litres per person per day
- 25) Submission and approval of details of a detailed surface water drainage scheme
- 26) Submission and approval of details of window cleaning equipment
- 27) 10% of residential units to be M4(3) compliant
- 28) 90% of residential units to be M4(2) compliant
- 29) Submission and approval of details of public art/signage to activate the north elevation
- 30) Submission and approval of a Dust Management Plan
- 31) Development to be in accordance with the recommendations of the Air Quality Assessment.
- 32) Development to commence within 3 years
- 33) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site Notice Removal.
- 2) Permission is subject to a S106 Agreement.
- 3) Details of payment of financial contributions in the Section 106 legal agreement.
- 4) Financial payment under the Community Infrastructure Levy regulations is required on commencement.
- 5) It is the responsibility of the developer to make proper provision for drainage and to contact Thames Water where it is proposed to discharge to a public sewer.
- 6) The developer is advised to consult the Council's 'Code of Construction Practice on the Control of Noise and Pollution from Construction Sites'.
- 7) The developer is advised to observe the Mayor of London's Best Practice Guidance 'The control of dust and emissions from construction and demolition'.
- 8) The development should be constructed to Secured by Design principles.
- 9) Sound insulation to residential units can be controlled by the Building Regulations.
- 10) Sound insulation to commercial units can be controlled by the Building Regulations.

- 11) The applicant should comply with the document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' and its relevant publications and standards.
 - 12) Consultation with the Network Management team on matters affecting the public highway at least 3 months prior to the commencement of works on site.
 - 13) Any [other] informative(s) considered necessary by the Director of Planning
- 3.4 That the Planning Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Central Croydon Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.5 That, if by 16 November 2018 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This is a full planning application for the following:
- The demolition of all existing buildings on the site.
 - The erection of a part six, part seven, and part 8 storey building.
 - Commercial units proposed on the lower ground floor (uses sui generis, A3 and D1/D2) and on the ground floor (flexible use A1, A2, A3, D1, D2, B1(a)).
 - 55 residential flats
 - Public realm improvements and landscaping
 - Disabled parking bays and cycle parking.

Site and Surroundings

- 4.2 The site is currently occupied by a part 2/part 3/part 5 storey building. The two storey element faces onto Surrey Street and steps up to the five storey element that is a commercial block that faces onto Exchange Square. To the south west of the application site is 'The Exchange', a part 5/part 8 storey block of flats. To the west of the site within the centre of Exchange Square is the Pump House – a former pumping station – which is a five storey building, with a tower that is the equivalent of eight storeys. The Pump House is a Grade II Listed Building. To the north of the site is Bridge House, which fronts onto Surrey Street. This has commercial units located within a double height ground floor, with flats above. To the rear of Bridge House and to the north west of the application site is the Surrey Street multi-storey car park. To the south of the site is Surrey House, a previous office building that has recently been converted to residential and has planning permission for two additional floors to take it to eight storeys. Surrey Street lies to the immediate east of the application site on a roughly north-south alignment. Surrey Street contains various commercial uses and is the location of Surrey Street Market. The level of the frontage along Surrey Street is fairly constant, but land levels fall away sharply to the west so that the basement of the building is exposed (and appears consistent with ground levels) at Exchange Square/Matthews Yard.
- 4.3 The site is located within the Croydon Metropolitan Centre, the Croydon Opportunity Area and the Central Croydon Conservation Area. It is also located within an Area of

High Density, an Archaeological Priority Zone, an area at risk of critical damage from surface water flooding, a Primary Shopping Area, and a Secondary Retail Frontage. It is also within the central Croydon Controlled Parking Zone and is part of the area that is covered by the Old Town Masterplan.

- 4.4 The application site currently contains a mix of uses. At ground floor, facing Surrey Street, there is an existing large A1 unit occupied by a “99p Store” and a smaller A1 unit that has recently been occupied by a boxing gym. At first and second floor above, Folly’s End Fellowship Church occupy the building and they have an associated conference centre. At third floor there is a residential flat. The basement of the building, which fronts onto Matthews Yard (due to a change in land levels) is in A3 use and is occupied by a mix of uses that are predominantly food & beverage. There is an area to the rear of the building at lower ground floor level, which is hard surfaced and used for car parking (15 spaces).
- 4.5 The basement of the building has been designated by the Council as an Asset of Community Value. The designation applies to the area of the building currently occupied by Matthews Yard and was designated on 7th March 2018.

Planning History

- 4.6 The following planning decisions are relevant to the application:

89/00671/P Alterations; use of first floor and part of ground floor as restaurant.

Permission Granted

95/00243/P Alterations; use of first floor as place of worship; erection of extract ducting.

Permission Granted and Implemented

04/02113/P Use of basement as a jazz themed restaurant

Permission Granted (the existing basement currently operated in a similar use).

5 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 5.1 The proposal would provide a significant quantum of housing and affordable housing. It would regenerate an underutilised site and contribute to the development of the Metropolitan Centre and Croydon Opportunity Area.
- 5.2 The development would provide 25% affordable housing by habitable room, which although is below the policy requirement, is the maximum possible due to viability considerations. A viability assessment has been submitted and independently verified to confirm that this is the maximum level. Viability review mechanisms would be secured by legal agreement. Only one of the 12 affordable units would be affordable rent with the remainder as shared ownership. Justification has been provided by the applicant for this tenure mix and this has been accepted.
- 5.3 The development proposes a mix of 1, 2 and 3 bedroom homes. The OAPF suggests that this area should provide 45% of units as 3-bed family units on the basis that developments are more likely to be mid-rise. The scheme proposes 18% 3-bed but the OAPF accepts that sites should be looked at on a case by case basis. The housing mix is considered acceptable.

- 5.4 The townscape impacts of the development in terms of its bulk, height, layout and massing are acceptable and is in keeping with the surrounding development. The proposal would result in a high quality development.
- 5.5 The proposal would cause harm to the Central Croydon Conservation Area. The degree of harm caused to the conservation area is considered to be 'less than substantial'. However, the harm caused is considered to be outweighed by the public benefits of the scheme which include the architectural and urban design quality, the delivery of purpose designed community space, the regeneration benefit of the scheme, the physical, economic and social regeneration benefits of the development to the local and wider area and the delivery of affordable housing. The proposed development would therefore comply with paragraphs 134 and 135 of the NPPF.
- 5.6 The proposal would have an impact on residential amenity of surrounding occupiers. There would be some impact in terms of light and outlook but none so detrimental as to warrant refusal of the scheme.
- 5.7 The development would comply with residential standards in terms of internal floor areas. Most of the units would meet the requirements in relation to private amenity space and those that don't have a larger internal floor area to compensate. Communal amenity space is provided. Most of the units would be dual aspect, being arranged around corners, but a small number are single aspect. Lighting levels would be satisfactory.
- 5.8 A sustainable drainage system is proposed and would be secured by condition.
- 5.9 The highway layout, access points and the provision of disabled parking spaces is considered to be appropriate. No parking spaces would be provided for residents or commercial occupiers beyond disabled spaces which is considered suitable in a highly accessible location.
- 5.10 Pedestrian access points to the building are level and the residential units would be constructed to part M4(3) and M4(2) of Building Regulations.
- 5.11 The sustainability aspects of the scheme are acceptable.

6 CONSULTATION RESPONSE

- 6.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 6.2 The following were consulted regarding the application:

Greater London Authority (Statutory Consultee)

- 6.3 The Greater London Authority have stated that the development does not currently comply with the London Plan (LP) and has provided the following comments:
- The uplift of 55 new homes and increase in number of existing jobs from 10 to 38 new jobs is supported and accords with the aspirations of the Croydon Opportunity Area Planning Framework and the London Plan.
 - The proposals seek to re-provide the existing town centre uses albeit at lower densities than presently exist and significantly increase the residential provision at the site.

