

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 20/02136/FUL  
 Location: The Sandrock 152 Upper Shirley Road Croydon CR0 5HA  
 Ward: Shirley South  
 Description: Two storey side and rear extension to The Sandrock Public House to provide an enlarged service area (including front seating area) to the existing pub (Sui Generis) and conversion of the upper floors including extensions to form 4 flats and construction of a three storey building to the rear comprising 11 flats and 4 houses; hard and soft landscaping; communal/amenity/play space; car parking between the two buildings; new crossover along Sandrock Place; boundary treatment and refuse and cycle provision.

Drawing Nos: 197770-001 (Site Location), 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, CCL 10425 Rev 1 (Tree Protection Plan), CCL 10425 Rev 2 (Tree Removal Plan), CCL 10425 Rev 2 (Impact Assessment Plan), S P H - P 1 5 5 - S 2 - P 0 (Topographical Survey) – received 19/05/2020

2372-PLA-00-DR-L-0001 S1 P03, 2372-PLA-00-DR-L-0200 S1 P02, 2372-PLA-00-DR-L-0100 S1 P03, 2372-PLA-00-DR-L-0300 S1 P03, S P H – P 1 7 0 – S 2 – P 3, 1743 – P273 – S2 – P8, 1743 – P272 – S2 – P9, 1743 – P271 – S2 – P9, 1743 – P270 – S2 – P9, SPH – P176 – S2 – P0, SPH – K606 – S2 – P0, SPH – K605 – S2 – P0, SPH – P174 – S2 – P4, SPH – P174 – S2 – P4, SPH – K607 – S2 – P0, 1743 – P370 – S2 – P2, 1743 – P371 – S2 – P2, SPH-K600-S2-P0 – received 08/02/2021

Applicant: Marshall Hurley Bratt Sandrock LLP  
 Agent: Savills – Miss Alice Higgitt  
 Case Officer: Jimill Patel

	1B 2P	2B 4P	3B 4P	3B 6P	Total
Existing Provision					0
Affordable Rent		2	2		4
Shared Ownership		2			2
Market Housing	6	2	1	4	13
Total Proposed	6	6	3	4	19

*70% of the units are proposed for Private sale; 30% of the habitable rooms are proposed for Affordable Housing with a split of 41% Shared Ownership and 59% Affordable Rent by Habitable Room.*

Number of car parking spaces	Number of cycle parking spaces
10	41

1.1 This application is being reported to Planning Committee as 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 prior to the completion of a legal agreement to secure the following:

- a) Affordable Housing – 6 units (4 x affordable rented and 2 x shared ownership);
- b) Local Employment and Training Contributions;
- c) Financial Contribution towards Air Quality;
- d) Sustainable Travel Contribution;
- e) Restriction on applying for future parking permits
- f) S278 Agreement for the Implementation of the Highway Works;
- g) Carbon Offsetting Contribution;
- h) Monitoring Fee; and
- i) And any other Planning Obligations considered necessary.

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the detailed terms of the legal agreement, securing additional/amended obligations if necessary

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. Time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions

### Pre-Commencement Conditions

3. Details and samples of materials to be submitted for approval;
4. Landscaping and child play / communal amenity space and boundary treatment
5. Full details of cycle storage to be submitted for approval;
6. Lighting of bin and bike stores to be submitted for approval;
7. Construction Method Statement
8. Waste Management Plan

### Pre-Occupation Conditions

9. Public Art details to be submitted for approval;

10. Details of electric vehicle charging point to be submitted;
11. Delivery and servicing plan
12. Car park management plan
13. Bat lighting scheme
14. Submission of a copy of the EPS license for bats prior to commencement of any development;
15. Replacement trees to be planted prior to occupation in accordance with the submitted Landscape plan and condition 4.
16. Energy efficiency / sustainability
17. Secured by design

