

Planning Committee Agenda



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

Reserve Members: Joy Prince, Nina Degrads, Niroshan Sirisena,
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, 14 February 2019** at **6.30pm** in **Council Chamber, Town Hall**, Katharine Street, Croydon, Surrey, CR0 1NX

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
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www.croydon.gov.uk/meetings
Wednesday, 6 February 2019

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the righthand 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:

<http://webcasting.croydon.gov.uk>

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 Thursday 31 January 2019 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:

There are none.

6. Planning applications for decision (Pages 13 - 16)

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

6.1 18/01211/FUL 5-9 Surrey Street, Croydon, CR0 1RG
(Pages 17 - 64)

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
Recommendation: Grant permission

6.2 18/05154/FUL 98 Riddlesdown Road, Purley, CR8 1DD
(Pages 65 - 84)

Demolition of a single-family dwelling and erection of a three storey block, including basement accommodation for nine apartments with associated access, nine off-street parking spaces, cycle storage and refuse store.

Ward: Purley Oaks and Riddlesdown
Recommendation: Grant permission

6.3 18/04650/FUL 25 Warham Road, South Croydon, CR2 6LJ
(Pages 85 - 100)

Change of use and conversion from a children's day nursery to 6no. self-contained residential units (for residents and families with emergency housing needs).

Ward: Waddon
Recommendation: Grant permission

6.4 18/04742/FUL 1-9 Foxley Lane, Purley, CR8 3EF
(Pages 101 - 118)

Demolition of existing buildings. Erection of a 5/6/7 storey building comprising 8x one bedroom, 36x two bedroom and 5x three bedroom flats. Provision of associated amenity areas, cycle parking, refuse and recycling stores.

Ward: Purley and Woodcote
Recommendation: Grant permission

6.5 18/02965/FUL The Minster Junior School, Warrington Road, Croydon, CR0 4BH (Pages 119 - 128)

Installation of an artificial sand-dressed sports pitch and associated floodlighting and fencing.

Ward: Waddon

Recommendation: 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 129 - 130)

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, 31 January 2019 at 6.30pm 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 Toni Letts (Chair);
Councillor Paul Scott (Vice-Chair);
Councillors Muhammad Ali, Chris Clark, Felicity Flynn, Clive Fraser,
Jason Perry, Scott Roche and Gareth Streeter

Also Present: Councillors Simon Brew and Luke Clancy

Apologies: Councillor Oni Ovir

PART A

10/19 **Minutes of Previous Meeting**

RESOLVED that the minutes of the meeting held on Thursday 17 January 2019 be signed as a correct record.

11/19 **Disclosure of Interest**

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

12/19 **Urgent Business (if any)**

There were none.

13/19 **Development presentations**

There were none.

14/19 **Planning applications for decision**

15/19 **18/05009/FUL 55 Selcroft Road, Purley, CR8 1AJ**

Demolition of the existing two storey detached residential property and garage, erection of a two storey (plus roof and basement), creation of nine

self-contained residential units (C3), with car parking, bin and cycle stores, terraces on side and rear elevation, and landscaping.

Ward: Purley and Woodcote

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

Ms Jenny Walsh spoke against the application.

Mr Matt Corcoran (applicant's agent) spoke in support of the application.

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

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

Councillor Roche proposed a motion to **REFUSE** the application on the grounds of over development of the plot in size and massing, and the adverse effect of adjoining occupiers. Councillor Streeter seconded the motion.

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

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 55 Selcroft Road, Purley, CR8 1AJ.

16/19 **18/05787/FUL 76 Reddown Road, Coulsdon, CR5 1AL**

Demolition of existing house and erection of a 2/3 storey building with accommodation in the roof to provide 9 units with associated parking/access, landscaping, cycle and refuse stores.

Ward: Coulsdon Town

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

Mr Charles King (representing East Coulsdon Residence Association) spoke against the application.

Mr Ian Forster (representing the applicant) spoke in support of the application.

Ward Member, Councillor Luke Clancy, spoke against the application, on behalf of referring Ward Member Councillor Mario Creatura.

Councillor Parker proposed a motion to **REFUSE** the application. Councillor Perry seconded the motion on the grounds of over development of the size and massing, loss of amenities for loss of occupiers and does not comply with policy DM10.1 of the plan.

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

The motion to refuse was put forward to the vote and fell with four Members voting in favour and five Members voting against (one abstention).

The motion to approve was put forward to the vote and was carried with five Members voting in favour and four Members voting against (one abstention).

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 76 Reddown Road, Coulsdon, CR5 1AL.

17/19 **Items referred by Planning Sub-Committee**

There were none.

18/19 **Other planning matters**

There were none.

The meeting ended at 8.03 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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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.

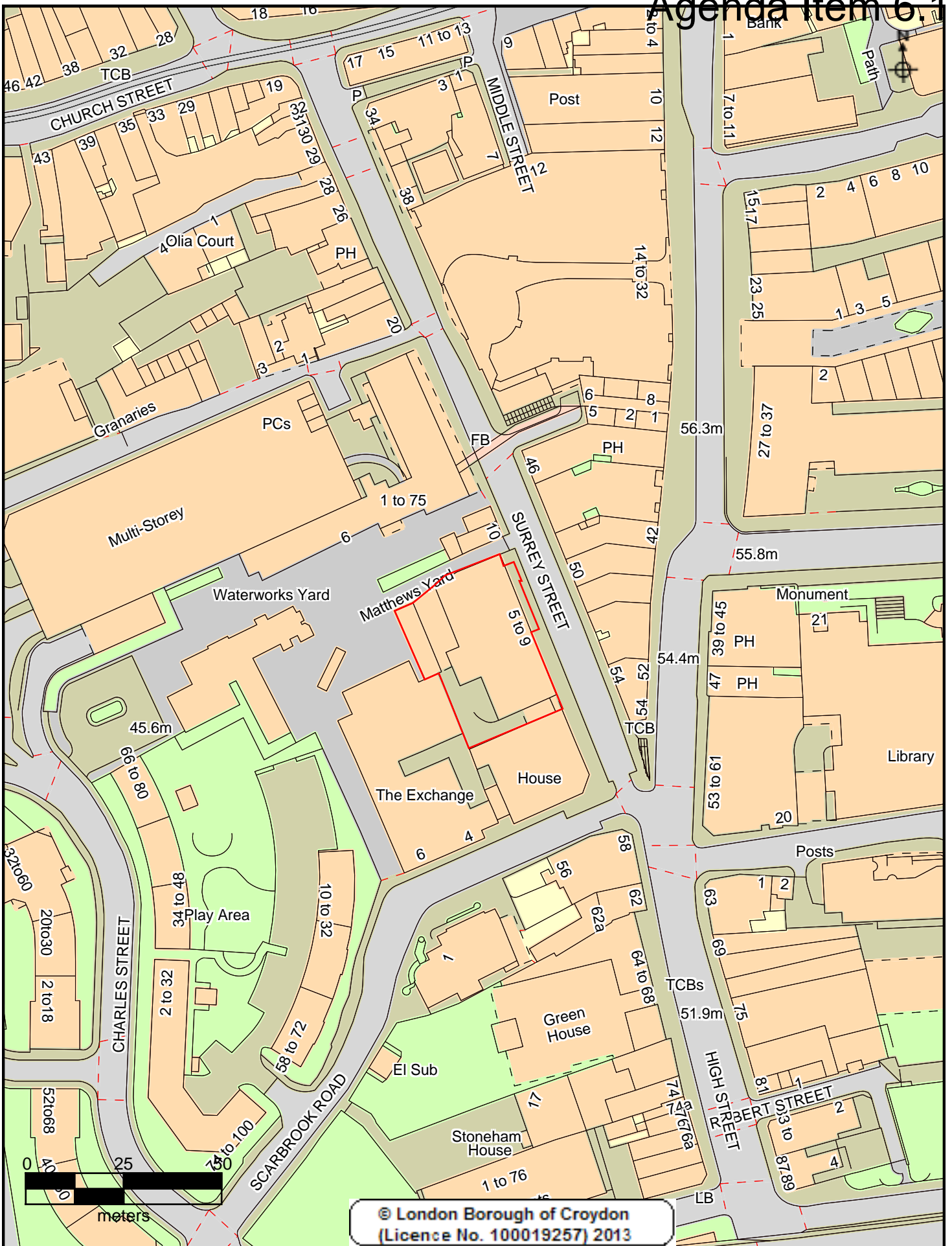
8. BACKGROUND DOCUMENTS

- 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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PART 6: Planning Applications for Decision**Item 6.1****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 60 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 B
 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 Roof Plan MLUK-607-A-P-XX-0161 Rev A
 Proposed Lower Ground Floor MLUK-607-A-P-XX-1129 Rev A
 Proposed Ground Floor MLUK-607-A-P-XX-1130 Rev B
 Proposed 1st – 5th Floor MLUK-607-A-P-XX-1131 Rev A
 Proposed 6th Floor MLUK-607-A-P-XX-1136 Rev A
 Proposed 7th Floor MLUK-607-A-P-XX-1137 Rev A
 Proposed Roof Plan MLUK-607-A-P-XX-1138 Rev A
 Proposed Elevations MLUK-607-A-P-XX-3100 Rev A, -3101 Rev A, -3102 Rev A, -3103 Rev A, -3104 Rev A
 Topographic Survey 160151
 Fire Strategy Lower Ground Floor MLUK-607-A-P-XX-4009 Rev A
 Fire Strategy Ground Floor MLUK-607-A-P-XX-4010 Rev A
 Fire Strategy 1st – 5th Floor MLUK-607-A-P-XX-4011 Rev A
 Fire Strategy 6th Floor MLUK-607-A-P-XX-4016 Rev A
 Fire Strategy 7th Floor MLUK-607-A-P-XX-4017 Rev A
 Fire Strategy Roof MLUK-607-A-P-XX-4018 Rev A

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

2 BACKGROUND

- 2.1 This application was first reported to Planning Committee on 16th August 2018. The Committee resolved to defer the application in order to allow Officers to negotiate amendments to the scheme, specifically to increase the level of affordable housing and to seek improvements to the design of the Surrey Street elevation.
- 2.2 The original report is attached to this agenda.

3 SCHEME AMENDMENTS

3.1 Discussions have been held with the applicant and the following changes have been made to the scheme:

- Increase in proportion of affordable housing from 25% to 30%.
- The quantum and mix of residential units has been amended through internal reconfiguration, as illustrated below, to achieve the increased proportion of affordable housing.
- Revised elevational treatment of the Surrey Street elevation and rationalisation of materials by the introduction of a mansard roof, spandrels and recessed reveals around windows, the increased use of shadow gaps to replicate the traditional narrower building types in the surrounding area; and changes to the glazed brick.
- Minor changes to the quantum of non-residential floorspace following a revised internal layout. The revised scheme comprises 485 sqm (NIA) of sui generis/A3/D1/D2 floorspace on the lower ground floor and 202 sqm (NIA) of A1/A2/A3/B1(a)/D1/D2 floorspace on the ground floor. This compares to 483 sqm and 221.5 sqm respectively in the original submission (both NIA).

	Originally submitted scheme		Revised scheme	
	Number	Percentage	Number	Percentage
1 bed	31	56%	34	56.7%
2 bed	14 (13 x 2 bed 3 person and 1 x 2 bed 4 person)	26%	25 (All 2 bed 4 person)	41.7%
3 bed	10	18%	1	1.7%
Totals	55	100%	60	100%

	Affordable units		Private units	
	Originally submitted scheme	Revised scheme	Originally submitted scheme	Revised scheme
1 bed	1	12	30	22
2 bed	0	5	14	20
3 bed	10	1	0	0
Totals	11	18	44	42

4 CONSULTATION RESPONSE

4.1 The views of the Planning Service are expressed in the FURTHER ADVICE ON MATERIAL PLANNING CONSIDERATIONS section below.

4.2 The following were re-consulted regarding the amendments to the application and in addition to the comments made on the original scheme, make the following comments:

Historic England (Archaeology) (Statutory Consultee)

4.3 No archaeological requirement.

Mid Croydon Conservation Area Panel

4.4 Although the Panel acknowledge the changes that have been made since the original application the Panels view is that the original comments made in April 2018 are still relevant and are repeated as follows:

- While the existing building contributes absolutely nothing to the area the proposed development is out of character with the area.
- The Panel feel that 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.

5 LOCAL REPRESENTATION

The application has been re-advertised by way of four site notices displayed in the vicinity of the application site and neighbour notification letters sent to 316 adjoining occupiers. The number of representations received from neighbours, local groups etc in response to the re-notification and publicity of the application were as follows:

No of individual responses: 1 Objecting: 1 Supporting: 0

5.1 The following issues were raised in representations received in response to the re-consultation. Those that are material to the determination of the application, are addressed in substance in the FURTHER ADVICE ON MATERIAL PLANNING CONSIDERATIONS section of this report.

Summary of objections	Response
<i>Impact on neighbours</i>	
Concern that future residents will submit noise complaints about existing late night leisure/entertainment venues in the locality and that in future their existing operations could be curtailed.	Noise has been fully considered with this application, with the applicant being required to install additional soundproofing to the proposed community/A3 uses and also for acoustic trickle ventilators to be installed on all windows of the residential units. These features will be controlled by planning condition.
Noise assessment has not fully taken into account existing established noise levels	See comment above.

6 FURTHER ADVICE ON MATERIAL PLANNING CONSIDERATIONS

Affordable Housing and Housing Mix

- 6.1 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.
- 6.2 When the application was presented to Planning Committee on 16th August 2018, an affordable housing offer of 25% was made. Following the deferral of the application, the applicant has revised the scheme to see if any changes could be made to the scheme to achieve a greater proportion of affordable housing. The changes now being presented to Planning Committee are outlined in section 3 above. Essentially, the relevant considerations for viability are that the overall number of units has been increased from 55 to 60 units, the unit mix has changed (as detailed in the table in section 3), cost savings have been achieved by removing the glazed brick and the applicant being mindful of costs when amending the details of the elevations and the roof form.
- 6.3 The changes to the scheme have enabled the proportion of affordable housing to be increased from the level proposed to the committee back in August. Whilst the development has not been able to provide 50% affordable housing, the proportion has been increased to 30% and the overall number of affordable units increased from 11 to 18 units. One affordable rent unit is proposed, which is located on the ground floor, is the 3 bed unit and is disabled accessible. The remainder of the units are proposed to be shared ownership, as this tenure does not require a separate core for management purposes (thereby reducing further costs on a constrained site and allowing a greater proportion of affordable housing).
- 6.4 As with the originally proposed scheme, there are a number of constraints associated with the scheme that have increased costs (and has therefore impacted on the level of affordable housing), as follows:
- The existing use value is high due to the existing quantum of development on the site which includes a retail unit, a church/community centre and a bar/restaurant.
 - High construction and enabling costs related to a sloping and confined site, where the ground stabilisation works alone amount to circa £315,000.
 - The site is also in a tight town centre location, immediately adjacent to Surrey Street Market, which requires additional draughtsmen (circa 5 employees) to monitor and manage traffic movements to minimise any conflict with the Surrey Street market operation.