- The proposals increase the residential offer at the site from 2 flats to 55 flats. This uplift in housing on site is supported in accordance with policy H10 of the draft London Plan and LP policy 3.14.
- The proposed scheme involves the recreation of a cultural and community hub for use by Folly's End Fellowship Church (FEFT) and Hoodoos in a new commercial/community space over ground and basement space. In total 703sq.m. of flexible retail/community/sui generis floorspace would be provided including three commercial units along Surrey Street.
- There would be a reduction in church and community floorspace compared to existing provision in response to a reduced demand by FEFT. FEFT is looking to significantly downsize to a more bespoke space that it would use on Sundays and would make available to other groups for the rest of the week. The re-provision of space at ground floor and basement, in a functional, fit for purpose facility that responds to the needs of FEFT and Hoodoos, both of which are understood to have been involved in the design of the scheme.
- The Council should secure appropriately worded conditions and planning obligations regarding the use of this space.
- The proposed development currently includes 11 affordable homes which equates to 34% affordable housing on a habitable room basis comprising 11 shared ownership units. The applicant should provide information on the proposed rental levels and income thresholds for the affordable units. (OFFICER COMMENT: This amount has been amended during the course of the application).
- The offer fails to meet the strategic threshold and the specified strategic tenure mix for low cost rent and intermediate affordable housing products required for a scheme to benefit from the Fast Track Route.
- It is noted that the overall tenure mix does not comply with the Council's preferred tenure split.
- The height of the scheme is generally supported being comparable to much of the surrounding development. Efforts have been taken to reduce the massing of the development particularly when viewed from the west to minimise the visual prominence of the development particularly when viewed alongside the Grade II Listed Pumping Station.
- The applicant proposes brick and stone for the central body of the structure with generous glazing to the ground floor commercial units. The colour palette is generally supported which takes cues from the surrounding context and neighbouring development.
- The northern façade when viewed from Matthews Yard has areas of inactive frontage which results from a level change at the site. The applicant should explore ways to introduce active frontage into this elevation.
- The scheme would meet or exceed minimum space standards set out in the London Plan, benefit from efficient core to unit ratios and 71% of units achieve dual aspect. Whilst 29% of units would therefore be single aspect, it is noted that only 5 of these would be north facing and all would have access to residential amenity spaces at the communal roof terrace and ground floor.
- The Council should secure an informative prescribing the submission of a fire statement.
- There are no designated heritage assets within the site, but the applicant has highlighted a number of existing buildings along the Surrey Street frontage and within the wider area of moderate to high significance, including a series of locally listed buildings and the Grade II Listed Pumping Station.

- The scheme would introduce a high-quality building which would significantly improve the existing situation and be more sympathetic to the surrounding heritage assets.
- Considered that the proposed redevelopment of the site will cause less than substantial harm to the historic significance of the central Croydon conservation area. The redevelopment will make the most efficient use of the application site and deliver a significant quantum of new housing, including affordable housing. On balance the proposals outweigh the less than substantial harm to the setting of the surrounding heritage assets and the wider conservation area.
- The overall height, massing, layout and elevational treatments of the scheme are broadly acceptable in strategic design terms.
- London Plan policy 3.8 and draft London Plan policy D5 require that 10% of new housing is wheelchair accessible and that the remaining 90% are easily adaptable for residents who are wheelchair users. The scheme would provide 5 units (9.1%) as wheelchair accessible/adaptable. This is acceptable given site constraints.
- Further information is required with respect to the overheating analysis/domestic checklist, carbon emissions and SAP calculations and energy efficiency measures.
- Development should be designed to allow future connection to a district heating network. Further detail with respect to the route of the proposed heat network and the energy centre and its floor area, internal layout and location.
- Photovoltaic panels and air source heat pumps are proposed. A reduction in regulated carbon dioxide emissions of 10 tonnes p.a. (12%) will be achieved through this element.
- Further revisions and information is required before the proposals can be considered acceptable and the carbon dioxide savings verified.
- A number of key bus and tram projects in Croydon have been identified by TfL, which the development will benefit from. Further discussions with Croydon Council and the applicant are necessary and a contribution to this infrastructure should be agreed prior to determination.
- A minimum of 7 blue badge parking bays are required for the proposed development. In the first instance this must be provide on-site. If this cannot be achieved the applicant must demonstrate that blue badge parking can be provided within close proximity of the site.
- The applicant's commitment to exclude residents from applying for parking permits in the local CPZ and the provision of EVCP's must be secured by condition.
- The LP requires a minimum of 98 long stay cycle parking spaces plus 11 short stay cycle parking spaces. Whilst the proposals include 114 cycle parking spaces, 108 of these are within the basement which is unsuitable for short stay spaces and must be revised.
- A travel plan should be secured, monitored and funded through the S106.
- Delivery and servicing plan to be secured by condition.
- Submitted construction logistics plan is unacceptable and must be revised as the proposal to reverse vehicles from the site would pose an unacceptable risk to pedestrian and cycle safety.

Transport for London (Statutory Consultee)

Strategic Issues

- 6.4 A review of the trip generation and mode split is requested to understand the net impacts on all transport modes, and to allow TfL to determine the financial contribution required for public transport improvements to mitigate the cumulative impacts of development in the Opportunity Area. The provision of Blue Badge parking and cycle parking in line with the London Plan should be confirmed for compliance. (OFFICER NOTE: Additional information has been provided to TfL)

Site Context

- 6.5 Approximately 250 metres to the south of the site, the A232 Croydon Flyover forms the nearest section of the Transport for London Road Network (TLRN), whilst the A212 Park Lane is the nearest section of the Strategic Road Network (SRN) around 300 metres to the east. Access to up to 12 bus services can be achieved within 150 metres of the site from stops located on the High Street, and to the north of the site Church Street provides access to Tramlink. National Rail services can be accessed from West Croydon and East Croydon stations, both of which are within 1km of the site. The site has an excellent Public Transport Accessibility Level (PTAL) of 6b, on a scale of 1 to 6, where 6 is the most accessible.

Site Access

- 6.6 Although the proposals retain the existing vehicle access from Surrey Street, it is understood that the number of vehicle movements will be reduced, allowing access only to 2 Blue Badge parking bays. Given the recent public realm improvements on Surrey Street, which is restricted to pedestrian only access between 5am and 8pm, the proposed vehicle access arrangements are supported.

Public Transport

- 6.7 The Transport Assessment (TA) suggests that any additional demand for public transport can be accommodated within existing services. However, given the scale of development in the OA, the cumulative impact on public transport should be taken into account. A number of key bus and tram projects in Croydon have been identified by TfL, which the development will benefit from, therefore a contribution should be secured via the Section 106 agreement to help close the funding gap identified in the DIFS. Further discussions with the Council and the applicant are requested and a contribution agreed prior to determination. (OFFICER NOTE: The applicant has submitted additional information to TfL. TfL have not provided further information on their requirements).

Car Parking

- 6.8 The development is proposed to be car free, with the exception of 2 Blue Badge parking spaces. This is a reduction from the existing car parking provision by 13 spaces. A minimum of 7 Blue Badge parking bays are required for the proposed development to be compliant with draft London Plan policy T6 (London Plan policy 6.13). If this cannot be accommodated within the site, the applicant must demonstrate that Blue Badge parking in line with the London Plan can be provided within a close proximity of the site for full compliance. The commitment to exclude residents from applying for parking permits in the local CPZ and the provision of EVCPs should be secured via the appropriate planning obligations. (OFFICER NOTE: The applicant has provided further information to TfL. Parking permits can be restricted by S106 and EVCP's by condition).

Cycle Parking

- 6.9 A total of 114 cycle parking spaces are proposed, including 108 spaces within the basement and 6 spaces (3 Sheffield stands) at ground floor level. London Plan policy

6.9 requires a mix of 79 long stay cycle parking spaces, and 21 short stay spaces. The provision of cycle parking within the basement would not be appropriate for short stay visitor parking, and therefore this should be reviewed. Further details of the access arrangements for long stay residents' cycle parking in the basement should also be provided to ensure that this is in accordance with the London Cycling Design Standards. Furthermore, the applicant should aspire to meet the draft London Plan standards for cycle parking in policy T5, which would require a minimum of 98 long stay cycle parking spaces plus 11 short stay cycle parking spaces.

Trip Generation and Mode Split

- 6.10 Given the car free nature of the development it is accepted that there is likely to be a net reduction in vehicle trips to the site, which is supported. However, the trip generation methodology is considered to be unrepresentative of the site and this should be reviewed. The current methodology uses sites from the TRICS database that are located outside of London, and further information is required to determine whether the trips associated with the proposed commercial use can be excluded from the assessment. In addition, Census data should be used to derive the mode split for the proposed development, and public transport trips disaggregated to determine the required mitigation. (OFFICER NOTE: the applicant has provided additional information to TfL).

Travel Plan

- 6.11 The submission of a site wide Travel Plan to support the application is welcomed. Objectives to increase travel by sustainable modes are welcomed, and it is suggested that the targets could be more ambitious given the PTAL. The Travel Plan should be secured, monitored and funded through the Section 106 (S106) agreement.

Deliveries and Servicing

- 6.12 A Delivery and Servicing Plan (DSP) has been submitted with the application. Measures to ensure that there would be no impact to bus movement on the High Street, along with the safety of pedestrians and cyclists should be included. The detailed DSP should be submitted to the Council and approved, prior to occupation, and this should be secured by condition.

Construction

- 6.13 A draft Construction Management Plan (CMP) is provided with the application. The proposal to reverse construction vehicles from the holding area is not supported, in terms of pedestrian and cycle safety, and should be reviewed. Given the scale of development activity in the OA, a commitment from the developer to programme construction works in co-ordination with other developers in the vicinity, including attendance at working group meetings is critical. The final CMP should be secured by a condition and discharged prior to commencement, in consultation with TfL. (OFFICER NOTE: A condition is suggested).