### Compliance Conditions

18. Accessible homes – 2 x M4(3) wheelchair units and all other units M4(2);
19. Car parking laid out as specified;
20. Visibility splays as approved;
21. Accord with Conclusions and Recommendations section of the submitted Preliminary Ecological Appraisal;
22. Accord with Recommendations section of the submitted Bat Survey;
23. Accordance with Tree Protection Plan;
24. Accord with the mitigation measures stated within Surface Water Drainage Strategy (SWDS) and Flood Risk Assessment;
25. Water efficiency;
26. Accord with mitigation outlined in Noise Assessment;
27. Unexpected contamination;
28. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### Informatives

1. Granted subject to a Section 106 Agreement
  2. Community Infrastructure Levy
  3. Code of practice for Construction Sites
  4. Nesting birds in buildings
  5. Environment Agency advice to applicant regarding contaminated land, piling, drainage and disposal of soil.
  6. Light pollution
  7. Requirement for ultra-low NOx boilers
  8. Thames Water informatives regarding underground assets and public sewers
  9. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.
- 2.4 That the Committee confirms that adequate provision has been made by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.5 That if by 21<sup>st</sup> May 2021 the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

### 3.0 PROPOSAL AND LOCATION DETAILS

#### 3.1 Planning permission is sought for the following:

- Two storey side and rear extension to The Sandrock Public House (following demolition of existing side and rear extensions) to provide an enlarged service area (including front seating area) to the existing pub (Sui Generis);
- Internal refurbishment of the pub and conversion of the upper floors including as part of the extensions to form 4 self-contained flats (2x2 bed, 2x1 bed) – **Block A**;
- Construction of a three storey building to the rear comprising 15 flats/houses (7x3 bed, 4x2 bed, 4x1 bed) including internal lift and ramped access – **Block B**;
- Hard and soft landscaping which includes new tree planting;
- Private amenity space for each unit in the form of terrace/balconies;
- 86sqm of communal/play space for Block B;
- Use and development of the landscaped/tree cover to the south-west of the site as a woodland walk;
- 10 car parking spaces between the two buildings;
- New crossover along Sandrock Place;
- Boundary treatment;
- Integrated cycle and refuse storages for Block A (for the pub use) including cycle storage for the upper floor flats;
- External refuse storage for future occupiers for both Block A and B including an integrated cycle storage.

3.2 Block A would comprise the public house with 4 flats above. The existing pub would be extended with a dining area to the side, services to the rear and seating area to the front. Access to the upper floor flats for the pub would be from the rear. Two flats would be largely located in the extensions and would have rear facing projecting balconies. The other two flats would be situated more within the fabric of the retained element of the host property and would not benefit from private amenity space.

3.3 Block B would comprise a three storey rear block containing 11 flats and 4 houses. The building would be laid out in a 'horse shoe' format with the communal/play space situated centrally and in the view of Sandrock Place. Sole vehicular access would be formed through the new point along Sandrock Place – the parking court would separate Block A and B. Secondary access for the wider development would be formed to the rear of Block A from Upper Shirley Road. Cycle storage would be integrated into the envelope of the building. A lift would be provided with the main lobby way either flat or ramped to ensure access for all user types.

3.4 All of the 10 parking spaces would be allocated to the residential units. Refuse storage for both Blocks A and B would be sited in front of Block A – adjacent to the parking bays. Two visitor cycle bays – Sheffield stands would be located next to this. The landscaped bank along the southern and western boundary, with the exception of the trees and vegetation removed would be developed into a woodland trail – this would add a positive experience for future occupiers whilst retaining the important verdant setting. 83sqm of communal/play space would be sited centrally within Block B.



Figure 1: Proposed Site Plan – Landscape Master Plan

3.5 During the course of the application, the scheme was revised to include the following:

- Updated heritage statement to include internal works to the listed pub
- Incorporate internal lift for block B
- Further improvement of the fenestration and materiality of Block B alongside alterations to the façade and treatment of the proposed two storey extension to Block A
- Development of the south-west of the site as a woodland bank/walkway
- Altering the mix by removing 2b3p units into 2b 4p units
- Amendments to the parking survey for clarification and omission of Sandpits Road (far eastern part) as part of the parking stress survey.
- Enlargement of the single storey refuse building further into the west of the site

3.6 This revised information, which includes the above, would not prejudice those interested in the application and as such a public re-consultation was not considered necessary.