- The proposed end occupier of the community space is a previous occupier of the site and 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. This attracts a reputable and well respectable cultural operator to the redevelopment ensuring its future growth as a cultural hub. The Folly's End Fellowship Trust will also use the space within a dedicated multi-purpose auditorium events space, which is of further benefit to the community.
- 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 to the betterment of local amenities. However this will be at an added expense to the applicant, who has estimated a cost of £110,000 for noise proofing.
- 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 represents an increased cost to the applicant.

6.5 A viability assessment has been provided with the revised scheme details, to demonstrate why 50% affordable housing is unable to be provided and why it is at the 30% level now proposed. The viability assessment has been independently assessed by BPS and this assessment supports the conclusions that the viability assessment makes. The finances of the scheme have shown that the scheme is unable to support any affordable housing beyond the 30% proposed. This is because the Residual Land Value of the scheme generates a deficit against the Site Value Benchmark (essentially meaning that the scheme can generate no surplus and therefore no affordable housing). The applicant has agreed to proceed with the scheme on the basis that the 30% affordable housing proposed meets the minimum policy requirement. However, this proposal results in a profit sacrifice to the applicant, generating a below normal commercial return and therefore cannot be further increased on the basis of current market conditions.

6.6 It is considered that the applicant has provided sufficient justification and viability information for the Council to justify that the proposed affordable housing quantum and tenure proposed is the maximum which can be viably achieved. This will be secured via the S106 Agreement, with appropriate review mechanisms (to cover both Borough and GLA requirements) to seek additional affordable housing should the viability situation improve in the future.

6.7 On this basis, the affordable housing proposal is acceptable.

Design

Scale & massing

6.8 The scale of the proposal remains the same as the original proposal and is supported. The splitting of the building into two elements together with the increase in vertical emphasis allows the scheme to reflect the proportions of nearby historic buildings and the height relates to the heights of consented schemes in the vicinity.

6.9 The massing of the sixth and seventh floors on the northern element of the proposal has been revised including a change in materials to make them read as mansard

roofs separate to the elevation below. This successfully creates a softer appearance to these upper floors and is acceptable.

Internal layout & circulation

- 6.10 The internal circulation of the scheme remains similar to the previous proposal and is supported. There have been revisions to the unit mix to provide a greater proportion of 2 beds at the expense of 3 bedroom units. Whilst the revised mix is less than ideal, it has been done in order to increase the proportion of affordable housing, whilst not compromising the buildability of the scheme. The 2 bed units that have been proposed are all 2 bed 4 person units, whereas in the original proposal there was only one 2 bed 4 person unit and the remainder were 2 bed 3 person. Policy DM1 recognises that where viability is challenging an element of 3 bed units can be substituted with 2 bed 4 person units which is what has been done in this case. It is considered that in order to achieve a greater proportion of affordable units, the 2 bed 4 person units are acceptable.

Architectural expression

- 6.11 The fenestration and elevational treatment have been successfully refined since the previous proposal. The window bays on the southern element have been expressed with reveals containing a change in brick between windows within the same bay providing a greater vertical emphasis. The windows on the southern element have also been pulled closer together into pairs creating 3 distinct sets, again contributing to a greater vertical appearance. This is enhanced by shadow gaps to create divisions between the 3 sets of bays. The elevation of the ground floor of the southern element has also been improved by reducing the amount of blank façade and adding interest to the secondary entrance that leads to the rear, through use of a brick reveal.
- 6.12 On the northern element, the repetition of the vertical windows across all of the elevation facing Surrey Street, except above the entrance to the residential cores, provide this elevation with a more unified and improved appearance. The bay of windows above the entrance to the residential units now includes a brick spandrel panels between the windows, tying this bay together into a vertical element. This move also works well to provide emphasis to the primary pedestrian entrance.
- 6.13 It is noted that the windows on the mansard roof do not align with the floors below, however as these are set back and the roof now reads clearly as a separate element, this is not considered to be a problem.

Materials & detailing

- 6.14 The material palette is well considered with revisions being made to enable cost savings. This has included removing much of the glazed brick previously proposed. These revisions are supported as the materials now proposed provide a good balance between quality and cost. It should be noted that the context of the conservation area demands high quality materials that respond to the fabric of the historic buildings nearby.
- 6.15 The colours of the material palette respond well to the varied materials witnessed in the conservation area, and the design successfully ties these into a coherent scheme.
- 6.16 The use of standing seam zinc is supported to differentiate the roof element from the floors below. It will be important that when the exact specification is confirmed as part

of the conditioning of any approval that this creates a positive contrast with the brick below and therefore these details are specifically conditioned.

Community/Creative Facilities

6.17 Since the application was last presented to Committee, Croydon has been announced as a Creative Enterprise Zone (CEZ) by the Mayor. Croydon is one of six CEZ's in the Borough announced by the Mayor. The CEZ is an initiative to support artists and creative businesses and means that Croydon has been awarded a share of £11 million to boost creative communities. Croydon's bid focussed on initiatives designed to encourage creative businesses to the area. The key aims of Croydon's bid 'Croydon Creatives' is as follows:

- Developing Croydon as a music city – a place that encourages and nurtures emerging talent and breaks down barriers to success in the music industry.
- Launching an ambitious new cultural internship programme offering young people paid work placements with leading national and local arts organisations.
- Creating a subsidy scheme for under 25s looking for studio space, which will cover up to 40 per cent of the cost.
- Encouraging businesses to move to Croydon through the introduction of business rate relief for creative start-ups and those relocating to Croydon.
- Collating an online list of available properties for creative businesses, and launching a start-up incubator programme providing tailored business support.

6.18 Croydon's bid was also supported by policy SP3.3 of the Croydon Local Plan 2018, which states that the Council will promote the growth and expansion of Cultural and Creative Industries to make Croydon a better place to live and to act as a driver of growth and enterprise in the local economy. The policy goes on to identify 4 areas for Enterprise Centre, one of which is Croydon Metropolitan Centre. Whilst the Fairfield area has been identified as the focus for this in the Croydon Metropolitan Centre, there is an overall aim for the growth and expansion of the creative and cultural industries sector in Croydon and there is a target for the number of jobs associated with this sector to increase by 5% by 2021 and 10% by 2031.

6.19 The proposed use of this site to be retained for a community/cultural use with 'Hoodoo's' identified as a future occupier. Given their proposed use of the site as a cultural hub, proposing a café, artist space, music venue and creative space, this meets the aims of Croydon's bid and the policy objective to increase jobs associated with the creative sector.

6.20 The floorspaces given over to creative and community uses have been amended slightly with the revision to the scheme, with 2 square metres additional space at lower ground floor level and a loss of 19.5 square metres at ground floor level. This change is to accommodate the affordable 3 bed unit on the ground floor and is acceptable.

Other Planning Issues

- 6.21 Whilst the main changes to the scheme relate to affordable housing and design, these changes have a knock on impact on other aspects of the development and these are discussed below:
- 6.22 **Transport** – A transport assessment addendum has been submitted to address any impacts of the additional units proposed. The proposed on site car parking remains as proposed with the originally proposed scheme and this is acceptable. Due to the change in the number of residential units there is a revised cycle parking requirement of 91 long stay and 23 short stay spaces (totalling 114 spaces). The number of cycle parking spaces has been amended to a total of 117 spaces, made up from Sheffield stands and bike lockers. In addition there are 5 existing Sheffield stands in Exchange Square that are currently not well used. The proposal has been assessed and the development is considered to be acceptable from a transportation perspective subject to a S106 restricting residents access to parking permits and requiring the provision of one on-street car club bay in the vicinity of the site with residents provided with 3 years free membership of the car club. This was the case when the application went to committee back in August and remains the case. The level of cycle parking is considered acceptable given that the overall number of spaces is in excess of the overall requirement. Whilst the scheme consists of long stay spaces, rather than a mix of long and short stay spaces, it is recognised that given the proximity of the market and the constrained nature of the site, there is little opportunity for cycle spaces in the public realm and therefore the mix is considered acceptable. The change in mix is anticipated to result in a reduction in trip generation compared to the existing situation and there would not be a significant impact on public transport, which is acceptable.
- 6.23 **Daylight/sunlight impact (within development)** – the daylight and sunlight impact of the original scheme was considered acceptable. It was noted that: *only 18 of the 154 residential rooms assessed fell marginally short of the BRE daylight targets, while several windows would have received limited/no sunlight. With the urban context and number of tall buildings surrounding the site, it was 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.* The situation with the revised scheme is that there has been a reduction in the number of windows that do not comply with BRE guidance, to 11 windows. This is an improved situation compared to the originally submitted scheme and it is considered that there is an acceptable level of daylight and sunlight for future residents.
- 6.24 **Daylight/sunlight impact (adjoining properties)** – the original committee report set out the criteria for assessing the daylight and sunlight impact of the original scheme on adjoining properties and identified that: *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.* The situation with the revised scheme is that as with the daylight/sunlight assessment for the proposed

building, the number of windows that do not meet the BRE guidelines has decreased in number overall from 121 to 116.

6.25 **Energy** - The original Energy Statement (dated 06/03/2018) calculated an overall regulated CO2 savings on site against a Part L 2013 compliant scheme of:

- 38.3% (22.2 tonnes per annum) for the residential part of the development; and,
- 30.2% (9.3 tonnes per annum) for the non-domestic part of the development.

The total regulated CO2 savings for the site was therefore 31.5 tonnes, equivalent to 35.5% of the baseline emissions. The Energy Statement Addendum for the revised scheme calculates the regulated CO2 savings on site against a Part L 2013 compliant scheme of:

- 40.4% (24.1 tonnes per annum) for the residential part of the development; and,
- 30.6% (9.4 tonnes per annum) for the non-domestic part of the development.

The total regulated CO2 savings for the site is now 33.6 tonnes, equivalent to 37.1% of the baseline emissions. Officers considered the energy savings achieved in the original scheme to be acceptable, subject to a S106 agreement to offset the shortfall of the scheme in comparison to zero carbon for the residential element. In the revised scenario, 35.6 tonnes per annum of regulated CO2 for the residential element and 1.4 tonnes per annum of regulated CO2 for the non-domestic element would need to be off-set. This can be secured through the S106 agreement and is acceptable.

6.26 **Air Quality** – An Air Quality Assessment Addendum has been submitted which confirms that with the changes to the scheme, the building remains air quality neutral, which is acceptable.

6.27 **Heritage** – The revisions to the proposal made since the last application respond well to the Conservation Area setting. It is noted that the façade now reads with greater verticality, reflecting the vertical appearance of the Victorian buildings opposite. The revisions to the upper floors of the northern element of the proposal successfully references the roof forms of the historic buildings nearby in their form and through providing a change in material from the elevations of the floors below. As discussed in the design section above, the proposed changes are a positive improvement to the design of the building and therefore, it is considered that there would be no additional impact on nearby heritage assets and the conservation area.

7 RECOMMENDATION

7.1 That the Committee resolve to GRANT planning permission subject to the conditions set out in 3.3 of the original report with the inclusion of the following condition(s):

- 1) Submission and approval of 1:20 scale plans to show design detailing and junctions between materials.
- 2) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

7.2 That the Committee confirms that its reasons for granting Planning Permission are as set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS of the original report

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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

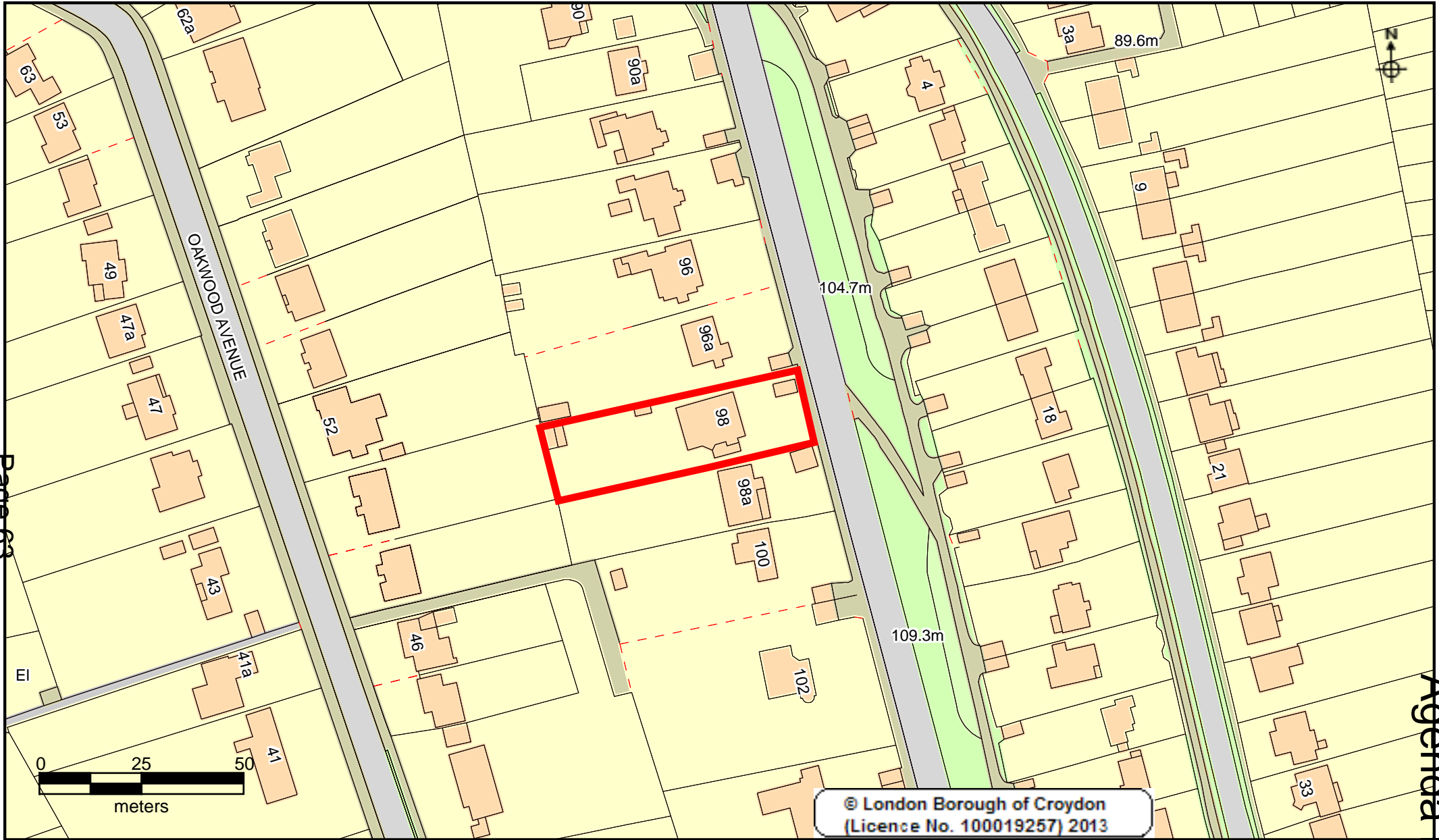
- 9.78 The application was accompanied by an Archaeological Desk Based Assessment and this has been assessed by Historic England. Historic England concur that given the nature and scale of the post-war development of the site, that any archaeological interest has already been removed from the site. Therefore, 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.