Community Infrastructure Levy

- 6.14 In accordance with London Plan policy 8.3, the Mayor commenced Community Infrastructure Levy (CIL) charging for developments on 1st April 2012. It is noted that the proposed development is located within the London Borough of Croydon, where the Mayoral charge is £20 per square metre of Gross Internal Floor Area.

Further to the submission of additional information by the applicant, TfL has provided further comments as follows:

- 6.15 With respect to the provision of car parking for disabled users, it is welcomed that the applicant has investigated the conversion of existing car parking bays on Scarbrook Road and accepted that the additional requirement (5 spaces) could be provided in the adjacent public car park. However, the applicant should consider the distance and acceptability of the access route from the car park for users with impaired mobility to satisfactorily address TfL's concerns, in line with the London Plan and Accessible London SPG. Furthermore, the Council should consider adopting a flexible approach to the town centre parking, with the option to convert parking bays where the demand arises.
- 6.16 Whilst the overall number of cycle parking spaces is compliant, the quantum of short stay cycle parking is not compliant with London Plan minimum standards. Short stay cycle parking should be readily available for shoppers, customers, messengers and other visitors as detailed in the current London Plan policy 6.9; therefore it is not appropriate to provide visitor cycle parking within the basement, which would not be convenient for this purpose. An alternative location for additional cycle stands at ground floor level to meet the minimum requirement for short stay cycle parking should be investigated for compliance.
- 6.17 Given the limited data available for the existing use, the TRICS data used in the assessment is accepted in this instance. As noted, surveys of the existing site should have been carried out and it is unclear why this approach was not taken.
- 6.18 Point 4 regarding the proposed commercial use is accepted. (OFFICER NOTE: this comment was in response to the following comment by the applicant: *The proposed end users for the commercial space proposed at the site are yet to be identified, however it is anticipated that the commercial element of the scheme would generate linked-trips / pass-by trade only, consistent with the existing arrangement*).
- 6.19 It is envisaged that peak hour journeys, including those for work purposes may have the greatest impact on public transport demand. Given the PTAL of the site, as a worst case the Census mode split should be applied to the public transport trips for bus/tram to determine the contribution required towards the transport projects identified in the DIFS.
- 6.20 Point 6 is accepted and these items should be secured via appropriate planning conditions or the s106 agreement. (OFFICER NOTE: this comment was in response to the following comment by the applicant: *Matters regarding Electric Vehicle Charging Points (EVCP's), exclusion from applying for parking permits and the DSMP would be secured by planning condition and the Travel Plan secured through the Section 106 Agreement*).
- 6.21 The additional information provided by the applicant satisfies some of TfL's concerns, however further clarification of the proposed arrangements for disabled parking and the provision of short stay cycle parking should be confirmed for TfL to be supportive of the application.

Historic England (Archaeology) (Statutory Consultee)

- 6.22 Recommend no archaeological requirement. Concurs with the archaeological desk-based assessment dated 1 March 2018 by RSK Environmental, that given the nature and scale of the post-war development of the site, that any archaeological interest has been removed.

Lead Local Flood Authority (Statutory Consultee)

6.23 Following detailed discussions, no objection subject to condition.

London Fire and Emergency Planning Authority

6.24 Burning is not the recommended method of disposing waste materials, but if burning is to take place, have advised of a number of precautions to take and advises the applicant to discuss this with the Council's Environmental Health department. It is not the intention of the Authority to comment at the planning stage but upon receipt of the proposals via building control will provide comments at that stage. Any vehicle access should comply with the 'Access for Fire Appliances' Fire Safety Guidance Note. (OFFICER NOTE: No burning has been proposed).

Mid Croydon Conservation Area Advisory Panel

6.25 Consider the proposal to be detrimental to the Conservation Area for the following reasons:

- While the existing building contributes absolutely nothing to the area the proposed development is out of character with the area.
- The building is too high, however this is a consequence of granting applications to increase the height of other buildings in the area which has led to a situation where each new application quotes the precedence set by others in order to justify their overall height.
- The application proposes yet more retail on the ground floor. The retail units in Bridge House fronting St Mathews Yard were boarded up when the building was completed and have remained that way ever since. The Panel is concerned that a similar fate will await this proposed development.
- Instead of proposing yet more retail isn't it about time that the ground floor space was used to provide useful services for the area and storage facilities for the occupants of the flats.

Thames Water

6.26 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Prior approval from Thames Water Developer Services will be required.

6.27 'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

6.28 Should the Local Planning Authority be minded to approve the planning application, Thames Water would like an informative attached to the planning permission regarding discharging groundwater into a public sewer.

6.29 There are public sewers crossing or close to the development. Approval should be sought from Thames Water.

- 6.30 Requirement for a piling method statement
- 6.31 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- 6.32 Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application.
- 6.33 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6.34 The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the, asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request the addition of a planning condition
- 6.35 The proposed development is located within 15m of a strategic water main. It will be necessary to agree the piling methodology between the developer and Thames Water. Thames Water request that the addition of a planning condition to secure this.

7 LOCAL REPRESENTATION

- 7.1 The application has been publicised by way of four site notices displayed in the vicinity of the application site and neighbour notification letters sent to 316 adjoining occupiers. The application has also been publicised in the local press. 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: 82 Objecting: 80 Supporting: 2

- 7.2 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>Scale and massing</i>	
Massing is out of proportion to its surroundings.	The massing of the building is considered to be acceptable. See paragraphs 9.20-9.28.
<i>Daylight and sunlight</i>	
Existing poor levels of sunlight in neighbouring buildings would be reduced.	Daylight and sunlight have been fully assessed and have been considered acceptable. See paragraphs 9.39-9.48.
Loss of light and overshadowing to properties in The Exchange and Bridge House	As above.
<i>Highways Matters</i>	

Will cause additional traffic generation	The only car parking will be 2 blue badge spaces which will have a knock on impact on car ownership for residents and will not cause additional traffic. During construction, details of construction logistics are required to be agreed with the Council and will need to have an acceptable impact.
Lack of parking – residents will have cars and need to load and unload vehicles – existing problems for deliveries blocking local roads	The site is located in a highly accessible location with various public transport options available. The approach on this site is consistent with other developments in the town centre.
<i>Housing</i>	
New apartments built in Croydon are not affordable for local residents.	Affordable housing has been secured for this development.
<i>Loss of community facility</i>	
Would destroy the community environment of 1 Matthews Yard.	Community uses are proposed as part of the development proposal and are considered to be an acceptable replacement.
A suitable home should be found for existing occupiers in the local vicinity. The Council should support these grassroots businesses	The decision on this planning application must be made in accordance with planning policy and other material considerations. A decision cannot be made in the interests of private individuals. Business support is outside the remit of the planning system.
<i>Heritage</i>	
Development is in a conservation area	Noted.
Detrimental impact on the nearby Listed Building	The heritage impact of the development has been fully assessed and is considered to be acceptable.
5-9 Surrey Street is a historic building	The existing building does not have any statutory or non-statutory designations. The demolition of the existing building is acceptable.
<i>Disruption</i>	
Disruption to Surrey Street Market and market traders	A construction logistics plan is required by planning condition to minimise any impact during the construction period. Any impacts would be temporary and are therefore acceptable. Following completion, the operation of the building is not considered to have any additional impact on the operation of Surrey Street Market in comparison with the existing situation.
Disruption to local residents.	The impact on local residents has been fully assessed and is considered to be acceptable.
Noise and disruption to local businesses	The impact on local businesses has been fully assessed and is considered to be acceptable.

Noise and disruption during demolition	A construction logistics plan as required by planning condition will control noise and disruption impacts during construction.
<i>Impact on adjoining occupiers</i>	
Proximity of proposed building to nearby residential properties.	The impact of the building on adjoining occupiers has been fully assessed and is considered to be acceptable.
Loss of privacy and overlooking to neighbouring buildings.	As above.
Detrimental impact on the quality of life for local residents	As above.
Loss of views	As above.
<i>Asset of Community Value</i>	
Demolition would cause the loss of a community asset (1 Matthews Yard)	The application has been fully assessed in the context of the designation of 1 Matthews Yard as an Asset of Community Value. See paragraphs 9.9-9.12.
Would remove a cultural hub.	As above, and the application proposes community uses, which is considered to be acceptable.
<i>Noise</i>	
Noise assessment is inadequate and was only carried out for a period of 24 hours. Should have included assessment at the weekend.	The noise impacts of the development have been considered and are acceptable subject to the imposition of appropriate planning conditions.
Proposed live music venue in the basement by an operator that generated noise complaints in the past	Appropriate noise mitigation and sound insulation planning conditions have been suggested.
Glazing specification not onerous enough	As above.
<i>Other matters</i>	
Additional pressure on local services from additional flats (GP's, schools etc).	The Community Infrastructure Levy – which this development will be required to pay – makes provision for funding local infrastructure such as health, education, sports, open space and community facilities. Under planning legislation, The Council is unable to ask for additional contributions for this infrastructure.
Other commercial units nearby have remained unoccupied.	The Council is required to make its decisions in accordance with planning policy, which deems that retail uses in this location are acceptable.
Concern about air quality and asbestos management during demolition	The air quality impacts of this development have been fully assessed and are considered to be acceptable, subject to appropriate provision within the S106 Agreement. The management of asbestos during demolition is managed under separate legislation and therefore, the Council has no jurisdiction to impose additional controls under planning legislation.