### Site and Surroundings

3.7 The application site comprises a part single; part two storey detached pub with ancillary residential accommodation at upper floor level and a large parking area to the rear (of approx. 20 vehicles). The site is on the corner junction of Sandpits Road, Upper Shirley Road and Sandrock Place. The rear of the site, in particular the south-west corner contains a large bank of landscaping and mature trees, all of which are protected by a Tree Preservation Order (TPO 14 of 2018).

3.8 The area is predominantly residential in character which comprises large semi-detached/terraced dwellings, most of which are uniform within their roads. There is some commercial units directly to the front (north) facing Upper Shirley Road. The host site occupies a large area (0.23 ha) – as shown in figure 2.

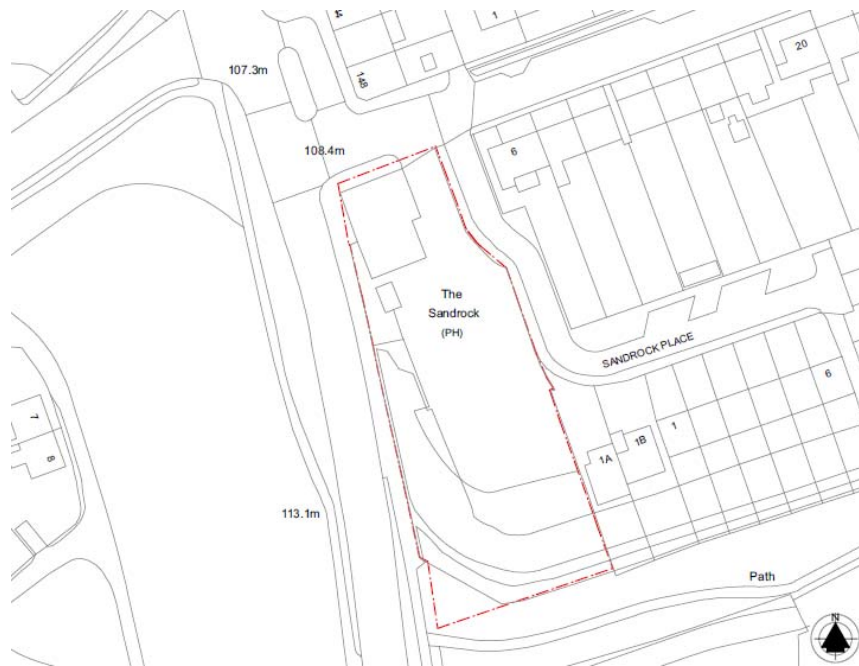


Figure 2: Site Location Plan

3.9 Sandpits Road consists of terraced single storey bungalows and two storey semi-detached dwellings on the opposite side. Properties along Sandrock Place comprise of two uniform terraced blocks although no.1A and 1B are a gabled semi-detached pair – as seen in figure 3. The host site is very much an anomaly of the immediate context with its sheer site area, site constraints including the locally listed building and vegetation along the south and western boundary.



Figure 3: Birds Eye shot of the site – looking from front (facing south)

- 3.10 The land levels across the site are complex; the rear of the site rises up by approx. 7m to Upper Shirley Road but is almost flat at the front of the site. In terms of constraints, the pub is a Locally Listed Building. The site lies adjacent to Metropolitan Green Belt and an Archaeological Priority Area (APA) to the south and west, and opposite a Site of Nature Conservation Importance (SNCI) to the west across Upper Shirley Road. A Local Heritage Area (Bishops) lies to the south of the site. The surrounding roads of the site fall within a surface water flood risk area, and a surface water critical drainage area with the host site partially within this area.