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PART 6: Planning Applications for Decision

Item 6.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/05154/FUL
 Location: 98 Riddlesdown Road, Purley CR8 1DD
 Ward: Purley Oaks and Riddlesdown
 Description: Demolition of a single-family dwelling and erection of a three-storey block, including basement accommodation for nine apartments with associated access, nine off-street parking spaces, cycle storage and refuse store.
 Drawing Nos: CX12-S1-101C; CX12-S1-103C; CX12-S1-104B; CX12-S1-105B; CX12-S1-106B; CX12-S1-107B; CX12-S1-108C; CX12-S1-110C; CX12-S1-112B; CX12-S1-113B; CX12-S1-114C; REVISION 1 - Elevation Detail of Gabion Walls Scale 1:100 @A1; REVISION 1 - Soft Landscape Proposal GROUND PLAN Scale 1:100 @A1; REVISION 1 - Hard Landscape Proposal GROUND PLAN Scale 1:100 @A1; Revised Planting Schedule - 5th December 2018 and CCL 09911 Rev 1 Tree Protection Plan.
 Applicant: Mr Haris Constanti of Aventier Ltd
 Case Officer: Robert Naylor

	1B 2P	2B 3P	2B 4P	3B 4P	4B+	Total
Existing Provision					1	1
Proposed Provision		6	2	1		9

1.1 This application is being reported to Planning Committee because the Ward Councillor (Cllr Simon Hoar) has made representation in accordance with the Committee Consideration Criteria and requested Planning 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. Detailed drawings – Land levels
- 4. Details of car parking
- 5. Hard and soft landscaping to be submitted

6. 19% reduction in CO2 Emissions
7. 110l Water Restriction
8. Permeable forecourt material
9. Trees – Details in accordance with AIA
10. Tree Protection Plan
11. Visibility splays
12. Construction Logistics Plan
13. FRA
14. Windows
15. Time limit of 3 years
16. 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) Thames Water Informative
- 5) 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 which includes accommodation in roof-space
- Provision of 8 x 2 bedroom flats (6 x 3 person and 2 x 4 person) and 1 x 3 bedroom flat fronting Riddlesdown Road.
- Provision of 9 off-street spaces including one disabled bay.
- Provision associated refuse/cycle stores within the basement.

3.2 The scheme has been amended during the application process and has been re-consulted. The amendments to the scheme are detailed as follows:

- Internal alterations to convert a unit from a 2 bed 3 person unit to a 2 bed 4 person unit
- Alterations to the entrance

Site and Surroundings

3.3 The application site is a large detached property situated on the western side of Riddlesdown Road (set within a large expansive plot). This is the fourth “Aventier” scheme that has been proposed along this stretch of Riddlesdown Road; other sites including 80, 96A and 122 Riddlesdown Road.

3.4 The site is similar to the adjoining site (96A Riddlesdown Road), with the scheme previously granted planning permission now under construction. The topography of the site is very undulating with the property located at the top of a large retaining wall that provides a ground level off-street car parking bay and garage. As with the other

properties in the area, the rear garden slopes up significantly higher towards the rear of the plot.

3.5 The surrounding area is mainly residential in character and many of the properties occupy fairly generous plots. Whilst there is no distinct style in regard to the properties along Riddlesdown Road, the majority of properties appear to be single family dwellings.



Fig 1: Aerial street view highlighting the proposed site within the surrounding street-scene

Planning History

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

- In December 2004, planning permission was granted for the retention of alterations to land levels and retention of parking space (LBC Ref: 04/04294/P)
- More recently in June 2007, planning permission was granted for the erection of single/two storey side extension. This permission was never implemented and has since lapsed (LBC Ref 07/01360/P).

96A Riddlesdown Road

- In November 2017, planning permission was granted for the redevelopment of the above site involving the erection of a two storey building including basement and with additional accommodation in roof-space comprising of 5 x 2 bedroom flats and 3 x 3 bedroom flats: formation of associated access, and provision of 8 parking spaces, cycle storage and refuse store (LBC Ref 17/04385/FUL). Minor changes to the approved scheme were granted planning permission in May 2018 with planning conditions discharge in July 2018. The development is now under construction.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would create good quality residential accommodation that would make a positive contribution to the borough's housing stock and would make a small contribution to the Council achieving its housing targets as set out in the London Plan (2016) and Croydon Local Plan (2018). The proposed development would provide an appropriate mix of units including a three-bed unit and smaller family units.
- The proposed development would be of an appropriate mass, scale, form and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area.
- The proposed development would not cause unacceptable harm to the amenities of neighbouring residential occupiers.
- The proposed development would not have an adverse impact on the operation of the highway.
- Subject to the imposition of conditions, the proposed development would not cause unacceptable harm to visual amenity of trees.
- Subject to conditions, the proposals would not have an adverse impact on flooding.
- 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 16 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, MPs, local groups (Riddlesdown Residents Association) in response to notification and publicity of the application are as follows:

No of individual responses: 13 Objecting: 13 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:

Summary of objections	Response
<i>Principle of development</i>	
Overdevelopment and intensification	Addressed in the report at Section a) – paragraphs 8.7 – 8.8
Loss of family home	Addressed in the report at Section a) – paragraphs 8.6

Poor quality development	Addressed in the report at Section d) – paragraphs 8.28 – 8.32
<i>Design</i>	
Out of character	Addressed in the report at Section b) – paragraphs 8.10 – 8.19
Massing too big	Addressed in the report at Section b) – paragraphs 8.10 – 8.19
Over intensification – Too dense	Addressed in the report at Section a) – paragraph 8.7
Visual impact on the street scene (Not in keeping)	Addressed in the report at Section b) – paragraphs 8.10 – 8.19
Accessible provision	Addressed in the report at Section d) – paragraphs 8.31
Number or storeys	Addressed in the report at Section b) – paragraphs 8.11
<i>Amenities</i>	
Negative impact on neighbouring amenities	Addressed in the report at Section c) – paragraphs 8.20 – 8.27
Loss of light	Addressed in the report at Section c) – paragraphs 8.20 – 8.27
Loss of privacy	Addressed in the report at Section c) – paragraphs 8.20 – 8.27
Overlooking	Addressed in the report at Section c) – paragraphs 8.20 – 8.27
Disturbance (noise, light, pollution, smells etc.)	Addressed in the report at Section c) – paragraphs 8.20 – 8.27
Refuse store	Addressed in the report at Section e) – paragraphs 8.37
<i>Traffic & Parking</i>	
Negative impact on parking and traffic in the area	Addressed in the report at Section e) – paragraphs 8.33 – 8.35
Not enough off-street parking	Addressed in the report at Section e) – paragraphs 8.33 – 8.35
Negative impact on highway safety	Addressed in the report at Section e) – paragraph 8.33 – 8.35
Inadequate refuse and recycling provision	Addressed in the report at Section e) – paragraph 8.37
<i>Other matters</i>	
Construction disturbance	Addressed in the report at Section h) paragraph 8.45
Impact on wildlife	Addressed in the report at Section f) – paragraphs 8.42
Impact on flooding	Addressed in the report at Section h) paragraph 8.44
Local services cannot cope	Addressed in the report at Section h) paragraph 8.47
Lack of affordable homes	Addressed in the report at Section h) paragraph 8.46
Sets a precedent for similar development	Not a material planning consideration

6.3 Riddlesdown Residents Association (RRA) made the following representations:

- Poor quality of information submitted in support of the application
- Over intensification of the existing residential area
- Bulk scale and massing
- Detrimental impact upon residential amenity
- Parking/PTAL rating
- Impact on site car parking
- Impact on street parking
- Impact on Local Distributor Road
- Disability use
- Number of storeys
- Loss of family home and lack affordable homes
- Location of the bin store
- Impact on flooding
- Changing the character of the suburbs
- Cycling provision

6.4 Cllr Simon Hoar (Purley Oaks and Riddlesdown Ward) raised the following issues

- Overdevelopment of the site
- Loss of family housing
- Out of keeping with the street-scene
- Insufficient parking
- Negative impact on loss of privacy and amenity for 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. Such determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) issued in 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;
- Delivery of housing
- Promoting social, recreational and cultural facilities and services the community needs
- Requiring good design.

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

7.4 Consolidated London Plan 2015

- 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
- DM42 – Purley

7.6 Draft Supplementary Planning Document (SPD2) 2018

SPD2 is a draft Housing Design Guide that provides guidance on suburban residential developments and extensions and alterations to existing homes across the borough. The SPD is a design guide for suburban developments likely to occur on windfall sites where existing homes are to be redeveloped to provide for several homes or proposals

for building homes in rear gardens. This document has now been the subject of formal public consultation and is progressing towards final adoption. Its weight as a material planning consideration has therefore been heightened.

7.7 Other relevant Supplementary Planning Guidance as follows:

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

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The principal issues of this particular application relate to:

- The principle of the development;
- Impact of the development on the character and appearance of the area;
- Impact on residential amenities;
- Standard of accommodation;
- Highways impacts;
- Impacts on trees and ecology;
- Sustainability issues; and
- 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 can 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. It is acknowledged that windfall schemes which provide sensitive renewal and intensification of existing residential areas play an important role in meeting demand for larger properties in the Capital, helping to address overcrowding and affordability issues.
- 8.3 The site has been identified by the developer as a windfall site as such it could be suitable for sensitive renewal and intensification. The residential character beyond Brighton Road is fairly uniform and consists of large detached houses on relatively large plots – developed at a relatively low density.
- 8.4 The proposal, whilst providing a flatted accommodation, has been designed to appear as a large detached dwelling-house which would maintain the overall character of neighbouring properties. This is a similar approach to the scheme at the adjoining site at 96A Riddlesdown Road, which was previously been found as acceptable and is currently under construction. Whilst the scheme does involve the removal of two Category C trees to the front of the site (more details provided below) these are of low amenity value and the loss of these will be mitigated through the provision of replacement trees and shrubs towards the front of the property.
- 8.5 The Croydon Local Plan (Policy DM1.2) seeks to prevent the loss of small family homes by restricting the net loss of three bed units and the loss of units that have a floor area less than 130 square metres. The existing unit is a 4 bed house and is significantly in excess of the floorspace threshold. Moreover, the proposal would

provide a 3 bed, 4 person unit at the ground floor and 2 x 2 bed, 4 person units at upper floor level which would all provide adequate floorspace for smaller families. Policy SP2.7 sets a strategic target of 30% of new homes to be 3-bedroom homes and CLP acknowledges that 2 bed, 4 person homes can be treated as family homes (in line with DM1.1) during the first 3 years of the Plan. The overall mix of accommodation, given the relatively small size of the site which limits the number of larger units that can be realistically provide, would be acceptable and would result in a net gain in family accommodation (albeit targeted towards smaller families).

- 8.6 In respect to the density of the scheme, representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 0 and as such, the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha); the proposal would be in excess of this range (237 hr/ha). However, the London Plan further indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are suitably 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.
- 8.7 The site is located within an existing residential area and providing that the scheme respects the character and appearance of the surrounding area and that there are no other material effects causing unreasonable harm to immediate neighbours, the density of development would be acceptable.

The effect of the proposal on the character of the area and visual amenities of the street-scene

- 8.9 The existing property is not protected from demolition by existing policies and its demolition is deemed acceptable subject to a suitably designed replacement building coming forward. The proposal seeks to demolish the existing large detached dwelling-house and replace it with none apartments within a single building. The scheme has been specifically designed to resemble a large detached property, rather than a block of flats. Officers are satisfied that the scheme respects the street-scene.
- 8.10 The Croydon Local Plan has a presumption in favour of three storey developments and the application seeks to provide a three storey property providing a high quality built form that respects the pattern, layout and siting in accordance with Policy DM10.1. The topography of the site is very steep with the front of the site falling away from the rear garden where it backs onto properties fronting onto Oakwood Avenue. Whilst it is acknowledged that the proposal would provide four storeys of accommodation (including accommodation in the roof), the scale of development would appear three storeys when viewed from the rear, given that the ground floor would be dug into the slope to create a basement coupled with the steep change in levels. Crucially, the proposal would appear similar to the adjoining property previously approved at 96A Riddlesdown Road.
- 8.11 As raised above, the applicants have previously been successful in obtaining planning permission for other similar developments in the vicinity, including the adjoining site at 96A Riddlesdown Road. These developments have also been assessed against the policies of the CLP and have been found acceptable. The height, scale and massing

of the scheme would be acceptable, given that the site works well with the topography and would sit well with the adjoining property currently under construction.

8.12 Officers are satisfied that this development arose independently of the neighbouring re-development of 96A Riddlesdown Road and consequently, there is no case to argue a more comprehensive approach (linking both sites) and arguing that the combined development exceeds the 10 unit threshold – thereby requiring affordable housing to be delivered.



Fig 2: Elevational view highlighting the proposal in relation to neighbouring properties

8.13 As with the scheme at the adjoining site, the design of the building would incorporate a traditional styled appearance consisting of three gables to the front elevation and two bay elements – maintaining the overall street scene with use of an appropriate materials palette (plain clay hung tiles, render, white timber framed windows and clay roof tiles) with an adequate balance between brick and glazing and appropriate roof proportions. The main front element would present a traditional architectural response, consisting of gabled bays and similar eaves height (compared to adjoining properties).

8.14 The depth of the proposed building would mirror the depth of the approved scheme at 96A Riddlesdown Road and whilst the front elevation would sit slightly forward of the existing building line, the scheme would be akin with the adjoining properties.

8.15 Whilst there is no current basement accommodation, the site is built into a steep slope meaning that the rear garden is significantly higher than the roadside to the front of the property. This provides an opportunity to provide for a small basement entrance (to accommodate cycles and refuse stores) along with a lift entrance leading to all floors. There are examples along Riddlesdown Road including the existing host property where the slope at the front of the site has been cut away and utilised for garages and retaining walls. Consequently, the principle of an additional subterranean level is acceptable.