<i>Procedural issues</i>	
Developers have not engaged with the local community.	The applicant has submitted a Statement of Community Involvement with the application which outlines that prior to submitting the application they held 2 public consultation events (in July 2017 and January 2018), they delivered 2 newsletters to 750 addresses local to the site, had meetings with key stakeholders, established a website for the development and established a telephone number and email address for the local community to send feedback. The applicant has outlined the feedback they received from the local community.
<i>Non-material issues</i>	
Profiteering at the expense of the existing facility	The decision on this planning application will be made in accordance with planning policy and other material considerations. A decision will not be made in the interests of private individuals.

Summary of support comments	Response
About time this building was replaced	Noted.
Proposal guaranteed to improve the look of the road and enhance the area.	The townscape and visual impact of the development has been discussed in paragraphs 9.20-9.28.
In the Council's best interests to grant planning permission.	Noted.
Will improve a tired building and smarten up the area.	Noted.
Would be best for all parties if Matthews Yard could be helped to relocate.	This is outside the remit of the planning system.
Proposed building well designed and sympathetic to the existing landscape.	Noted.
Will bring more people to Croydon.	Noted.
Pleased that Hoodoos will be brought back as they have been an integral part of creating a cool creative edge to Croydon, along with Matthews Yard.	Noted.

7.3 Councillor Vidhi Mohan (Ward Councillor at the time consultations were undertaken on the application) has made the following representations:

- Objects to the application.
- Overdevelopment of the site

- Loss of amenities to those living in adjacent properties
- Loss of light and overshadowing to those residents living in adjacent properties
- Loss of Asset of Community Value at 1 Matthews Yard -- The basement of the building has been designated an Asset of Community Value by Croydon Council. Demolition plans would involve the total loss of this vital community asset.

7.4 Councillor Paul Scott (in his capacity as Chair of Planning Committee) has made the following representations:

- In my capacity as chair of the planning committee I refer this application to the committee for decision, subject to further consideration and given the following issues:
- Massing and design of the proposed building in relation to the character of the conservation area, with particular regard to the scale, massing and detailed design of the principle elevations.
- I note that this application came before the committee in a pre-application presentation

8 RELEVANT PLANNING POLICIES AND GUIDANCE

8.1 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: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

8.2 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:

- Delivering a sufficient supply of homes.
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport;
- Making effective use of land
- Achieving well designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the historic environment

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

8.4 Consolidated London Plan 2015 (LP):

- 2.13 Opportunity areas and intensification areas

- 2.15 Town centres
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- Table 3.2 Sustainable residential quality density matrix (habitable rooms and dwellings per hectare)
- 3.5 Quality and design of housing developments (MALP)
- Table 3.3 Minimum space standards for new dwellings (MALP)
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice (MALP)
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 3.16 Protection and enhancement of social infrastructure
- 4.6 Support for enhancement of arts, culture, sport and entertainment
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 5.1 Climate change mitigation
- 5.2 Minimising carbon emissions
- 5.3 Sustainable design and construction
- 5.4 Retrofitting
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.21 Contaminated land
- 6.1 Strategic approach (to transport)
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking (MALP)
- Table 6.2 Residential car parking standards (MALP)
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

8.5 Croydon Local Plan: 2018 (CLP2018):

- SP2: Homes.
- SP2.1 Choice of homes.
- SP2.2 Quantities and locations.
- SP2.7 Mix of homes by size.
- SP2.8 Quality and standards.
- DM1: Housing choice for sustainable communities.
- SP3.9: Town Centres
- DM4: Development in Croydon Metropolitan Centre, District and Local Centres
- 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.
- DM10.2 Appropriate parking and cycle parking design.
- DM10.4 Private amenity space.
- DM10.5 Communal amenity space.
- 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.
- DM13.1 Design, quantum and layouts.
- DM13.2 Ease of collection.
- DM 15 Tall and large buildings
- DM 18 Heritage assets and conservation
- SP5.5: Providing new community facilities
- DM19: Providing and Protecting Community Facilities
- SP6: Environment and Climate Change.
- SP6.3 Sustainable design and construction.
- SP6.4 Flooding and water management.
- SP6.6 Waste management.
- DM25: Sustainable drainage systems.
- DM27: Protecting and enhancing our biodiversity.
- DM28: Trees.
- SP8: Transport and the Communication.
- SP8.5 and SP8.6 Sustainable travel choice.
- SP8.7 Cycle parking.
- SP8.12 and SP8.13 Electric vehicles.
- DM29: Promoting sustainable travel.
- DM30: Car and cycle parking.
- DM38 Croydon Opportunity Area

8.6 There is relevant Supplementary Planning Guidance as follows:

- Mayor of London, Housing SPG (March 2016)
- Mayor of London, Affordable Housing and Viability SPG (August 2017)
- Croydon Opportunity Area Planning Framework (LBC & GLA 2013)

8.7 There are relevant adopted Masterplans/Conservation Area Appraisals and Management Plans/Other Guidance as follows:

- Old Town Masterplan
- Central Croydon Conservation Area Assessment and Management Plan

9 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Asset of Community Value
3. Housing and Affordable Housing
4. Townscape and visual impact
5. Housing Quality
6. Residential amenity
7. Transport
8. Sustainability
9. Environment
10. Flooding

Principle of development

9.2 The application proposes a mix of uses which include residential, A1, A2, A3, D1, D2, B1(a) and sui generis. The site lies within the Primary Shopping Area and within a Secondary Retail Frontage. Policy DM4 of the CLP2018 requires new development to accord with Table 5.3. This means that the proposed A1, A2, A3, B1(a) and community use would be acceptable in principle. The proposed mix of uses would provide an active frontage to Surrey Street and down to Exchange Square.

9.3 The existing lower ground floor commercial use at the rear of the building (fronting Exchange Square) is currently occupied by Matthew's Yard and also includes 'Beer and Burger'. Until fairly recently Hoodoo's Coffee & Eats and Utopia Theatre were also in occupation. This unit operates under a permitted 'A3' Use Class and the other uses within the unit, including workspace/employment etc uses, are ancillary to the main A3 use. The applicant has advised that the leasehold on this space runs out in 2019. The re-provision of an A3 unit in the building's lower ground floor is therefore acceptable in land-use terms. The recent designation of this unit as an Asset of Community Value is discussed in more detail in the next section of this report.

9.4 The proposal would assist in meeting housing targets in the development plan and making provision for additional housing. Provision of new housing on the site is supported in principle. This is subject to no loss of protected uses and compliance with other relevant policies, as per CLP2018 Policy SP2.1, which sets out that the Council will apply a presumption in favour of development of new homes provided applications meet the requirements of Policy SP2 and other applicable policies of the development plan. The application proposes a density of residential development of 1275 habitable rooms per hectare. This exceeds the densities set out in Table 3.2 of the LP but only marginally (Table 3.2 allows densities in central areas with a PTAL of 4-6 of up to 1100 habitable rooms per hectare). The proposed density is considered

to be acceptable and is similar to other densities of residential development in Croydon Metropolitan Centre.

- 9.5 The Opportunity Area Planning Framework (OAPF) requires the OAPF area to provide 20% of dwellings across the whole area to have 3 bedrooms, but recognises that different parts of the OAPF area will have a different capacity to be able to provide 3 bed homes. The OAPF identifies the site as being within the Southern/Old Town character area. This requires 45% of new homes to have 3 bedrooms. The application proposes 10 of the 55 proposed dwellings to have 3 bedrooms, which equates to an 18% provision. However, it is noted that the OAPF allows for each site to be assessed on a case by case basis, with some sites delivering more and some sites delivering less, with the figure to be used as a starting point and the final figure informed by 'site context, site history, design potential, building height' (para 4.48). Given that this site is in a constrained location, which is in close proximity to an exhibits characteristics of the retail core (where the 3 bed figure is 5%), the proportion of 3 bed units are considered to be acceptable.
- 9.6 Whilst the existing conference centre use is not protected by policy, the permitted use of the existing building's first-floor is as a church (under a D1 use) and is considered to be a 'community facility'. CLP2018 policy SP5.3 states the Council will encourage healthy and liveable neighbourhoods by protecting existing community facilities that still serve or have the ability to serve the needs of the community. Policy 3.16 of the London Plan is also relevant. It states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted and that where the current use of a facility is no longer needed, boroughs should take reasonable steps to identify alternative community uses. The CMC is seen as the most appropriate location for community facilities as it is easily accessible by public transport, cycling and walking.
- 9.7 The existing community use, (Folly's End Fellowship Church - who are the freeholder of the existing building), is proposed to remain on the site and would make use of the proposed sui generis space at lower ground floor. It is proposed that this use would be utilised alongside Hoodoos, who have previously leased basement space within the existing Matthews Yard unit.
- 9.8 A significant amount of interest has been generated by this application and concern has been raised regarding the loss of the existing community uses that occur at the site and in particular the loss of the Matthews Yard unit (which is in A3 use but does incorporate ancillary community uses within the unit). The proposed development proposes to replace both community and A3 floorspace and in policy terms, this replacement is considered to be acceptable and there would be no loss of these uses. The Council, as Local Planning Authority, is only able to make its decision on the basis of planning policy and material considerations. Although the scope of what constitutes a material consideration can be very wide, in general the courts have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests, such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations. This would also apply in the case of a desire to retain a particular occupier at a site – this would be a private interest which cannot be considered to be a material consideration and the Council has no remit through the planning system to ensure that Matthews Yard is retained as part of the proposals for this site. The application will ensure that the existing church at the site can continue its activities

and it is understood that a previous sub-lessee of Matthews Yard has been lined up to operate the basement unit, with the developer designing the space to respond to the occupiers requirements. However, it is the use of the unit that the Local Planning Authority is concerned with – which is acceptable – rather than who the occupiers are. It is considered that the proposed development is in accordance with the requirements of policy DM19.1 and DM19.2 of CLP2018 as the proposed space is flexible enough to accommodate the existing uses should the situation change and the site owners decide that they wish them to remain on the site (although the Council as Local Planning Authority does not have the remit to direct the site owners regarding future occupiers).

Asset of community value

9.9 The Council has designated the basement of the building (Matthews Yard) as an Asset of Community Value (ACV). This designation occurred on 7th March 2018 and the asset will sit on the Asset of Community Value Register for a period of five years. The reasons for designating Matthews Yard as an ACV were:

- *That the nomination satisfied the requirements of a community nomination and that sufficient evidence was provided to show that the parts of the building that fall within the control of Matthews Yard, currently (or in the recent past), further the social wellbeing or interests of the local community.*
- *That the nominated asset namely the basement forming the premises of Matthews Yard should be confirmed as an Asset of Community Value.*
- *To place the asset on the Council's Assets of Community Value Register and that the Local Land Charge Register be amended and interested parties notified accordingly.*

9.10 The listing of Matthews Yard as an ACV essentially means that the listing gives local people an opportunity to bid for the asset if the owner decides to sell (as this triggers a six-month moratorium, during which time the asset cannot be sold except to a community bidder. The six-month period includes an initial six-week window in which local groups, if they wish to bid, must express an interest. Local groups then have the remainder of the six-month period to organise the bid. At the end of the six months, the owner may sell, but they do not have to sell to a community bidder.

9.11 The fact that this designation exists can be a material consideration in the determination of this planning application. However, given that this application is not proposing to change the use of the ACV, but that the use is proposed to be re-provided as part of the proposed development, it carries little weight in this case. In addition, the re-provided use would be in new, purpose-built accommodation. The re-provision of community and A3 uses, similar to those existing also satisfy the requirements of policy DM21 (Protecting Public Houses). The existing Matthews Yard unit has a GIA of 552sqm floorspace. The proposed unit would have a GIA of 485sqm. This is a small reduction in floorspace (of 67sqm – representing a reduction of approximately 12%). However, the layout of the lower ground floor of the building would be much improved and the replacement would be of a high quality. The proposed unit would still be of a substantial size and is considered to be of an acceptable size for the proposed use.

9.12 The Council as Local Planning Authority is backed up in taking this approach as it is similar to the approach taken by the Planning Inspectorate in dealing with the Former Ship Public House, 55 London Road (application 15/03553/P). In the case of the

Former Ship Public House, it resulted in the reduction of public house floorspace but the proposal still resulted in a public house use being retained on site. In the case of the Former Ship Public House, the Planning Inspector took the view that there was no detailed evidence produced to indicate that the viability of the public house would be harmed as a result of the proposal and in addition, the proposal would provide housing. The Planning Inspector did not consider the ACV as determinative. In this planning application, the applicant has identified an occupier for the re-provided floorspace who has previously part occupied Matthews Yard and documentation submitted with the application has identified the range of uses that would be similar to existing uses and of benefit to the local community.

Housing and Affordable Housing

- 9.13 The London Plan requires Boroughs to seek to maximise affordable housing provision. Policy SP2.4 of CLP2018 requires sites of more than 10 dwellings to negotiate to achieve up to 50% affordable housing, subject to viability and seeks a 60:40 ratio between affordable rented homes and intermediate homes. Policy SP2.5 requires as a preference, a minimum provision of affordable housing to be provided of 30% on the same site; or if 30% on-site provision is not viable, within the Croydon Opportunity Area, a minimum provision of 15% on-site and simultaneous delivery of the equivalent of 15% affordable housing on a donor site with a prior planning permission, in addition to that site's own requirement. If these options are unable to be achieved, the 3rd option is to provide a minimum of 15% on-site affordable housing, plus a review mechanism for the remaining affordable housing (up to a maximum of 50% through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on-site provision is not viable, construction costs are not in the upper quartile and there is no suitable donor site.
- 9.14 The development has not been able to provide 50% affordable housing and a viability assessment has been provided with the application, to demonstrate why this level of affordable housing is unable to be provided. The viability assessment has been independently assessed and the finances of the scheme have shown that the scheme is unable to support any affordable housing. The costs associated with the scheme have been assessed to be reasonable. Notwithstanding this, the applicant has made an offer for affordable housing. The applicant is offering 25% affordable housing, by habitable room, proposed to be pepper-potted throughout the scheme. Their offer comprises the following:
- 38 habitable rooms (of 154 habitable rooms in the scheme) – 25%
 - 12 units (of 55 units in the scheme) – 22%
 - 4x3 bed units. Units 1-4, Block A. Shared ownership.
 - 1x1 bed w/c unit. Unit 11, Block B. London affordable rent.
 - 5x1 bed and 2x2 bed units, Block B. Shared ownership.
- 9.15 This is less than the 30% policy requirement and does not achieve a 60:40 tenure split, between affordable rent and shared ownership. The level of affordable housing proposed is accepted, given viability considerations, but this minimum level will be secured through a S106 agreement and the agreement will also require review mechanisms to ensure that additional affordable housing can be secured, should the viability situation improve. The proposal to pepper-pot the units throughout the scheme is acceptable. Whilst there is one affordable rent unit, this is able to be accessed separately from the blocks due to its ground floor location and therefore, this is acceptable from the point of view of managing the tenure of the unit. The

applicant has provided additional justification for the level of affordable housing and the tenure split.

9.16 The applicant has been in discussions with the Council regarding the level of affordable housing since the pre-application stage and through the course of the planning application. At pre-application stage, 15% affordable housing was offered, however, feedback was given to the applicant that this would not be sufficient. In response to this (and concerns raised at that time in relation to other planning matters), the applicant increased the scale of their proposals. On submission of the application there was an initial offer of 34% affordable housing (by habitable room), as shared ownership. However, this level of affordable housing cannot be achieved (as evidenced by the viability assessment) and the applicant has provided justification for the 25% level of affordable housing and the tenure split that is being proposed as follows:

- The existing use value is high due to the existing quantum of development on the site.
- The proposed end occupier of the community space is to be provided rent at a level commensurate to what they have been paying previously. This represents a discounted rent on market value in line with rental value increases. In addition, there will be a rent free period of 3 months as the end occupier goes through its initial growth period.
- The community space will be fitted out to a high specification and this includes additional works in relation to noise insulation. This will ensure greater sound proofing and to the betterment of local amenities, however this will be at an added expense to the applicant.
- The proposals have been through extensive consultation with London Borough of Croydon and the GLA and this has required the incorporation of a Mechanical Ventilation with Heat Recovery (MVHR) in line with overheating and quality of life requirements. This was not previously incorporated into the build costs and represents an increased cost to the applicant.
- In line with achieving greater optimisation of the site in terms of development and footprint, the applicant has been committed to ensuring a high level of design is commensurate to the uplift in scale and massing. This has included sensitively selected brick and detailing which is in accordance with the character and setting of the Conservation Area. This requires higher quality materials and will include a more expensive brick type which has increased the overall build figure. (This is discussed in more detail in the 'Townscape and Visual Impact' section of this report).
- The affordable rent unit proposed can be accessed independently from the shared ownership units and this allows for appropriate management by a Registered Provider.
- Additional affordable rent units cannot be provided as they would have a negative impact on viability, which would further reduce the overall quantum of affordable. There is also the question of management. Affordable rent units require a separate core. Given the constraints of the site, an additional core is not possible. Additional affordable rent units would require one of the blocks to be entirely affordable rent to make it attractive to a Registered Provider. This would not meet the policy tenure requirement and would have a further negative impact on viability. (The Residual Land Value would be significantly lower than the Benchmark Land Value for a policy compliant tenure scheme).