8.16 The application site has a large rear garden which is not visible from the public highway or any public vantage points and would be accessed via the upper ground floor level and a stepped access. As with the majority of properties in the immediate surroundings, the proposed building would be centrally located which would mean that the development would not appear overly cramped in its plot. Whilst the frontage would be given over to hard-standing to allow for off street parking for the new dwellings at the lower ground floor level, there would be a landscaped terraced area (at the lower ground floor rising to the upper ground floor level), along with a section of soft

landscaping along the boundary of the site. This would reflect the arrangement of the neighbouring buildings and would be acceptable.

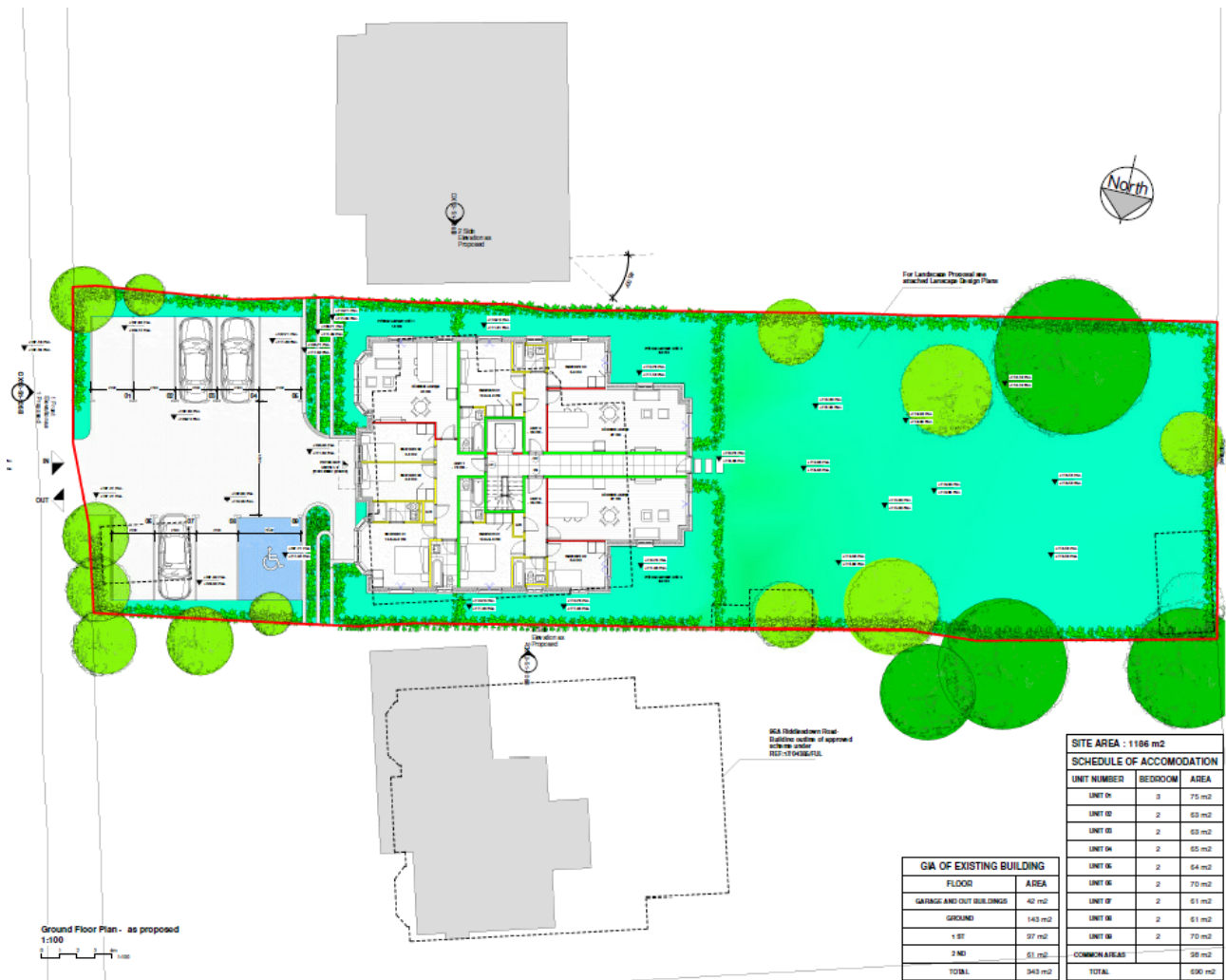


Fig 3: Ground floor plan proposed site showing proposal in relation to neighbouring properties

8.17 Policy DM10.2 seeks to create well defined and designed public and private spaces and advises that forecourt parking should only be allowed where it causes undue harm to the character or setting of the building and is large enough to accommodate parking with sufficient screening to prevent vehicles encroaching on the public highway. Given the overall scale of the development and number of forecourt hardstanding areas in the vicinity, the extent of hardstanding would not be excessive. The site would offer sufficient opportunities for soft landscaping to the rear and Riddlesdown Road frontage as well as between the proposed development and the neighbouring property to the rear.

8.18 The application site is a substantial plot within an established residential area and is comparable in size to other flatted and neighbouring back-land developments approved throughout the borough, including the recently approved schemes at 80 and 122 Riddlesdown Road along with the adjoining property at 96a Riddlesdown Road. As with these previous schemes, the scale and massing of the new build would generally be in keeping with the overall scale of development found in the immediate area and the layout of the development would respect the pattern and rhythm of neighbouring area.



Fig 4: CGI of site showing proposal in relation to neighbouring properties

8.19 The proposal has been designed to resemble a large house on a large plot rather than a block of flats as indicated by representations. It responds to the local setting and the siting of adjoining buildings and is a sensitive intensification of the area. 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 and draft SPD2 in terms of respecting local character.

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

8.20 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure. The properties that are most affected are the adjoining properties at 96a and 98a Riddlesdown Road and 50 Oakwood Avenue – situated to the rear of the site.

96A Riddlesdown Road

8.21 The property next door is currently under construction for a similar type of development (LBC Ref 18/01032/CONR) which was approved in May 2018. The rear single storey element of the approved development sits further back in the site compared to the current proposal, although this scheme has a three storey element at the rear. At the closest points the developments would be approximately 5 metres apart but given the overall similarities, the scheme would not appear incongruous, overbearing or out of keeping.



Fig 5: CGI and floor plan highlighting the proposal relationship between the developments

- 8.22 The 45 degree BRE test for loss of light to the rear elevation windows would not be breached to either property and the scheme would be unlikely to have a loss of natural light, a loss of outlook or the creation of a sense of enclosure. Whilst both properties would have windows serving upper ground floor flats adjoining one another, given the proposed boundary treatment between the properties and the changes in the ground level, it is unlikely that there would be any material loss of privacy.
- 8.23 The property at 96A Riddlesdown Road does not have any windows on the first floor flank elevation and only high level roof lights in the roof. Whilst the proposal would provide three high level windows at first floor and six high level roof lights, the first floor side windows would have a cill height of 1.8 metres with the roof-lights positioned at high level. As such, it is most unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. That said, it is considered prudent to condition obscure glazing to ensure that any future overlooking is mitigated along the flank elevations.

98A Riddlesdown Road

- 8.24 In terms of impacts on 98A Riddlesdown Road, the proposed front building line of the proposal would be similar to this neighbouring property, with the main increase in depth most affecting the rear of the site, where the proposed development would be closer to the boundary with the neighbouring property (2.9 metres at three storeys in height) but stepping back off the boundary towards the rear of the site (4.00 metres and 6.9 metres in total). Nevertheless the proposal would not breach the aforementioned BRE 45 degree line and would create a significant loss of light or provide an overbearing or dominant impact on this property. Furthermore given the large garden areas for both properties is not considered that the proposal would result in a significant sense of enclosure to the garden.
- 8.25 The property is located in an elevated position (compared to the application site) and has no windows in the flank elevation at the upper floors. The proposal would provide three high level windows at first floor and six high level roof lights. The first floor side windows would have a 1.8 metre cill-height and as the roof lights would be high level,



Fig 6: Photo and floor plan highlighting the relationship of the proposal with the adjoining property

it is unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. Nevertheless it is considered prudent to condition obscure glazing to ensure that any future overlooking is mitigated along the flank elevations.

50 Oakwood Avenue

8.26 This property is located at the rear of the site in excess of 50m from the rear of the proposal, in an elevated position with a significantly vegetated boundary between the properties. As such given the separation between these properties no significant impact on residential amenities would occur.



Fig 7: Photo and site plans to show highlight the relationship with Oakwood Ave to the rear of the site.

8.27 As regards 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. The increased number of units would increase the number of vehicle movements to and from the site, but this would not be significant and would not be overly harmful.

The effect of the proposal upon the amenities of future occupiers

8.28 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 would meet the minimum required internal space standards.

- 8.29 All the ground floor units which include both three bedroomed units would have access to private amenity spaces. As regards the upper floors other than Units 4 and 7 (at first and second floors respectively) the remaining units have access to private amenity space via recessed balconies. In respect to Units 4 and 7, these would have access to the large communal garden area at the rear of the site.
- 8.30 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 be expected to provide 11.76 square metres based on the child yield calculator. There is an area identified for children's play which would be in excess of the play area provision which can be secured through use of planning conditions.
- 8.31 In terms of accessibility, level access would be provided from the front door to all units as there is a provision of a lift. The London Plan states that developments of four storeys or less require disabled unit provisions to be applied flexibly to ensure that the development is deliverable. Given the limitations of the footprint to provide the required accommodation, it is considered that one of the upper ground floor units can be M4(3), this can be secured by condition. A disabled space is proposed for the parking area.
- 8.32 The development is considered to result in a high quality development including family units all with adequate amenities and provides a good standard of accommodation for future occupiers in accordance with policy.

Traffic and highway safety implications

- 8.33 The Public Transport Accessibility Level (PTAL) rating is 0 which is the worst PTAL rating. The scheme seeks to provide 9 off street parking bays. The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. In outer London areas with low PTAL (generally PTALs 0-1), boroughs should consider higher levels of provision which in this case would be 2 spaces per unit. The provision of 2 spaces is a maximum provision and a 1:1 ratio would be more in line with the London Plan and Croydon Plan, designed to reduce the reliance on the car and meet with sustainability targets.
- 8.34 There are a number of representation that refer to the parking provision, on-street parking and highway safety at the site. In respect to highways safety, the scheme provides 9 off-street parking spaces these will need to adhere to the parking visibility splays and parking standards to ensure that safety requirements are adhered to and these have been secured through conditions. There have been representations that there have been a number of accidents in the area, the road accident statistics indicate that since 2001 there have been four minor road accidents within a 200m radius of the site. The network and transport impacts associated with the developments on traffic and transport would be negligible and it is unlikely to have a significant impact on highway safety.
- 8.35 The parking layout and access arrangement would allow for access and exit movements in forward gear and would be acceptable subject to a condition providing the suitable visibility splays and as such would not harm the safety and efficiency of the highway network.

- 8.36 In compliance with the London Plan, electric vehicle charging points should be installed in the parking area and this can be secured by way of a condition. Cycle storage facilities would comply with the London Plan (which would require 18 spaces) as these are located within the footprint of the building and are therefore secure and undercover. However, consideration should be given to a more conventional layout with separate stands as it is sometimes difficult for wall stands to be used, as such further details will need to be secured by way of a condition.
- 8.37 The refuse arrangements would be acceptable and for a nine units scheme would require 1 x 1100ltr landfill receptacle; 1 x 1280ltr for dry recycling and 1 x 140ltr food recycling, which has been accommodated within the site. The unit also provides 10sqm space of bulky waste disposal.
- 8.38 Concerns have also been expressed in regard to the amount and type of excavation required at the site and further details are required as part of a construction method statement. A Demolition/Construction Logistic Plan (including a Construction Management Plan) will be needed before commencement of work and this could be secured through a condition.

Impact on trees and wildlife

- 8.39 The existing site is heavily vegetated to the rear and provides a number of well-established trees and shrubs adding to the overall amenity value and also providing a good degree of screening to the site. The front is more sparsely vegetated with grass verges, poor quality trees and a hardstanding and garage to the front. The applicant has submitted a tree survey and landscaping plan. The scheme will require the removal one Category B tree (T1) along with two Category C trees (T9 and T10) which are located internally to the site (as shown overleaf).
- 8.40 T9 and T10 are relatively small trees and T1 is located within the rear garden. Consequently, their removal shall not have a significant impact on local amenity. There are no objections to the proposed trees removals which are of moderate to poor quality and offer little in terms of visual amenity. Several new trees and shrubs are to be planted to mitigate against tree removal at the front and to ensure that tree cover is maintained throughout the site and the landscaping is of a satisfactory standard to mitigate the loss of those removed in accordance with policies DM10.8 and DM 28.
- 8.41 The works should be undertaken in accordance with the Arboriculture Report and Impact Assessment recommendations and this has been conditioned. It is also recommended that a detailed tree protection plan be submitted for approval.
- 8.42 As regards 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.