- 9.17 It is considered that the applicant has provided sufficient justification and viability information for the Council to accept the affordable housing quantum and tenure proposed. This will be secured via the S106 Agreement, with appropriate review mechanisms to seek additional affordable housing should the viability situation improve.
- 9.18 Affordable housing has also been considered by the GLA, who have advised that as it does not meet their 35% minimum requirement (as set out in the Affordable Housing and Viability SPG), the scheme is unable to benefit from their fast track scheme and therefore they also require a review mechanism to assess if additional affordable housing can be secured at a later date. As advised above, this can be secured through the S106 Legal Agreement.
- 9.19 10% of the units should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users, in accordance with the GLA Best Practice Guide on Wheelchair Accessible Housing and policy 3.8 of the LP. The application proposes that five of the units (equating to 9.1% of the total) would be wheelchair accessible and have been designed to comply with Building Regulations Part M4(3). In addition, the Design and Access Statement states that all flats have been designed to comply with Part M of the building regulations and the London Plan. Whilst this is just below the requirement, it is acceptable given the site constraints and this is aligned with the view taken by the GLA.

Townscape and visual impact

- 9.20 The site is located within the Central Croydon Conservation Area and as such must have regards to this designation. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on Local Planning authorities to pay special attention to the desirability of preserving the character and appearance of a Conservation Area. The OAPF sets out general guidance on the approach to development proposals in the area. Finer grain guidance and the Council's aspirations for (and expected direction of travel in) the Old Town and its heritage assets are set out in the Old Town Masterplan and the Central Croydon Conservation Area Appraisal and Management Plan (CAAMP).
- 9.21 The existing building is identified in the Central Croydon CAAMP as having a neutral contribution to the conservation area. There is therefore an opportunity to enhance the site and surrounding area through a high-quality re-development of the site. The building does not benefit from any other protective designations and therefore there is no in-principle objection to demolition of the existing building.
- 9.22 The proposed replacement building has gone through a number of iterations and design improvement during pre-application discussions. The proposals have been subject to a number of pre-application discussions and the scheme in an earlier iteration was presented to Planning Committee (in May 2017) and has also been to Place Review Panel (PRP). The applicant has responded to the comments made previously at Planning Committee and at the PRP. Subsequent to the PRP, the design team was completely changed and a new design approach has been adopted that addresses many of the concerns raised by PRP. The new design is more refined, relates much better to the character of Old Town and Surrey Street and is more carefully planned. This is discussed in more detail below.

- 9.23 Significant work has been undertaken through the pre-application process in regards to the proposal's impact on the conservation area, the historic significance of Surrey Street and impact of the proposed mass on the surrounding area. This is reflected in the detail contained within the Heritage Assessment that accompanies the planning application.
- 9.24 The design is simple, robust and elegant, which is appropriate to its Old Town / Surrey Street setting and its role forming a backdrop to the activities in Surrey Street Market and the iconic Pumping Station Grade II Listed Building. The form is simply articulated to appear like two separate buildings. This reflects the internal layout too so is not superficial. The proportions of openings is very well considered and relates to the character of Old Town. The use of brick is highly appropriate for this location and is very well handled. The treatment of the ground and lower ground floor uses and openings is very well handled design-wise. Again, it is simple, robust and elegant. The proposed access from Surrey Street to the internal courtyard is supported, as is the design of the internal courtyard space, including the front door provided to the wheelchair unit. The fine level of detail and articulation around the openings and features, particularly at ground floor level where the building will be experienced close at hand, is supported.
- 9.25 It is positive from a design and placemaking perspective that the lower ground floor is activated as part of this proposal and that space is provided for cultural, community and creative uses similar to those currently provided by Matthews Yard. These are the right kind of uses for this part of Old Town and will help activate Exchange Square and create a place and destination in the surroundings of the market and the Pumping Station. Whilst there is one section of the side elevation of the building which has a lack of activity and articulation (where there is a change in land levels and the building transitions from ground floor to lower ground floor), this could be addressed through the creative use of materials or public art. This can be secured through the use of planning conditions and the S106 agreement.
- 9.26 In terms of height, the building is taller than officers initially advised and recommended (originally officers were recommending 6 storeys in line with the Old Town Masterplan and CAAMP). However, both PRP and Planning Committee at pre-app stage suggested it could go taller if the design improved. The design has been completely changed from that previously presented to Planning Committee and the height is now comparable to the height of the consented additional floors on Surrey House. Whilst there would be additional height on this site, it is not an anomaly in terms of what has already been consented in the vicinity of the site. In addition, the proposed building is considered to be a high-quality building which would significantly improve the existing situation and be more sympathetic to the surrounding heritage assets compared to the existing building.
- 9.27 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to have special regard to the desirability of preserving listed buildings and their settings. Section 72 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. These statutory provisions are considered to amount to a strong presumption against granting permission for any development which would cause harm to the setting of a listed building or the character or appearance of a conservation area, even if the harm is limited or less than substantial. That statutory presumption may, however, be outweighed by material planning considerations, provided they are strong enough to do so. Paragraph 134 of

the NPPF advises that where a proposed development will result in less than substantial harm, this harm should be weighed against the public benefits of the proposal. Whilst it is considered that in assessing the proposal in the context of nearby heritage assets the development would result in less than substantial harm to the significance of the historical significance of the conservation area, this has to be viewed in the context of the benefits of the proposal in terms of the delivery of a significant amount of new housing (including affordable housing) and re-provision of community uses. On balance, it is considered that the benefits of the proposal outweigh the less than substantial harm to the setting of surrounding heritage assets and the conservation area.

- 9.28 The additional height may reduce some sunlight (in afternoons and evenings) and daylight entering Surrey Street itself. However the character of the street is already such that it has a tight street section in an urban context and the orientation is such that increased shadowing would be later in the afternoon and evening. The existing buildings on the eastern side create shadow in mornings. There will be less impact in summer when the sun is higher in the sky and also as Surrey Street is almost on a north-south alignment, it gets direct sun in the middle part of the day, which is probably when it is most enjoyed as a space. It is considered that the impact of the additional height on daylight and sunlight in Surrey Street is not so significant a concern to warrant a reason for refusal.

Housing Quality

- 9.29 Policy SP2.8 of the Croydon Local Plan 2018 indicates that housing should cater for residents' changing needs over their lifetime and contribute to creating sustainable communities. Individual units should meet the standards set out in the London Housing SPG and Nationally Described Space Standards.
- 9.30 All of the flats proposed would meet the minimum requirements as set out in the Nationally Described Space Standards. The proposed wheelchair units are in excess of the minimum standards to account for the additional circulation space required. As discussed in paragraph 9.32 below, some of the 1 bed units that do not have their own private amenity space have a larger internal floorspace to compensate.
- 9.31 The majority of the proposed units would be dual aspect and where possible units have been arranged around corners to maximise the numbers of dual aspect units. There are some single aspect units, but all of these are 1 bed units (29.1% of the total/16 units), and only a small proportion are north facing (9.1% of the total/5 units).
- 9.32 Sufficient private external amenity space would be provided for the majority of flats through a combination of terraces, balconies and winter gardens. Some of the one bed units would not have private external amenity space. The DAS justifies this by setting out that private amenity space in smaller units is often under-utilised, and inset terraces in one bed units can result a reduced vertical sky component and lower daylight levels in deep plan buildings. To offset the lack of external space for these flats, the equivalent external area has been provided as additional internal floorspace. All units without their own external amenity space would also have full height Juliette balcony windows and have access to the communal amenity areas. This is considered acceptable.
- 9.33 The proposal includes an amenity area on the ground floor (within the central courtyard) and two communal terraces on the sixth and seventh floors (both of which

are south facing). These three areas would provide sufficient communal amenity space (totalling approximately 120sqm) and play space (of about 76sqm) for occupiers of the development. Full details, including soft landscaping, play equipment etc can be secured by condition.

- 9.34 The Noise Assessment considers the internal noise environment for the flats. It finds that ventilation solely by openable windows will not result in acceptable noise levels within the proposed flats. It therefore recommends mitigation – in the form of acoustic trickle ventilators on windows – is necessary in order to ensure the proposal achieves desirable internal noise levels in the flats. This can be secured by condition.
- 9.35 A Ventilation and Extraction Statement was submitted with the application. This report sets out proposed ventilation and extraction of the development, demonstrating compliance with building ventilation requirements covered by Building Regulations. The ventilation strategy covers mechanical extract ventilation to residential units, heat recovery ventilation for the commercial units, commercial kitchen extraction, smoke extraction, natural ventilation of the substation and gas meter rooms, exhaust systems and flues and acoustic treatment of mechanical plant. Environmental Health are satisfied with the report and its recommendations. A condition is therefore required to ensure the developer complies with the recommendations of the Ventilation and Extract Statement.
- 9.36 The applicant, within the Air Quality Assessment has undertaken a review of local air quality monitoring data, which indicates that pollutant concentrations at the site will be within the relevant air quality standards and objectives. The report concludes that on-site mitigation is therefore not considered necessary to protect future occupants from poor air quality and this conclusion is accepted.
- 9.37 The Daylight and Sunlight Study for the proposed building, based on the Building Research Establishment (BRE) guidance, sets out that that the proposal achieves a very high level of compliance with the BRE recommendations. Some rooms in the proposal do fall short of the BRE targets. However, of these, the majority have windows which are situated underneath overhangs or behind recessed balconies. The study sets out that the proposal seeks to take a balanced approach between usable amenity space created by the balconies and the amount the daylight and sunlight within rooms. It concludes that there is no daylight/sunlight related reason why planning permission should not be granted for this application.
- 9.38 Officers have reviewed the study and note that only 18 of the 154 residential rooms assessed fall marginally short of the BRE daylight targets, while several windows would receive limited/no sunlight. However, with the urban context and number of tall buildings surrounding the site, it is accepted that not all windows in such contexts can always achieve the BRE targets. The BRE guidance is also meant to be applied flexibly, particularly in urban environments like this. The new NPPF (paragraph 123), states that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would inhibit making efficient use of a site. In this instance, it is therefore considered that the proposal would, given its context, receive an acceptable level of daylight and sunlight.

Residential Amenity

- 9.39 The Croydon Local Plan policy SP4 seeks to respect and enhance character to create sustainable communities and enhance social cohesion and well-being. It

ensures that the amenity of the occupiers of adjoining buildings are protected, taking into account the context of a development, in this case being within the Metropolitan Centre.

- 9.40 When assessing impacts on daylight and sunlight, it is common practice to use guidance published by the Building Research Establishment (BRE) which suggests a maximum allowable percentage reduction, and a minimum level which should be met. These measures should be assessed in conjunction with others which look at what percentage of the room would be reached by light, as well as what the rooms are used for. Finally, the guidance itself states that it should not be applied strictly in urban areas where there is commonly a tight urban grain.
- 9.41 The guidance sets out that where the percentage decrease for a habitable room window is more than 20% the light loss would be considered noticeable. However, if the percentage decrease remains below 30% the results can be classified as marginal. Where results are decreased by more than 30% these can be considered fails.
- 9.42 The proposed development has the potential to have the greatest impact (in terms of daylight and sunlight) on Bridge House and The Exchange as these are adjacent residential buildings. Out of 141 tested windows for Bridge House only 27 fall short of the BRE targets. The majority of these shortfalls (15 windows) are fairly marginal. Similarly, at The Exchange, of 157 windows tested only 26 windows fall short of the BRE targets and 2 windows can be considered fairly marginal. Therefore, the results represent a relatively high level of compliance, particularly in the context of an urban development site.
- 9.43 The BRE guide acknowledges that in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The proposed development is to be of a similar height to Surrey House, The Exchange and Bridge House, which is acceptable in townscape terms and improves the outlook from neighbouring properties, by providing a well-designed, high quality building. In addition, the scheme provides an acceptable level of affordable housing. The applicant has undertaken a study to investigate the massing envelope for a fully daylight and sunlight compliant design. The result of this investigation confirms that a fully compliant scheme would be of a similar scale to the building existing on site. This confirms that a degree of obstruction and daylight impact would be unavoidable on any scheme seeking to introduce a taller building on the site. A reduced scheme would not be able to provide the same level of benefits as the current proposal.
- 9.44 A number of existing windows located at The Exchange are hampered by projecting wings on one or both sides, or overhanging balconies. The BRE guide acknowledges that where this is the case a larger relative reduction in VSC (Vertical Sky Component), may be unavoidable, as the building itself contributes to its poor daylighting.
- 9.45 The BRE guide acknowledges that where existing buildings sit close to the common boundary (as with The Exchange) a higher degree of obstruction may be unavoidable since the neighbouring building may be taking more than its fair share of light and therefore prejudice the development site itself.

- 9.46 In summary, the daylight and sunlight impacts of the proposed development are considered to be acceptable and they are only one of many material planning considerations that must be taken into account. The loss of light to a small number of windows is outweighed by the benefits of the scheme and in addition, the BRE guide explains that the numerical guidelines should be interpreted flexibly.
- 9.47 Elements of the ground floor and the lower ground floor include flexible A1-A5 and community use spaces. These uses are likely to give rise to footfall from visitors or customers but given the location of the site in a busy metropolitan centre location are not considered to be likely to give rise to significant additional disturbance to local residents, compared to the existing situation. Conditions are recommended regarding control of odours from any cooking processes which would ensure that this impact on residential amenity is acceptable. Servicing is proposed to be from Surrey Street and would have to be in accordance with an agreed strategy that can be controlled by condition, which would control the hours when this would occur. Overall these elements of the proposal are not considered to have a significant impact on residential amenity if appropriately controlled through conditions.
- 9.48 External lighting is proposed as part of the scheme. However, there is insufficient information about the lighting lux levels that would fall upon neighbouring residences in the Design and Access Statement. In order to fully assess this it is suggested that a planning condition is attached requiring a light assessment to be carried out and for the details to be submitted for approval by the Council. This should be carried out in accordance with guidance from the Institution of Lighting Professionals and should comply with the document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' and its relevant publications and standards. Subject to appropriate details being submitted as part of a planning condition, this element is acceptable.

Transport

- 9.49 The site is located in a highly accessible location with the highest PTAL of 6b, being located in the heart of Central Croydon. Given the accessibility of the site, it affords itself to a car free development with the exception of disabled parking. However, the site's location, immediately adjacent to Surrey Street market, is a complicating factor in terms of access, construction works, deliveries etc.
- 9.50 The proposal is to have 2 on site disabled car parking bays and 114 cycle parking bays, with no other parking on site. Given that the site is located in a Controlled Parking Zone, with no parking being provided on site, it is appropriate to restrict resident's access to on-street parking permits, in order to encourage the use of sustainable transport modes. This requirements can be secured through the S106 legal agreement.

Access and servicing

- 9.51 A Delivery and Servicing Plan has been submitted with the application, alongside a Transport Assessment. Deliveries would be from a loading bay on the High Street with smaller deliveries from Scarbrook Road and Surrey Street (at appropriate times). This arrangement is acceptable. Servicing would be managed by the site management company so that the High Street loading bay could be used. The level of expected servicing is not likely to be at such a level to cause a concern. Further details and the management of deliveries and servicing can be controlled by planning condition.

9.52 The site will have a new access from Surrey Street, through to undercroft parking which would be gated. This access is in the same location as the existing vehicular access to the site and the positioning is acceptable. There are a smaller number of car parking spaces to be accessed by the new access point and therefore there are no concerns regarding the intensity of the use of this access. The access gate is required to be set back 5m from Surrey Street to allow vehicles entering the access to stop away from Surrey Street and the ground floor plan shows this to be the case. This can be conditioned to ensure the arrangement remains in place.

Trip generation

9.53 The submitted transport assessment undertakes an analysis of the trip generation impact of the proposed development. The proposed development would see a reduction in person and vehicle trips compared to the existing use, so therefore the development is acceptable in principle from a transport perspective. TfL have requested contributions towards public transport enhancements and this will be able to be sought as part of the S.106 process.

Car and cycle parking

9.54 The development is defined as car free with only two disabled car parking bays provided on-site. These would both have electric charging points (and a planning condition can ensure that these are provided and retained). This level of provision is below local policy requirements (which would require 10% of total residential numbers). However, access to the site is difficult, given the operation of the market and the applicant (within the Transport Assessment) has undertaken a Disabled Parking Demand Assessment, which indicates that the 2 spaces proposed would be sufficient to meet demand. However, the applicant has also stated that should demand for disabled parking spaces exceed the on-site provision, the site is in close proximity to the Q Park Surrey Street car park, where disabled parking is available. TfL have raised concern regarding the level of disabled car parking provision, stating that they require 7 blue badge spaces to be provided on site. The applicant has submitted further information indicating the availability of disabled parking in the Surrey Street car park and the difficulty of converting parking bays on Scarbrook Road for disabled use given the gradient of this road.

9.55 TfL still have concerns, however, the new consultation draft London Plan requires disabled car parking at a rate of 3%, which would equate to a requirement for 1.65 spaces. On this basis, (and also taking into account projected demand and the availability of alternative disabled parking close to the site), it is considered that the provision of 2 spaces would be at an appropriate level of provision.

9.56 The application proposes 114 cycle parking spaces. 6 of these would be at ground floor level and the remaining 108 would be located in the basement. The London Plan requires 79 long stay cycle space and 21 short stay cycle spaces (with the latest consultation draft on the London plan increasing this to 98 long stay and 11 short stay spaces. TfL have raised concern about the availability of short stay cycle parking spaces. However, this site is located in the Metropolitan Centre where development is at a high density and individual development sites are constrained in the amount of ground floor external space that is publicly accessible. In addition, the operation of the market in Surrey Street, reduces significantly the availability of public areas where short stay cycle parking could be accommodated. Given that the total

number of cycle parking spaces is in excess of the total London Plan requirement, the proposed arrangement is considered to be acceptable.