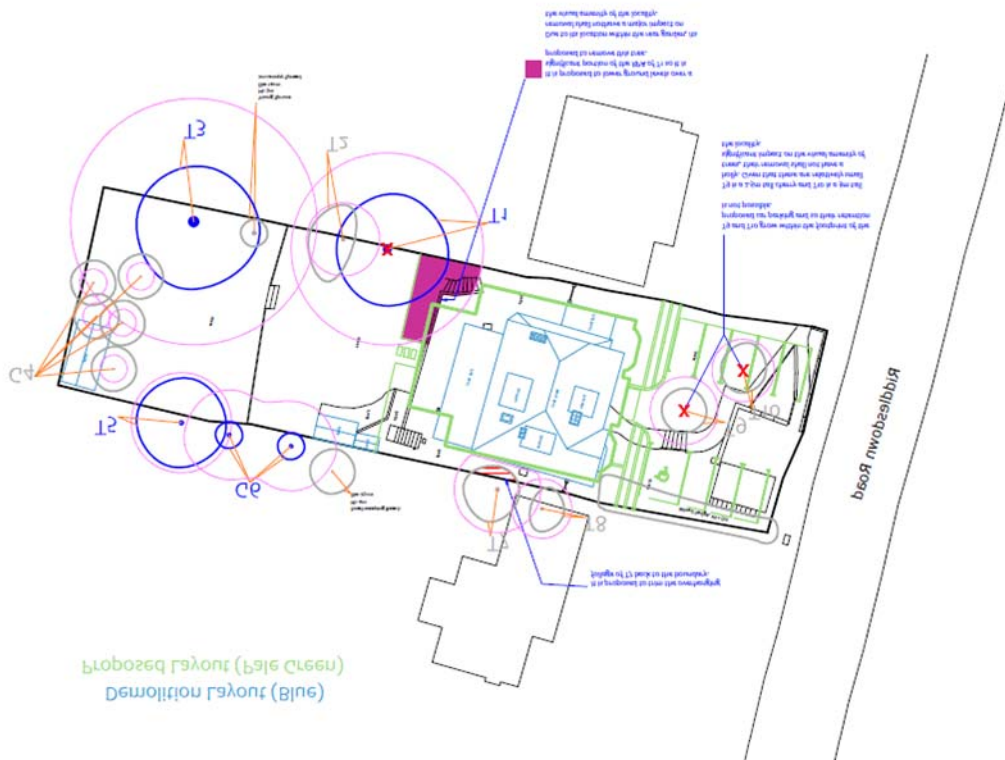


Fig 8: Extract from tree survey showing trees to be removed (marked as X's)

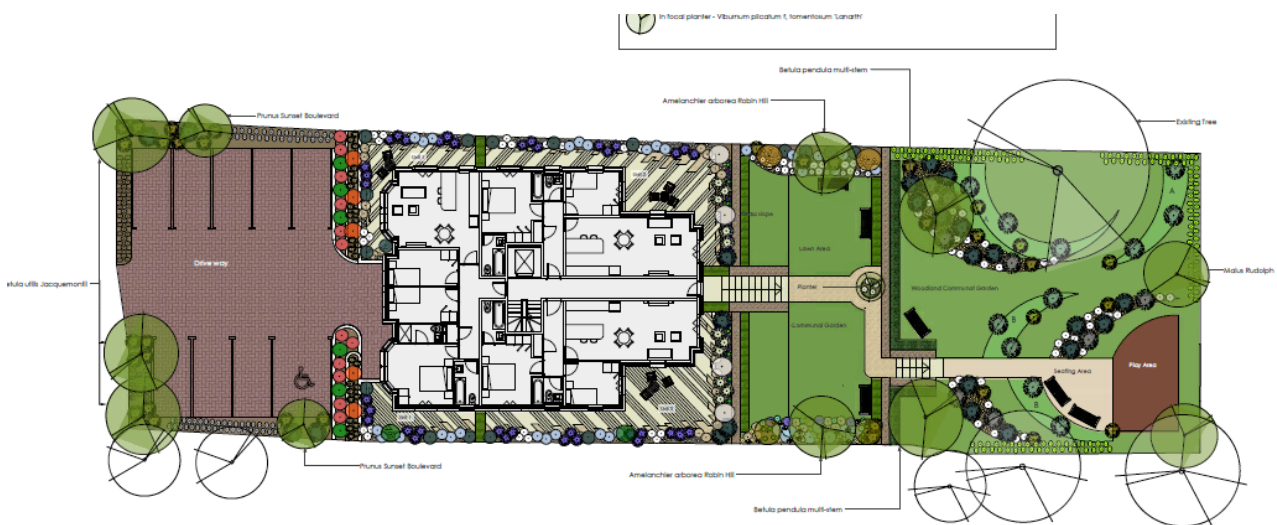


Fig 9: Extract from submitted landscaping scheme

Sustainability Issues

8.43 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

8.44 The site is not located in any designated flood risk area but is located in a critical drainage area. As such, the applicants have submitted a Surface Water and SuDS

Assessment which is based on a desktop study of underlying ground conditions. It is likely that infiltration of surface water runoff following redevelopment may be feasible. The parking area will incorporate permeable paving which will provide capacity for surface water runoff from hardstanding areas in up to the 1 in 100 years plus 40% climate change event. This can be secured through a condition.

- 8.45 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst the details submitted to date might well be acceptable, it would be prudent to condition a Construction Logistics Plan to be approved, as appointed contractors may have an alternative approach to construction methods and the condition ensures that the LPA maintains control to ensure the development progresses in an acceptable manner.
- 8.46 Representations have been made in respect to a lack of affordable homes being provided at the site, however the scheme is for nine units and as such is under the threshold where the provision for affordable homes would be required.
- 8.47 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

- 8.48 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.
- 8.49 All other relevant policies and considerations, including equalities, have been taken into account.



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London Borough Croydon

CROYDON COUNCIL

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1 SUMMARY OF APPLICATION DETAILS

Ref: 18/04650/FUL
 Location: 25 Warham Road, South Croydon, CR2 6LJ
 Ward: Waddon
 Description: Change of use and conversion from a children's day nursery to 6no. self-contained residential units (for residents and families with emergency housing needs)
 Drawing Nos: 05/02C, 05/09A, 05/10A, 05/11, 05/12A, 05/13, 05/14.
 Applicant/Agent: Alex Prowse
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	0	0
Flats (C3)	1(41sqm) (1 bed 1 person)	4(64-71sqm) (2 bed 3 person)	1(106sqm) (3 bed 5 person)	0
Totals	1	4	1	0

Type of floor space	Amount proposed	Amount retained	Amount lost
Residential (C3)	580Sq.m	0 Sq m	0 Sq m
Commercial (Class D1)	0Sq.m	0 Sq m	580Sq m
Number of car parking spaces		Number of cycle parking spaces	
3		12	

1.1 This application is being reported to Planning Committee because the number of objections received are above the threshold in the Committee Consideration Criteria.

2 RECOMMENDATION

- 2.1 That the Planning Committee be resolved to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters
- 2.3 Planning Conditions

- 1) To be built in accordance with the approved plans
- 2) Materials to be submitted for approval
- 3) Details to be provided:-
 - a) Hard and soft landscaping – including species / size / planting density and permeable surfaces

- b) Boundary treatment – including private amenity space
- c) Vehicle turning circles within the site and access arrangements
- d) Window design to reduce noise and prevent overlooking of neighbouring properties to the south
- 4) Details of refuse storage requirements
- 5) Details of cycle storage requirement
- 6) 110 litre water consumption target
- 7) Sustainable drainage/run off rates/surface water measures
- 8) Security lighting
- 9) Management Plan
- 10) Parking to be provided (including electrical charging points before the building is occupied
- 11) Commence within 3 Years

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

Informatives

- 1) CIL - granted
 - 3) Code of Practice regarding small construction sites
 - 3) Highways works to be made at developer's expense
- Any other informative(s) considered necessary by the Director of Planning

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal would involve conversion of the former nursery building into 6 flats to provide residential accommodation for residents and families with emergency housing needs. The proposal would involve the internal and minor external refurbishment of the building, including removal of doors, insertion of single window in rear elevation, screening to windows, the creation of 3 on-site parking spaces (including 1 disabled space) with secured parking for 12 bicycles and refuse storage area provision. The proposal would include a large communal garden 372sq.m. The allocation of tenants would be the responsibility of the Councils Housing Initiatives scheme under a proposed arrangement for an initial period of 5 years with extension to be agreed at the end of the period. As part of this agreement the maintenance of the property would be the responsibility of the applicant/landlord.

Site and Surroundings



- 3.2 The site is located on the southern side of Warham Road at the junction with Nottingham Road. 25 Warham Road is a locally listed building, this property was previously used as a children's nursery; however the nursery closed in 2013. Since then the building has been empty with a brief nursery tenant in 2016.
- 3.3 A development for the erection of a separate two storey building to provide 3 flats which formerly formed part of the garden of the application site and was approved on appeal is currently being constructed to the rear. A four storey block of flats is located to the west (Sunniholme Court) and a Bowling Green / Club lies to the north on the opposite side of Warham Road. The locality is generally residential in nature, and comprises a mixture of property types and sizes ranging from detached houses (mostly along Nottingham Road) to large 3/4 storey blocks of flats (along Warham Road). The site is located within an Archaeological Priority Zone. Warham Road is a designated Local Distributor Road and the site has a PTAL rating of 5. The site is located within an area of Surface Water Flood Risk (1:000yr).
- 3.4 There are no other designations for the site identified on the Croydon Local Plan 2018 Policies map 5.

Planning History

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

25 Warham Road

- 3.6 07/04038/P- Use as day nursery, planning permissions granted subject to conditions
- 3.7 10/02497/P- refused continued use as a nursery without compliance with Condition 4 (so as to allow 25 children to use the garden at any one time).

The application was refused on the following reason

- It would result in increased noise and disturbance to adjoining and nearby residential occupiers

- 3.8 12/0435/P- planning permission granted for continued use of day nursery without compliance with Condition 4 attached to planning permission 07/04308/P.
- 3.9 14/04023/P- refused planning permission for alterations; conversion to form 8 two bedroom and 4 one bedroom flats; erection of extension to basement, ground and first floors and erection of dormer extensions in side and rear roof slopes and installation of roof lights at front, erection of three storey building at rear comprising 3 two bedroom flats; formation of vehicular access and provision of associated parking

The application was refused on the following grounds:-

- It resulted in an unacceptable loss of a community facility. The evidence submitted with the application failed to adequately demonstrate that there is a lack of need for a community facility at the site
- Failed to provide the required level of affordable housing
- Out of keeping with the open, spacious character of the locality, harmful to the appearance and setting of the locally listed building
- Detrimental to the visual amenities of the street scene by reason of its scale, design and siting
- Result in sub-standard accommodation by reason of poor outlook, lack of natural light and private amenity space

- 3.9 15/01515/P- refused Planning permission for erection of a part single / part 2 storey building comprising 3 x 2 bedroom flats, formation of a vehicular access onto Nottingham Road and provision of associated parking, cycle and bin storage.

Refused on the grounds of impact on community facility and sub-standard accommodation.

The application was refused on the following grounds:-

- It would result in an unacceptable loss of part of a community facility. The evidence submitted with the application fails to adequately demonstrate that there is a lack of need for this facility at the site.
- It would result in sub-standard accommodation in Flat 3 by reason of the overall internal floor area and individual room sizes. As such, the proposal would result in a cramped living environment.

- 3.10 18/00247/FUL- refused planning permission for change of use and conversion from a childrens day nursery (Class D1) to 13 residential units to provide low rented accommodation with 7 parking spaces and cycle storage.

The application was refused on the following grounds:

- Not satisfied that sufficient detail has been provided to demonstrate that the proposal has been marketed for the full 18 month period and in accordance with the requirements.
- By reason of its form and internal layout would result in poor access to the flats which would fail to integrate successfully within the immediate surroundings.
- The proposal would provide an excessive level of parking.
- The proposed development would result in the formation of 13 self-contained

flats below the minimum standard of 50sq.m for 2 persons and 61 sqm for 3 persons.

Land to the rear of 25 Warham Road

- 3.11 15/03212/P permission refused for erection of two storey detached building comprising of 2x two bedroom flats and 1 studio flat (Allowed on Appeal ref APP/L5240/W/16/3151147 Sept 2016)

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The loss of the Community use (day nursery) has been satisfactorily justified and the principle of a residential proposal on this site is considered to be acceptable. There are no principle policy issues that would prevent the use of the site for residential purposes.
- 4.2 The proposal would preserve the character of the area, and would not have a harmful affect upon the appearance of the street scene.
- 4.3 The development would provide 6 new flats of a good standard of development all of which comply with the relevant space standards for residential accommodation
- 4.4 The proposal would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.5 The development would provide an appropriate level of parking encourage sustainable modes of transport other than the car, incorporate safe and secure vehicle access to and from the site and would have an acceptable impact on the highways network.
- 4.6 The development would incorporate sustainability requirements and incorporate sustainability technics as part of the overall drainage strategy.

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:

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of neighbour letters. 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: 25 Objecting: 23 Supporting: 0

- 6.2 The following issues were raised in individual 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>Principle of development</i>	
<ol style="list-style-type: none"> 1. Education provision must be maintained; no serious effort has been made developers to seek alternative community use for this facility 2. There is an overload of social services in a residential area with ample social housing in the area 3. This is a residential road not a commercial one Type of housing proposed does not comply with policy 4. No mention as to who would occupy the building; for how long and how the building would be managed. The Council should be prepared to manage the property. 	<ol style="list-style-type: none"> 1. Sufficient information has been provided to demonstrate that the site has been adequately marketed in line with Council policy DM19. See para 8.6 of this report. See para 8.6 of this report; 2 and 3 The proposed uses are considered appropriate given the location of the site; see para 8.2 and 8.9 of this report. 4 The proposal would involve a management agreement with the local authority. See para 3.1 and 8.18 of this report.
<i>Scale, massing, appearance</i>	
<ol style="list-style-type: none"> 1. Works would not visually improve the building appearance. Inclusion of film to windows not appropriate for locally listed building crude design. 2. Overdevelopment, not sure if the site will have adequate storage facilities. 	<p>1 and 2 Officers consider that the proposal in terms of design and layout creates an acceptable form of development. Refer to paragraph 8.13 of this report.</p>
<i>General Amenity</i>	
<ol style="list-style-type: none"> 1. Proposal would lead to anti-social behaviour; increase crime; neighbours already experience this form two care homes at the foot of Warham Road. Lead to disturbances; spoil the 	<p>1 and 2 Officers consider that the proposal will not result in an unacceptable loss of neighbouring amenity neighbours Refer to paragraph 8.14 and 8.18 of this report.</p>

<p>peace and harmony of the area; noise from 18 people using rear garden with people potentially crowded into small narrow section.</p> <p>2. The proposal would impact on outlook and privacy of occupants in Sunnholme Court.</p>	
<p><i>Standard of accommodation</i></p>	
<p>1. The property is not fit for residential purpose, flats are cramped and densely organised. The rear garden is very small for families and children. The building should include suitable fire measures and equipment.</p> <p>2. No details of any sustainable measures.</p> <p>3. Impact of garden development on proposed accommodation</p> <p>4. Suitable space should be made for cycles and refuse storage.</p>	<p>1. Officers consider the proposal would provide a reasonable standard provision in line with London Plan and up to date local plan standards. Refer to paragraph 8.10- 8.12 of this report.</p> <p>2. See para 8.22- 8.23 of this report</p> <p>3. See para 8.15 of this report</p> <p>4. See para 8.20 of this report</p>
<p><i>Waste</i></p>	
<p>The proposal does not meet waste storage standards;</p>	<p>The applicant plans includes refuse storage provision. Refer to paragraph 8.24 of this report.</p>
<p><i>Transport</i></p>	
<p>1. The proposal would introduce extra traffic to this corner where there is a bus stop;</p> <p>2. accessing on to Warham Road, is a potential hazard for pedestrians</p> <p>3. Insufficient parking for 6 flats a concern</p>	<p>1, 2 and 3 Officers consider the level of on-site parking and bicycle provision to be appropriate and that detailed planning conditions would secure suitable and safe vehicle movement to and from the site. Refer to paragraph 8.20 to 8.21 of this report.</p>
<p><i>Other issues</i></p>	

<p>1. Previous use of the site has demonstrated complete disregard for planning process and management of this site. The new venture must be carefully monitored. Meeting should be called between local community, officers and applicant to understand each position.</p> <p>2. Impact on local property values</p>	<p>1. The proposal would involve a management agreement with the local authority. See para 3.1 and 8.18 of this report</p> <p>2. The proposal would bring the building which has remained vacant with periods of squatting back into use.</p>
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6.3 The Sunniholm Court Residents Association (eighteen flats) :-

- How long will people be placed in this accommodation. Is this a ‘permanent’ arrangement or on a temporary basis, with residents changing regularly (Officers comment: The precise nature of stay is not known and will be determined by the Council Housing Initiative Team).
- How and by whom will the facility be managed and the social ‘suitability’ of the persons allocated accommodation. There are already two ‘care’ properties at the foot of Warham Road. (Officers comment: The applicant has stated that tenants will be referred to the flats by the Council’s Housing Initiative Scheme.
- Will this facility be well run and the families being offered accommodation will respect the building, the neighbourhood and will not create further problems in the community. (Officers comment: The proposal would have to meet the standards required by the Local Authority Housing Department).
- How desirable will the development to the rear be if this proposal goes ahead at the front of the site.(Officers Comment: Officers cannot speculate on property market actions. The proposed development would bring an existing vacant building which has a history of squatting back into use).
- Noise and disturbance to adjoining occupiers particularly if all of the residents are using the communal garden area. (Offices comment: The proposed development would provide garden amenity in addition to playspace in excess of the requirements for a new build development with the nature of the proposed use is a different from that associated with a nursery.)
- How will overlooking to adjoining properties be prevented, have fire escapes been planned. Regarding the 1 x 140 litre food waste bin, we know from experience that massing flies and the offending stench in summer months can become unbearable.(Officer comment: Details of measures to part obscure glazing will be required to be submitted to the Council for prior approval to ensure a satisfactory appearance; fire issues will be a matter of the Building Control Section or an

independent surveyor; Details of bin storage would be controlled by planning condition).