- 9.57 The application does not propose any on-site car club bays. Given that (with the exception of disabled car parking) the development is car free, it is considered that a car club bay should be provided. A requirement for a financial contribution for a new off-site car club bay and a contribution for residents of the development to be provided with 3 years free membership of the car club can be secured through the S106 legal agreement.

Construction and Logistics Plan

- 9.58 A draft CLP has been submitted with the application. This lacks some detail as the developer is not at the stage where a contractor has been appointed. However, the provision of a detailed Construction Logistics Plan can be secured by a planning condition.

Sustainability

CO2 reduction

- 9.59 New development should make the fullest contribution to minimising carbon dioxide emissions and should incorporate on site renewable energy generation. New dwellings need to achieve 'zero carbon' which sets a minimum level of CO2 reduction that must be achieved by on-site measures, with the remaining emissions then offset via 'Allowable Solutions' off-site.
- 9.60 By going through the three-step Energy Hierarchy (be lean, be clean, be green), it is estimated the development would achieve estimated regulated CO2 savings on site of 38% for the domestic part and 30% for the non-domestic part of the development, against a Part L 2013 compliant scheme. The total regulated CO2 savings for the site would therefore be 31.5 tonnes, equivalent to 35.5% of the baseline emissions.

Zero carbon

- 9.61 To achieve 'zero carbon' for the residential portion of the scheme, 35.8 tonnes per annum of regulated CO2 would need to be offset. In line with other London Boroughs, Croydon charges £60 per tonne over 30 years and this commuted sum can be secured through the S106 Agreement.
- 9.62 The shortfall to a 35% reduction from baseline for the non-domestic portion of the scheme would be 1.5 tonnes per annum of regulated CO2, a commuted sum for which, can also be secured through the S106 Agreement.

BREEAM

- 9.63 The Sustainability Statement sets out that the commercial areas of the scheme could achieve a BREEAM score of 71.3%. This would exceed the BREEAM 'Excellent' target of 70%, as required by policy and is acceptable.

Future connection to the district heating and energy scheme

9.64 The applicant has provided additional information detailing the proposed access route and the allocation of space within the plant room for heat exchangers and the connection to any future town centre district heating and energy scheme. The application is proposing a communal system based on CHP and this energy strategy would be compatible with future connection. The space required for the heat exchangers is dependent on their loading which can be resolved through details provided through a planning condition. The route identified is considered to be acceptable. The provision of this can be secured by planning condition.

Environment

Air Quality

9.65 An air quality assessment was submitted with the application. This assesses the development's potential impacts on local air quality from construction and operation. Amongst other aspects, it identifies that a Dust Management Plan is necessary to ensure that construction works do not create dust nuisance beyond the application boundary. This can be secured by condition. The assessment also states that there will be limited/negligible impact on local air quality arising from operational traffic associated with the proposed development; and a review of local monitoring data indicates that pollutant concentrations at the site are unlikely to exceed the air quality standards. It therefore concludes that the proposal would not cause a significant impact on local air quality.

9.66 The Council have reviewed the air quality assessment and found it to be acceptable, subject to appropriate conditions being imposed on the planning application.

9.67 In addition, due to the increasing relative contribution of non-road transport sources of emissions of air pollution to breaches of the air quality objectives and the exposure reduction target, the Council considers that development should play a greater role in improving air quality, as per CLP Policy DM16. Developments such as this are in theory therefore contrary to local development plan policies, the Council's Air Quality interim policy guidance and the Air Quality Action Plan (AQAP). The Council therefore seeks to impose conditions (or seeks a planning obligation where appropriate) to implement this policy for relevant schemes. This can either be in the form of some form of mitigation on site, such as putting into operation a Low Emission Strategy for the site, or a contribution to an air quality fund which funds actions in the Council's AQAP. In line with new Guidance from Defra 'Low Emissions Strategies - using the planning system to reduce transport emissions', Croydon have adopted the following formula (as used by LB Greenwich and other Local Authorities): All residential schemes of 10 dwellings and above, and mixed use and commercial schemes of 500m² and above should contribute £100 per dwelling and £100 per 500m² unit. In this instance, it is considered suitable to secure a financial contribution to the Council's air quality fund. This arrangement is acceptable subject to this being secured in the s106 agreement.

Noise

9.68 The submitted Noise Assessment covers noise outputs from new plant. Using measured noise levels, it sets maximum noise limits for new plant. This will ensure that the proposal would not create noise disturbance for neighbouring (and new) residents. The Council have reviewed the assessment and have confirmed that the applicant should follow the recommendations of the assessment. This can be

secured by condition. Given the proposed commercial uses on site, including the A3 and D1/2 uses, it is recommended that sound insulation be provided to ensure that potential noise nuisance to neighbouring residents from any amplified music/speech played in performance/community areas is adequately mitigated. The provision of sound insulation can be secured by condition, and an informative can provide full details of the necessary measures.

Land Contamination

- 9.69 An assessment of historical uses on and near the site has been undertaken. The site and surrounding area is now, and has been in the past largely commercial. There are previous uses in the surrounding area that are potentially contaminative, including Water Works, Brewery, Steam Mill, Railway Line, Gas Works, Flour Mill, Smithy, Pumping Station, Nursery, Telephone Exchange, Printing Works, Electrical Substation, Engineering Works, all within 150m of the site. Given the sensitivity of the proposed residential use, it is recommended that a condition requiring a full assessment and remediation of contaminated land is attached to any planning permission.

Flooding

- 9.70 The Croydon Local Plan states at Policy DM25 that the Council will seek to reduce flood risk and through steering development to lower risk of flooding and applying the sequential test to minimise the risk of flooding. The site is located in Flood Zone 1 meaning that it is located in an area at low risk of flooding (1 in 1000). However, it is also located in a Critical Drainage Area which means that runoff for the site is considered to influence higher risk flooding hotspots within the Critical Drainage Area.
- 9.71 A Flood Risk Assessment and SuDS strategy has been submitted and the applicant has been in discussions with the Council and the Lead Local Flood Authority to achieve an appropriate solution for the development in terms of surface water drainage.
- 9.72 The details submitted to date are considered to be acceptable. However, a planning condition is required for detailed designs for the drainage scheme and SuDS, management of exceedance flows, discharge to Thames Water infrastructure, management & maintenance plan and calculations to demonstrate that underground tanks will not be susceptible to uplift from groundwater.

Other Planning Issues

Waste

- 9.73 Collection of waste from this site has been the subject of discussions, given the proximity of the market on Surrey Street and waste also needing to be collected from Surrey Street. The application has been accompanied by a Waste Management Plan which has been assessed.
- 9.74 The correct amount of bins have been proposed for the numbers of units and the commercial uses, for all waste types. Bins have been equally distributed between the 2 bin stores, located on the ground floor. The commercial and residential bin store is kept separate and the commercial bins can only be accessed via the

commercial tenants and the internal management team. A bulky waste storage space has also been proposed.

- 9.75 Bins will be presented within 10m of the collection vehicle and the crews will work alongside with the internal management team of the block to ensure smooth collection. They will be temporarily located within the passage prior to collection.
- 9.76 Collection of waste has been discussed with the Council's Waste management Team and it has been agreed that all types of waste will be collected from site at 5.15 prior to the Surrey Street Market opening, to avoid conflict. The noise implications of a collection at this time have been assessed, and subject to the noise controls and sound insulation measures to be secured by planning condition (and discussed in the 'Noise' section of this report), would be acceptable.
- 9.77 The application is accompanied by a Waste Management Plan, which details the arrangements and have been considered to be acceptable. The implementation of waste management arrangements in accordance with the Waste Management Plan can be secured by planning condition.

Archaeology

- 9.78 The application was accompanied by an Archaeological Desk Based Assessment and this has been assessed by Historic England. Historic England concur that given the nature and scale of the post-war development of the site, that any archaeological interest has already been removed from the site. Therefore, there is no requirement for archaeology related conditions.

Fire Strategy

- 9.79 Whilst not strictly a planning issue (fire safety is a matter that is covered by the Building Regulations), the applicant has submitted a fire strategy for the evacuation of the building should it be required. Floor plans have been submitted detailing the fire resistance of walls and doors and have identified firefighting stairs and lift, smoke shafts, and escape routes. This detail would be subject to approval at Building Regulations stage, but the London Fire Brigade, who were consulted on the application have not raised an objection to the strategy.

Conclusions

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

PLANNING COMMITTEE AGENDA

PART 8: Other Planning Matters

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters, other than planning applications for determination by the Committee and development presentations.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

2 FURTHER INFORMATION

- 2.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3 PUBLIC SPEAKING

- 3.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

4 BACKGROUND DOCUMENTS

- 4.1 For further information about the background papers used in the drafting of the reports in part 7 contact Mr P Mills (020 8760 5419).

5 RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

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