- There are probably many other reasons why the marketing was unsuccessful (Officers comment: Officers consider that suitable marketing evidence has been provided to satisfy Council Local Policy requirements).
- The Residents of Sunniholme Court need to be assured that the proposed development will not impact on us in a negative way and that if they do, immediate action will be possible. This should be guaranteed (Officer comment. The proposal would provide a contemporary sustainable building of suitable scale and form with good standard of living for all occupiers in line with policy requirements).

7 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan (2018)

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:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).

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

- 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
- 5.2 Minimising carbon dioxide
- 5.3 Sustainable design
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity

- 6.9 Cycling
- 7.4 Local character
- 7.6 Architect

Croydon Local Plan: Strategic Policies 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP5 Community
- SP6 Environment and Climate Change
- SP8 Transport and communication

Croydon Local Plan Policies 2018:

- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM19 Providing and protecting community facilities
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Housing Quality for future occupiers
3. Townscape and visual impact
4. Residential Amenity
5. Transportation
6. Sustainability and flooding
7. Waste

Principle of Development

8.2 The planning history for this site has been fully documented since the granting of planning permission in 2007 for its use as a nursery (Class D1). The building has had periods of occupancy interrupted by spells of vacancy Jan 2014- Sept 2016 and April 2017- present with no alternative use being established on site. This latest proposal is for change of use and conversion of the former nursery into 6 self-contained flats. The applicant's propose that for at least the first 5 years the flats would provide emergency housing accommodation. This follows a previous proposal (ref 18/00247/FUL) refused in 2018 for its conversion from a day nursery to 13 residential units to provide low rented accommodation with parking and cycle storage. The

reasons for the 2018 refusal was based on a lack of marketing evidence, poor layout, excessive parking and size of units.

- 8.3 Overall in policy terms, there is a general regard to safeguarding community facilities. Policies SP5 and DM19 permits the loss of community facilities only where it has been demonstrated that there is no need for the existing premises or land for a community use and that it no longer has the ability to serve the needs of the community.
- 8.4 The applicants state that the property was last used as a nursery in 2016 but ceased operation due to financial implications and following its closure in 2016 efforts were made to find a suitably tenant. The marketing evidence supplied included a list of 15 organisations/groups who were approached on the use of the premises for community purposes over a period of months; however the applicants confirmed that no interest was shown following this marketing exercise. The applicants state that the introduction of the nursery has proven to be financially unviable in this location partly due to the number of childcare providers in the Borough which has impacted on the viability of the site. The applicants therefore state that due to the difficulty to secure a tenant and the unviability of the existing use the loss of community activity should be accepted.
- 8.5 One of the reasons for the refusal of the change of use in 2018 was the extent of marketing associated with the site. Policy DM19, identifies that the marketing exercise associated with proposals should be for a minimum period of eighteen months. The evidence should demonstrate that it has been offered at a reasonable charge for community groups/voluntary sector organisations, reflecting its existing use value, unfettered by any hope value. Neighbours have objected to the information provided by and comment that the site has not been extensively marketed for nursery or any alternative community use.
- 8.6 Since May 2018 a further marketing exercise has taken place. The site is still currently being advertised. Officers have reviewed all the evidence which provides a detailed chronological account of the building use and activity between 2013 and 2018, and consider that while the premises may not have been marketed for a continuous period of 18 months the property has over the last 5 years been marketed in total for a period exceeding 18 months (23 months in total), including a period of 12 months (between January 2015 and January 2016) during 2017 and up to the present. Officers also acknowledge that the marketing exercise during 2016 was only stopped as an alternative nursery operator use was found. This operation however only lasted a few months which would support the applicants claims of lack of demand and unviability of the site.
- 8.7 In light of the information provided, the evidence shows a genuine attempt at marketing the property for community use over the last 5 years. It is not considered that the break in continuous marketing, necessitated by an alternative community use occupying the site, is sufficient reason to justify a recommendation for refusal on land use grounds. Based on the information provided officers consider that the site has been correctly marketed in respect to nursery or any other alternative community facilities in line with policy requirements DM19.1.
- 8.8 Therefore the loss of the community use can in principle be considered acceptable as it addresses current policy.

8.9 Policy SP2 states that the Council will apply a presumption in favour of residential development. In considering the proposal in line with the principles of the NPPF (2018), the London Plan and the CLP 2018 the local planning authority has had regard to delivering a wide choice of homes for all people at all stages of life and in supplying new housing. Now that the Community protection policies have been overcome residential development in this location is in accordance with Policy.

Housing Quality for future occupiers

8.10 This current application proposes the conversion of the property into 6 self-contained flats. The previously refused 2018 proposal involved the provision of 13 under sized bedsit units. This proposal now includes 6 self contained flats (1, 2 and 3 bedrooms) each of which would comply within the Mayoral and National Technical Space Standards (NTS) which is considered suitable for application across all tenures. These standards sets out requirements for the Gross Internal (floor) area of new dwellings dependant on the size and number of bedrooms. .



8.11 The proposed 6 flats would provide suitable sized residential accommodation and comply with national and local policy standards. Each flat would have suitable layout, with dual aspect outlook and would receive sufficient light. The proposed development would ensure a good standard of accommodation.

8.12 The proposal includes an area of rear garden approx. 340sq.m. This would be above the policy requirement of 52sqm of playspace. In addition the applicant has provided an indicative layout to demonstrate how the rear garden could provide private amenity areas for each of the flats should they become privately owned/rented including a communal garden area in the future. Therefore based on the size, layout and amenity space the proposed development would provide good quality residential accommodation in line with national standards.

Townscape and visual impact

8.13 The proposed development would involve minor external alterations to this locally listed building. No extensions are proposed. The proposal would involve refurbishment of existing brickwork, new door arrangement with rear windows obscured to bathrooms and minimise the potential loss of privacy to neighbouring properties. Neighbours have objected to the proposed approach to obscuring the windows to this locally listed building. Details of window treatment would be required to be submitted to the Council for approval in order to safeguard the appearance of the property and that any alterations are sympathetic to character and history of the

building. Overall there are no objections subject to conditions from a design prospective.

Residential neighbouring amenity.

- 8.14 The proposed building would not include any extensions. There would be no change in existing window positions with the exception of the insertion of new window openings at ground floor level in the south of the building which is unlikely to impact significantly on neighbouring amenity. The measures to prevent undue loss of privacy for potential occupiers to the building by obscuring glazing to bathroom windows would be conditioned to safeguard visual amenity. The proposal would not result in any increase in overlooking or loss of privacy towards neighbouring properties including those at Sunnholme Residents to the west. The proposal would include external refurbishment which would significantly improve its appearance and bring the current empty building back into use.
- 8.15 The neighbouring approved development (15/03112/p) is to the south of the main building. However the approval of this scheme previously considered that the building would be at a reasonable distance between the nursery buildings with limited overlooking occurring between both properties. The relationship between the two properties remains the same and the proposal would not have an unacceptable impact on the amenities of those potential future occupiers to the rear.
- 8.16 The proposed residential use would be in keeping with the nature of the locality. The proposal for 6 flats would potentially reduce the level of activity experienced previously from that associated with a nursery operation. The overall level of development is not considered to be excessive.
- 8.17 A concern of neighbours over this proposal involves the potential impact on their living conditions and amenity, and the fact that the current building has been vacant for long spells and is in a poor condition. Neighbours have identified loss of amenity based on potential noise, disturbance, visual amenity and congestion; in addition to the level of detail provided of the proposal and a lack of credibility over the current owner. Furthermore, that there would be no recourse in the event of anti-social behaviour in terms of potential occupancy which would lead to undue impact on the local streetscene. Neighbours have drawn on comparisons of other multi occupied buildings within the immediate locality which they say have resulted in similar adverse impacts, two of which exist in the same road.
- 8.18 In view of the previous history of the site it is understandable why neighbours would raise concerns over the management and activity associated with the the building. Equally however if the proposed use was to be properly managed and such an arrangement sufficiently secured, this would provide an effective form of accommodation with little impact for neighbours. In the initial period (of 5 years) the applicant is proposing that the responsibility for nominating potential occupiers would lie with the Council's Housing Initiatives Team. However, after that period this situation could be altered. It is therefore recommended that a management plan for the property is secured by way of a condition.

Transportation:

- 8.19 The PTAL level for this site is 5 which is high. Officers consider that the provision of 1 disabled bay and 2 other bays including one electric charging point with 12 bicycles to be sufficient. The existing access arrangements (including 2 vehicular accesses) would be retained. The proposed level of parking and associated movement would be significantly less than that associated with the previous nursery operation. Details to securing the parking provision, the number of cycle spaces and of the position of refuse storage enclosure to ensure suitable collection measures would be controlled by condition.
- 8.20 Therefore subject to suitable details the proposal is therefore considered to be in accordance with London Plan policies 6.3 assessing effects on development capacity, 6.9 cycling, CLP policies SP8, DM29 and DM30.

Sustainability and flooding

- 8.21 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy 5.2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. In addition, the Council would require the development to achieve a water use target of 110 litres per head per. Subject to conditions the development would need to achieve sustainable requirements in line with national, regional and local level.
- 8.22 The applicants have submitted a flood risk statement which identifies the site to be in Flood Zone 1. In terms of sustainability the conversion of the existing building would involve the re-construction of currently paved areas to landscape. The sustainable report confirms that this approach will significantly reduce any un-mitigated run-off from these areas. In turn this will reduce surface water rates run-off from the site and reduce flood risk elsewhere. In doing so this scheme meets the London Plan's requirement for a 50% reduction in peak run-off rates from brownfield sites

Waste

- 8.23 The proposed plans indicate the location for the waste storage facilities. It is considered that the proposed bin storage for 6 flats would need to contain 1 x 660ltr landfill, 1 x 1280ltr comingled dry recycling and 1 x 140 ltr food recycling facilities. However, details confirming this provision would need to be secured by condition to ensure suitable facilities are provided in line with the principles of London Plan policy 5.17 waste capacity; CLP policies SP6 and DM13.

Conclusions

- 8.25 The recommendation is to grant planning permission. All other relevant policies and considerations, including equalities, have been taken into account.



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PART 6: Planning Applications for Decision

Item 6.4

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/04742/FUL
 Locations: 1-9 Foxley Lane, Purley, CR8 3EF
 Ward: Purley and Woodcote
 Descriptions: Demolition of existing buildings. Erection of a 5/6/7 storey building comprising 8x one bedroom, 36x two bedroom and 5x three bedroom flats. Provision of associated amenity areas, cycle parking, refuse and recycling stores.
 Drawing Nos: 2796_EX-SP P1, 2796_GA-P-500-L00 P3, 2796_GA-P-500-L01 P3, 2796_GA-P-500-L02 P3, 2796_GA-P-500-L03 P3, 2796_GA-P-500-L04 P3, 2796_GA-P-500-L05 P3, 2796_GA-P-500-L06 P3, 2796_GA-P-500-L07 P3, 2796_GA-P-L00 P4, 2796_GA-P-L01 P3, 2796_GA-P-L02 P3, 2796_GA-P-L03 P3, 2796_GA-P-L04 P3, 2796_GA-P-L05 P3, 2796_GA-P-L06 P3, 2796_GA-P-L07 P3, 2796_GA-E- 01 P3, 2796_GA-E-02 P2, 2796_GA-E-03 P3, 2796_GA-E-04 P2, 2796_GA-S-01 P3, 2796_GA-S-02 P3 and 182660-007 REV A
 Applicant: Foxley Lane LLP
 Agent: Icen Projects Ltd
 Case Officer: Georgina Betts

	Studio	1 bed	2 bed (2b3p)	2 bed (2b4p)	3 bed
Market Flats	0	4	6	22	2
Affordable Rented	0	2	2	2	1
Shared ownership	0	2	0	4	2
Totals	0	8	8	28	5

Number of car parking spaces	Number of cycle parking spaces
0	88

1.1 This application is being reported to Planning Committee because the Ward Councillor (Cllr Simon Brew) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

2.1 That the Planning Committee resolve to GRANT planning permission subject to:

- A. The prior completion of a legal agreement to secure the following planning obligations:
 - a) Affordable Housing delivery
 - b) Enter into relevant Highway agreements to deliver a widened footpath and dual purpose disabled/loading bay.
 - d) Contribution towards EVCP, any relevant TMO and signing and lining associated with the inset dual disable/loading bay

- e) Restriction of Parking Permits
- f) Local Employment and Training Strategy
- g) Local Employment and Training Contributions
- h) Air Quality Contributions
- i) Carbon Off-set Contributions
- j) Relevant monitoring fees.
- k) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.

2.3 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) In accordance with the approved plans
- 2) Details of flood prevention to be submitted and approved
- 3) Submission and approval of a piling method statement
- 4) Construction Logistics Plan/Management Statement to be submitted to and approved
- 5) A Delivery and Servicing Plan to be submitted to and approved in writing
- 6) Air quality dust risk assessment to be submitted to and approved in writing
- 7) Details of landscaping to be approved
- 8) Details of external facing materials to be approved
- 9) Details of playspace and security lighting to be approved
- 10) Travel plan to be submitted to and approved
- 11) In accordance with the air quality assessment
- 12) In accordance with the noise assessment
- 13) Mechanical plan/equipment to be 10db below the background noise
- 14) Water usage of 110 litres per head per day
- 15) 36% reduction in CO2 above the 2013 Building regulations
- 16) Grampian condition to ensure that existing crossovers are returned to highway standards
- 17) Accessible dwellings compliance with M4(2) and M4(3)
- 18) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) CIL
- 2) Site notice removal
- 3) Subject to Section 106 agreement
- 4) Croydon code of Construction
- 5) Party Wall act
- 6) Thames Water – surface water disposal
- 7) Thames Water – public sewers crossing the site
- 8) Any other informative(s) considered necessary by the Director of Planning

2.4 That the Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or

historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.5 That, if by 15th May 2019 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 This is a full planning application for;

- Demolition of the existing buildings on site
- Erection of a 5/6/7 storey building comprising of 48 flats.
- Provision of associated amenity areas, cycle parking, refuse and recycling stores.
- Extensive landscape works to include roof top gardens.
- Highway works to include the provision of an inset dual disabled parking/loading bay

Site and Surroundings

3.2 The site measures 0.16 hectares and is currently occupied by a group of 5 derelict buildings which was last occupied by a care home. The buildings are of a two storey height with hipped rooves and sit between the three/four storey commercial properties on Russell Hill Parade and the Grade II listed Library to the south-west with the Purley Baptist site beyond. The site is generally level however the land falls slightly to the south.

3.3 The site lies within a 'red route' which forms part of Transport for London's (TfL's) road network and is sited on a busy gyratory in Purley Town Centre. As such there is no parking within the vicinity of the site as surrounding roads form part of the controlled parking zone (CPZ).

3.4 1-9 Foxley Lane is an isolated section of residential uses amongst wider commercial and community uses associated within the Purley District Centre. The characteristics of the site are clearly very different to the neighbouring surroundings.

3.5 As well as the designations set out above, Foxley Lane forms part of TfL's road network, the site is within a CPZ and is at an elevated risk of surface water flooding.

3.6 Designations

- Archaeological Priority Area
- Is near a proposal site (Purley Baptist Church site)
- Is adjacent to a listed building (Purley Library)
- Place specific policy (Purley)
- Near to a Primary Shopping Area
- Near to a District Centre

Planning History

- 3.7 There is no relevant planning history in relation to this site for the purposes of this application.
- 3.8 Neighbouring Sites – Purley Baptist Church

16/2994/FUL - Demolition of existing buildings on two sites; erection of 3 to 17 storey building with basements comprising 114 flats, community and church space and a retail unit on Island Site and a 3 to 8 storey building comprising 106 flats on south site and public realm improvements with associated vehicular accesses

CGI of the proposal at Purley Baptist



- 3.9 Planning Permission was refused by the Secretary of State for the above application. An application was lodged with the court of appeal for a Judicial Review and the Council are currently awaiting this outcome.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 There is no objection in principle to the proposal. The proposed development will bring forwards the regeneration of a derelict site and is aligned with the desire for growth within Purley Town Centre. A residential scheme is appropriate given the significant housing demand within the Borough.
- 4.2 The layout, height and massing has been assessed and found to be satisfactory. The appearance and detailed façade treatment of the buildings is considered to be high quality, displaying an appropriate response to the surrounding characters. Good amounts of landscaping have been included across the site and there would be an upgrade to the adjoining highway, which is supported.

- 4.3 The site would adjoin the listed Purley Library. Given the siting, form and elevational treatment of the proposed development this would have limited impact and overall is not considered to result in harm to this heritage asset.
- 4.4 There are some neighbouring buildings that are impacted in relation to sunlight and daylight levels, however, these impacts would not be to such an extent to cause an unacceptable degree of harm to existing occupiers. Outlook and privacy to neighbouring occupiers would be acceptable. The development would also not adversely impact on the future occupiers.
- 4.5 The amount of proposed development is acceptable given the mixed heights of neighbouring buildings and town centre location and is in accordance with the London Plan. However, it is noted that the density matrix should not be applied with rigidity given the Mayor's intention to remove the matrix in the revised London Plan. Given the context of this site, the proposal is appropriate.
- 4.6 The proposed unit mix includes a family unit provision of 68.75% and meets the Council's aspiration of providing family homes.
- 4.7 The proposal would provide 15 affordable units (which is 30% of units by habitable room), with 7 and 8 units affordable rent and shared ownership respectively. This offer has been subject to extensive viability testing and is considered to be the maximum reasonable level of affordable housing.
- 4.8 The proposed development would meet all relevant residential space standards and the provision for private and communal amenity space and play space proposed is considered to be acceptable with adequate levels of daylight provided within the flats for future residents.
- 4.9 With suitable conditions and obligations (which are recommended) to secure mitigation, the development is considered acceptable with regards to its sustainability, environmental impacts, specifically in relation to internal noise conditions, air quality impacts, dust assessments and flood risk. Microclimate impacts are also acceptable in respect of future and local users.
- 4.10 The highways impacts of the development would be acceptable. As part of detailed discussions with TfL two on site disabled bays have been omitted over fears surrounding pedestrian safety. This matter has been carefully balanced and an inset dual disabled parking/loading bay has been included as requested by TfL. Appropriate levels of cycle parking spaces are provided and highway works would be secured by condition and through the legal agreement. The lack of onsite disabled bays is considered acceptable on balance given the overall benefits of the scheme.

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:

LLFA (Statutory Consultee)

- 5.3 No objection, subject to condition.

Thames Water (Consultee)

5.4 Thames Water have not raised any objection to the proposal and have requested that should planning permission be granted conditions and informatives are added covering the following;

- Sequential approach to surface water disposal
- No piling shall take place until a piling method statement has been submitted to and approved in writing.
- Advice surrounding public sewers.

London Fire Commission (Consultee)

5.5 No comments received.

5.6 Transport for London (Consultee)

5.7 No objections subject to the removal of the two on site disabled bays and the provision of a dual disabled/loading bay.

Greater London Archaeology Advisory Service (Consultee)

5.8 No objections and/or conditions are considered necessary given the previously developed nature of the site.

LOCAL REPRESENTATION

5.9 The application has been publicised by way of a site notice displayed in the vicinity of the application site, neighbour notification letters sent to 58 adjoining occupiers and 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: 5 Objecting: 5

5.10 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>Townscape</i>	
<ul style="list-style-type: none">• Excessive height• Out of character• Over development• Poor/obtrusive design	See paragraphs 7.3-7.12
<i>Neighbouring amenity</i>	
<ul style="list-style-type: none">• Loss of privacy/light	See paragraphs 7.22-7.25
<i>Environment</i>	
<ul style="list-style-type: none">• Increased flood risks	See paragraphs 7.42-7.53
<i>Highways</i>	

<ul style="list-style-type: none"> • Impacts on service and delivery of nearby commercial units • Safety fears given the busy nature of gyratory and number of units proposed 	See paragraphs 7.30-7.37
Supporting comments	Response
<ul style="list-style-type: none"> • Redevelopment of the site is a positive step. 	Agreed

5.11 Councillor Simon Brew (Objects) has made the following representations:

- Poor design
- Out of character
- Over development
- Poor light levels for new flats
- Lack of disabled parking

6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 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 2016, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

6.2 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.
- 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

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

6.4 Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities

- 3.10 Definition of affordable housing
- 3.12 Negotiating affordable housing
- 3.13 Affordable Housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 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
- 7.1 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 Tall and large buildings
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 7.21 Trees and Woodland
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

6.5 Croydon Local Plan 2018

- SP1.1 Sustainable Development
- SP1.2 Place making
- SP1.3/SP1.4 Growth
- SP2.2 Quantities and locations
- SP2.3-2.6 Affordable Homes
- SP2.7 Mix of Homes by Size
- SP2.8 Quality and standards
- DM1.1 Provision of 3 or more beds
- SP4.1-4.3 Urban Design and Local Character
- SP4.4 Croydon Opportunity Area
- SP4.5/SP4.6 Tall Buildings
- SP4.7-4.10 Public Realm
- SP4.12-13 Character, Conservation and Heritage
- DM13 Refuse and recycling
- DM15 Tall and large buildings
- DM16.1 Promoting healthy communities
- SP6.1 Environment and Climate Change
- SP6.2 Energy and CO2 Reduction
- SP6.3 Sustainable Design and Construction

- SP6.4 Flooding
- DM23 Development and construction
- DM25.1 Flooding
- DM25.2 Flood resilience
- DM25.3 Sustainable drainage systems
- SP7.4 Biodiversity
- DM27 Protecting and enhancing our biodiversity
- DM28 Trees
- SP8.3-8.4 Development and Accessibility
- SP8.6 Sustainable Travel Choice – pedestrians
- SP8.12/SP8.13 Motor Vehicle Transportation
- SP8.15/16/17 Parking
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM42 Purley

6.6 According to paragraph 48 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. The emerging London Plan has been published for public consultation (1 December 2017 – 2 March 2018). Given the stage of preparation the policies within the emerging London Plan are given minimal weight.

6.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Affordable Housing And Viability Supplementary Planning Guidance 2017 (August 2017)
- SPD 3 – Designing for Community Safety
- SPG Note 10 – Designing for Accessibility
- SPG Note 12 – Landscape Design
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

7 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Density, Housing Mix and Affordable Housing
3. Townscape
4. Impact on adjoining occupiers
5. Quality of living environment provided for future residents
6. Transport
7. The environmental performance of the proposed building
8. Environment
9. Other planning matters

Principle of development

- 7.2 The site lies within an established residential area on the edge of Purley District Centre and was last used as a care home. There is no protection for care homes within Croydon Local Plan, due to an overprovision, while residential development in this location is supported. The site is adjacent to Purley District Centre but not within the centre so a development which makes best available use of the site is considered appropriate.

Density, Housing Mix and Affordable Housing

Density

- 7.3 Policy 3.4 of the London Plan states that in taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in Table 3.2. Based on the public transport accessibility level (PTAL 5) and the site's central characteristics, the London Plan density matrix suggests a residential density of between 650-1100 habitable rooms per hectare.
- 7.4 The residential density of the proposal would be 920 habitable rooms per ha, therefore the overall density can be supported.

Housing mix

- 7.5 Croydon Local Plan 2018 policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms (or 2b4p within three years of the plan). The Croydon Plan states that within urban areas with a PTAL of 5 sites should achieve a 60% provision of family units. In this case, the development would provide a total of 68.75% of units being classified as family units with the mix supported by a Registered Provider; this provision is acceptable and is in accordance with policy.

Affordable Housing

- 7.6 During the course of the application the applicant has submitted a financial appraisal of the development which has been independently assessed. The independent appraisal shows that the development could support 30% affordable housing by habitable room. This would result in 7 affordable rent units (2x one bedroom, 4x two bedroom and 1x three bedroom units) and 8 intermediate shared ownership units (2x one bedroom, 4x two bedroom and 2x three bedroom units). This offer meets the minimum percentage of affordable housing outlined in Policy 2.5 of the CLP. The appraisal has been reviewed and officers are satisfied that it has been demonstrated that this is the maximum reasonable amount of affordable housing that can be provided.
- 7.7 To support the proposed unit mix and tenure split of 53.3% to 46.7% in favour of shared ownership the applicant has submitted a supporting letter from L&Q Group to this effect. The minimum policy requirement has been met, which negates the requirement for a review mechanism. Whilst this mix leans more towards intermediate accommodation than the policy split, given the support from the Registered Provider, this is considered to meet a local housing need and represents the best mix in order to provide a good amount of affordable housing. Officers are satisfied that the

affordable housing offer overall is acceptable especially given the level of family accommodation.

Townscape

Layout

- 7.8 The existing buildings within the site cover a large proportion of the site with the site entrance from Foxley Lane. The proposal before the Committee depicts an urban form similar to the buildings it replaces be it a number of stories taller. The development would result in a positive frontage with the building line respecting neighbouring buildings and stepping back from the library to the west. Pedestrian access is maintained from Foxley Lane with a rear amenity space for future occupiers. The proposed layout respects the sites history and the urban form of the surrounding area and is supported.

Scale, Height, Massing

- 7.9 The building has a height ranging from five to seven stories stepping up from the north-eastern and south-western boundaries to a central mass of seven stories. The height of the parapets have been kept to a minimum while the roof areas would be used for private and communal amenity areas.
- 7.10 The development would be taller than its immediate neighbours within Russell Hill Parade and Banstead Road and would be comparable to the property to the north, known as 'Sun-Rise of Purley'. The development would sit comfortably within the immediate context given the topographical changes between the north and south.
- 7.11 The gradual stepping in height offers relief from the overall massing of the development and would appear as a positive landmark building when approaching the centre from the west, marking the edge of the District Centre. Given the need for housing in the borough and the Council's aspiration of residential intensification the proposed height and massing is acceptable.

CGI's of the proposal at 1-9 Foxley Lane (left: view from Foxley Lane, right: rear view from the service road to the east)



Appearance and connectivity

- 7.12 The principle of a two-toned brick building is supported as this reflects the character of the surrounding built form. The strong architectural punched windows which wrap around the corner of the building pick up on the evolution of Purley town centre, interpretations incorporating bold architectural elements. The two wings would be constructed in a lighter tone brick to help break down the mass and respond to the lower height buildings responding to the finer grain and rhythm of some of the buildings in the local area. The dark window frames would complement the geometric form helping to integrate the development into its setting.
- 7.13 Samples of the external facing materials would be required and secured by condition to ensure that a high quality build is delivered.
- 7.14 The development would see improvements to the public realm through alterations to the highway which include soft landscaping and resurfacing as part of these works
- 7.15 The development would be accessed directly from Foxley Lane and would not interrupt or restrict the service road to the east. Access to the rear amenity space would be through the building for the private use by residents.

Heritage

- 7.16 The site lies adjacent to Purley Library which is a Grade II listed building. The front building line of development at 1-9 Foxley Lane sits behind the front building line of Purley Library. The use of a light toned brick in this area combined with the stepped mass and open balcony areas would ensure that the setting of the listed building is respected.
- 7.17 The relationship between the development and the library has been appropriately addressed through the siting of the development and its design, scale and massing. The scheme would result in a different relationship with the library but as set out above the scheme has responded to this context. The proposal would improve the street frontage and levels of activity along this section of Foxley Lane, which are considered

to have a positive impact on the Listed Building. Therefore overall the proposal is not considered to cause harm to the heritage asset.

- 7.18 Greater London Archaeological Advisory Service consider no further archaeological works are required, so the proposal is considered to have an acceptable impact on heritage in this respect.

Impact on adjoining occupiers

- 7.19 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.
- 7.20 There are no immediate residential properties to the south-west due to the presence of the library and the Baptist church.
- 7.21 To the east neighbouring properties are located above the first floor of the commercial properties along Russell Hill Road. Given the stepped massing of the development and a separation distance in excess of 19 metres between the majority of neighbouring habitable room windows along Russell Hill Road. A habitable room at 10 Russell Hill is closer to the proposed development than the 19 metres specified above. Given the siting of the development, a degree of outlook would be maintained given the angled facades. Given the tight urban grain as a result of the town centre location this relationship is considered acceptable. The development is not considered to appear visually intrusive nor result in a loss of privacy. Balconies would be appropriately screened and would not result in a loss of privacy.
- 7.22 The neighbouring properties to the north are well separated from the development and are sited on higher land levels so would be unaffected by the development. The proposal is therefore considered to have an acceptable impact on neighbouring properties.
- 7.23 It is acknowledged that the adjacent site at Purley Baptist does not currently benefit from planning permission. However, this application has been assessed against the manner in which that site may be developed. Given the indicative layout and siting of both buildings this development is not considered to prejudice the development potential of the adjoining land should this site come forward in the future.

The quality of living environment provided for future residents

- 7.24 Policy 3.5 of the London Plan states that new residential units should provide the highest quality internal environments for their future residents. 10% of new residencies should be wheelchair accessible or easily adaptable for residents who are wheelchair users. All new flatted schemes should be provided with private amenity space and playspace in accordance with Policy DM10.4 of the Croydon Plan.
- 7.25 All units meet the appropriate internal minimal size limits set out in the government's Technical Housing Standards and are provided with private amenity space in accordance with the London Plan standards and have access to a communal garden at the rear which is capable of complying with playspace standards set out in the

Croydon Plan. A small number of units would face due north with secondary windows due west, while this is not ideal these units are not single aspect. Given the size of the window openings and open nature due north this configuration is considered acceptable on balance. Details of boundary treatments, hard and soft landscaping would be secured via condition. Suitable noise insulation can be secured by condition in line with the recommendations within the noise assessment which has been viewed and supported by the Councils Environmental Health Team.

7.26 The applicant has demonstrated that 90% of the units can meet M4(2) with the remaining 10% meeting M4(3) requirements internally. This is achievable on site given the provision of a lift and the level nature of the site.

Transport

7.27 The Croydon Local Plan 2018 policies within SP8 seek to promote sustainable travel choices, require new developments to contribute to the provision of electric vehicle charging infrastructure, car clubs and car sharing schemes, and encourage car free development in areas of high PTAL while still providing for disabled people. Policy DM 29 seeks to promote sustainable travel and reducing congestion by promoting measures to increase the use of public transport, cycling and walking and not have a detrimental impact on highway safety or transport network. Policy DM30 seeks to promote sustainable growth in Croydon and reduce the impact of car parking new development.

7.28 The site is located in an area with a PTAL of 5 with excellent transport links given its town centre location. The site is therefore suitable for a car free development. During the course of the application an objection was received from TfL in relation to pedestrian safety and obstruction to TfL's network from two proposed parking spaces. Having considered the detail of the application TfL concluded that there was insufficient space for disabled vehicles to turn and exit the site in a forward gear and so would reverse on to a very busy distributor road where traffic is moving in lanes and potentially queuing at lights. As such TfL requested the removal of the two on-site disabled bays to safeguard pedestrian safety.

7.29 After extensive discussions with TfL engineers and a site visit an alternative of an inset dual disabled parking and loading bay within the existing footway is proposed. These amendments also relocate existing signage and lamppost while ensuring that a minimum 2 metre wide footway is retained. This approach ensures that the busy gyratory is free of obstructions and would result in an overall improvement to highway safety, this is especially poignant given that the existing bays project into the carriageway.

7.30 The application has therefore carefully considered the provision of disabled parking in accordance with policy SP8 of the Croydon Plan within the immediate vicinity of the site and it is noted that there are two existing blue badge spaces outside Purley Library. In this particular case both TfL and the LPA have weighed pedestrian safety and the operation of the highway above that of on-site disabled parking; this is in line with the Mayor of London's 'Vision Zero' objective (a strategy to eliminate deaths and serious injuries on the road network) and is considered acceptable on balance given the overall benefits of the scheme.

- 7.31 The area previously depicted as two disabled bays will now be incorporated within the overall landscaping scheme having both flooding and streetscene benefits. This will be secured by condition.
- 7.32 A financial contribution towards the provision of EVCP's within the vicinity of the site will be secured as part of the legal agreement. In addition, the legal agreement would seek to restrict future occupiers for applying for residential parking permits.
- 7.33 The secure cycle store satisfies the London Plan requirement in terms of numbers and can be secured by condition. Adequate visitor cycle parking is also provided.
- 7.34 A Delivery and Servicing Plan (DSP), a Demolition/Construction Logistics Plan/Management Strategy and a Travel Plan would be secured via condition.

The environmental performance of the proposed building

- 7.35 Policies 5.2 and 5.3 of the London Plan state that development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction. Croydon Local Plan 2018 policy SP6.3 seek high standards of sustainable design and construction from new development to assist in meeting local and national CO2 reduction targets.
- 7.36 The energy report identified that a total carbon dioxide saving of 36% is achievable. These savings fall short of the residential policy requirement of zero. The Council would require a financial contribution to offset the failure to meet zero carbon and this would be secured through a S106 legal agreement. The development incorporates the provision of a green roof which would seeks to address and/or mitigate co2 emissions.
- 7.37 In addition a water consumption limit of 110 litres/person/day would be secured by condition.

Environment

Surface Water, Drainage and Flooding

- 7.38 London Plan Policy 5.3 states that development proposals should demonstrate that sustainable design standards are integral to the proposal and that major developments meet the minimum standards within the Mayor's SPG. Developers will be expected to clearly demonstrate how all opportunities to minimise final site runoff, as close to greenfield rate as practical, have been taken. Croydon Local Plan policy SP6.4 seeks to reduce flood risk, protect groundwater and aquifers and minimise all forms of flooding. Policy DM25.1 seeks to reduce flood risk and minimises the impact of flooding. Policy DM25.3 requires sustainable drainage systems in all development.
- 7.39 As the application relates to a major application a Flood Risk Assessment and Surface water Management Plan is required under Local Plan policy SP6.4 and London Plan Policy 5.12 and 5.13. FRA and a SuDS strategy have been submitted with the application and reviewed by the Lead Local Flood Authority. The Lead Local Flood Authority have considered the information and found it to be acceptable subject to the inclusion of pre-commencement conditions which require the submission of detailed drainage information. Thames Water have suggested conditions and informatives in the event that the LPA could support the proposals but have not objected to the development.

Air pollution, noise and vibration

- 7.40 London Plan Policy 7.14 (B) states that developments should minimise increased exposure to existing poor air quality and seek to contribute to addressing local air quality problems and CLP2018 requires development to positively contribute to improving air, land, noise and water quality by minimising pollution.
- 7.41 The Councils Environmental Health Team has raised no objection to this aspect of the proposals, but does suggest that the mitigation measures identified within the air quality report should be secured by condition. Mitigation measures relate to the construction period of the development and primarily to control dust. The development is within an Air Quality Management Area and therefore a contribution is required towards local initiatives and projects in the air quality action plan which will improve air quality targets helping to improve air quality concentrations for existing and proposed sensitive receptors.
- 7.42 Being adjacent to a busy road the local noise levels are relatively high. With carefully considered noise mitigation measures such as trickle or mechanical ventilation and a traditional cavity wall construction the internal noise level can be acceptable; a condition is recommended regarding these matters.
- 7.43 As a large scale development, the construction phase would involve large scale operations and is likely to be elongated, there is the potential for adverse environmental effects, including noise if not properly controlled. Such matters would be secured through condition.

Microclimate

- 7.44 A study of wind conditions in and around the proposed development has been conducted. This concludes that wind conditions in and around the proposed development are suitable, in terms of pedestrian comfort and safety, for use by the general public.

Other Planning Issues

Employment and training

Croydon Local Plan policy SP3.14 and the Planning policy including the adopted Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy – Review 2017 sets out the Councils' approach to delivering local employment for development proposal. A financial contribution and an employment and skills strategy would be secured as part of the legal agreement.

Conclusions

- 7.45 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 6.5

1.0 APPLICATION DETAILS

Ref: 18/02965/FUL
 Location: The Minster Junior School, Warrington Road, Croydon, CR0 4BH
 Ward: Waddon
 Description: Installation of an artificial sand-dressed sports pitch and associated floodlighting and fencing
 Drawing Nos: HLS03946, 100B, 200A and 300A
 Agent: Sports Lab Limited
 Applicant: The Minister Junior School
 Case Officer: Georgina Betts

- 1.1 This application is being reported to Committee because the Ward Councillor (Councillor Robert Canning) 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.

2.0 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 in accordance with the approved plans.
- 2) Details of a Tree Protection Plan to be submitted to and approved in writing.
- 3) Details of flood lighting shields to the north-western and south-western boundaries to be submitted to and approved in writing.
- 4) The composition of the sports pitch shall be carried out in accordance with the submitted details.
- 5) Restriction on the hours of illumination: 3pm until 9pm Mondays to Saturdays (excluding bank holidays)
- 6) The development shall be carried out within 3 years.
- 7) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport.

Informatives

- 1) Code of Practice on the Control of Noise and Pollution from Construction Sites
- 2) 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:

- Installation of an artificial sand-dressed sports pitch
- Installation of six floodlights of 10m and equipment cabinet
- Associated 3m high fencing around the periphery of the pitch

Site and Surroundings

3.4 The application site lies on the western side of Warrington Road and is currently occupied by the Minister Junior School with the nursery and infant school located within the same site. The surrounding area is residential in character comprising predominantly of semi-detached, detached and terrace properties

3.5 The site lies near Duppas Hill road which is a main arterial road connecting central Croydon to Five Ways and the wider Purley Way retail parks. As a result the application sites lies within a controlled parking zone and parking is limited.

3.6 The application site lies near a locally listed historic park/garden and a site of nature conservation importance. The site is at risk of surface water flooding as identified by the Croydon Flood Maps.

Planning History

3.7 None of relevance to this application.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- a. The principle of the development can be supported given the educational use of the site.
- b. The development would not result in significant harm to the residential amenities of nearby properties.
- c. Flood risks can be appropriately addressed through the use of 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 way of letters sent to neighbouring occupiers of the application site and site 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: 21 Objecting: 19 Comments: 2

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

Summary of objections	Response
Noise and light pollution	This matter is discussed in Sections 8.4-8.5 of this report
Anti-social behaviour	The sports pitch would be sited within the grounds of the school and would not be available to the general public. The use of such pitches are generally organised events and as such is unlikely to give rise to such concerns. In the rare event that such matters did arise then this would become a matter for the Police.
Health risks associated with the materials used in the construction of the sports pitch.	Such matters are covered under separate legislation and are not matters for this application.
Increase in parking congestion	The site lies within a controlled parking zone while there is a level of on-site parking at the school. The provision of a sports pitch within the grounds of the existing school are not considered to give rise to an unacceptable increase in localised traffic.
Increase in litter	The school will be responsible for the maintenance of the sports pitch. Concerns around an increase in litter would be a matter of the school to address.

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

- Devalue property prices [Officer Comment: this is not a material planning consideration]

6.4 Councillor Robert Canning has made the following representations:

- Light and noise pollution

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 July 2018. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

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

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

Consolidated London Plan 2015 (LP):

- 5.12 on flood risk management
- 5.13 on sustainable drainage
- 7.4 on local character
- 7.6 on architecture
- 7.15 on reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Croydon Local Plan 2018 (CLP):

- SP4 on urban design and local character
- DM10 on design and character
- DM16 on promoting healthy lifestyles
- DM25 on sustainable drainage systems and reducing flood risk
- Applicable place-specific policies

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 development and its impact upon the character of the area
- The impact on the residential amenity of adjoining occupiers;
- Flooding matters arising from the development.

Principle of development and its impact on the character of the area.

8.2 The applicant seeks full planning permission for the installation of a sports pitch measuring 38.5 metres by 60 metres located close to the north-western corner of the site. Six floodlights would be provided around the periphery of the pitch to extend the hours of use during the winter months. Wire fencing at a height of 3 metres would surround the pitch to reduce the number of loose balls and/or equipment. The sports pitch would be sited within the Minister Junior School and would enhance the educational facilities of the school which by its nature would

be in keeping with the character of site. The principle of the development can therefore be supported.

Photograph looking north-west towards St Leonards Road



- 8.3 The floodlights would have a maximum height of 10 metres and by their nature would have a slender appearance. The sports pitch would not be visible from the wider area due to its low level nature. The boundaries to the north and west are well screened and the area benefits from large established trees. The established landscaping would help to screen the 3 metre high fencing and the floodlight columns from the neighbours in Duppas Road and St. Leonards Road. Given the points raised above the development is not considered to harm the character and appearance of the surrounding area.

Photograph looking South-West towards Duppas Road



The impact upon the amenities of nearby residents

- 8.4 The nearest affected residents are considered to be those adjacent to the location of the pitch, residents within Duppas Road and St Leonards Road. The nearest property is 17m from the edge of the pitch. If floodlighting is used in an uncontrolled manner it could give rise to unacceptable levels of light and noise pollution. The applicant has not specified within the application what the hours of illumination nor have they provided any details in respect of floodlight shields nearest these neighbouring properties.
- 8.5 The site is well screened visually but due to the proximity of residential properties, restrictions are proposed by condition on the hours of illumination to control light and noise pollution at more sensitive times. The hours proposed to be controlled by condition are until 9pm (excluding Sundays and Bank Holidays) and a condition in respect of light shields is reasonable and would adequately protect the residential amenities of nearby residents. After 9pm the noise generated by sporting activities may cause a disturbance to residential properties as they are in close proximity and general background noise levels drop in the evenings. The school currently operates without an hours of use restriction and it is not considered reasonable to introduce one due to this proposal. The hours of illumination would be controlled and sports activities would naturally be curtailed by the available light. Such an approach and restrictions are broadly in line with other sites across the borough and subject to suitably worded conditions would be acceptable.

Flooding matters arising from the development

- 8.6 The site lies within an area at risk of surface water flooding. The applicant has provided details on the composition of the sports pitch and has specified that the surfaces would be porous.
- 8.7 Sectional details of the pitch confirm this and therefore it is considered that the use of Sustainable urban Drainage Systems would be sufficient to address surface water run off within the site. Such matters would be acceptable subject to a suitably worded condition.

Other Issues

- 8.8 The proposal would be used in conjunction with the school use and so, whilst some additional comings and goings could occur due to, say, visiting teams, the overall impact on traffic and the local highway is considered to be minimal.
- 8.9 The fence and lights would be located near to trees which screen the boundary. Whilst not particularly high quality specimens, they serve a purpose in screening the school, and proposal, from residential properties. As such a condition is recommended to ensure that details of tree protection are submitted prior to the commencement of development.

Conclusions

8.10 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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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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