### **Planning History**

- 3.11 19/04444/PRE - Erection of two storey side/rear extension to The Sandrock Public House and use of first floor as 1 x two bedroom flat for staff accommodation. Erection of a three/four storey building to rear of pub comprising 19 flats (7 x one bedroom, 6 x two bedroom and 6 x three bedroom flats) with associated car parking, cycle and refuse storage and landscaping – Closed 26/05/2020
- 3.12 19/01134/FUL - Erection of two storey side/rear extension to The Sandrock Public House and use of first floor as 1 x two bedroom flat for staff accommodation. Erection of a three/four storey building to rear of pub comprising 19 flats (7 x one bedroom, 6 x two bedroom and 6 x three bedroom flats) with associated car parking, cycle and refuse storage and landscaping – Refused 16/09/2019 for the following reasons:
1. The development would fail to provide a sufficient amount of family accommodation and would thereby conflict with policy DM1.1 of the Croydon Local Plan (2018), 3.8 of the London Plan (consolidated with amendments since 2011) and the Housing Supplementary Planning Guidance to the London Plan (March 2016).
  2. By reason of its scale, massing, form and design the development would be harmful to the character of the locality and detrimental to the visual amenity of the surrounding townscape. The development would further fail to respect the character, appearance or setting of the Locally Listed Building. The development would thereby conflict with the NPPF, Policies 7.1, 7.4, 7.8 and 7.6 of the London Plan (consolidated with alterations since 2011) policies SP4.1, SP4.2, SP4.13 and DM10, DM18.5 of the Croydon Local Plan (2018).
  3. The application has not demonstrated that the flood risk from the site has been adequately addressed or provides an adequate scheme of sustainable drainage. The proposal would fail to meet the requirements of the NPPF and PPG, policy 5.13 of the London Plan (consolidated with alterations since 2011) and policy SP6.4 of the Croydon Local Plan (2018).
  4. Insufficient information has been provided to demonstrate that the development would not result in unacceptable harm to protected species or habitats. This would be contrary to policies SP7.4, DM27 and DM28 of the Croydon Local Plan (2018) and policy 7.19 of the London Plan (consolidated with alterations since 2011).
  5. The development would result in the loss of a number of trees, including those preserved by a Tree Preservation Order which, as a group, contribute to the visual amenity of the area. The proposal has also failed to demonstrate that the longevity



of other trees of value, including those preserved by a Tree Preservation Order, would be preserved. The development would thereby conflict with Policies DM28 and DM10 of the Croydon Local Plan (2018) and 7.4 and 7.21 of the London Plan (consolidated with alterations since 2011).

6. It has not been demonstrated that adequate provision is made for car parking within the site and the development would thereby conflict with Policies SP8.1 and DM29 of the Croydon Local Plan (2018) and 6.12 and 6.13 of the London Plan (consolidated with alterations since 2011).
  7. The development would result in sub-standard accommodation by reason of inadequate internal layouts, privacy, poor access to daylight/sunlight and inadequate amenity space and would thereby conflict with the Nationally Described Space Standards, the London Housing SPG and policy DM10 of the Croydon Local Plan (2018).
  8. The development would fail to adequately contribute to addressing London's and the borough's need for affordable homes and would therefore be contrary to Policies SP2.4 and SP2.5 of the Croydon Local Plan (2018) and 3.10, 3.11, 3.12 and 3.13 of the London Plan (consolidated with alterations since 2011).
  9. By reason of inadequate turning space and lack of pedestrian visibility splays, the proposal would have a detrimental impact on highway safety and efficiency. This would be contrary to policies DM29 and DM30 of the Croydon Local Plan (2018) and policy 6.12 of the London Plan (consolidated with alterations since 2011).
- 3.13 18/03022/FUL - Erection of two storey side/rear extension to The Sandrock Public House and use of first/second floors as 4 flats including 1 x two bedroom flat for staff accommodation. Erection of 2 x two/three storey buildings to rear of pub comprising 9 x one bedroom flats, 3 x two bedroom flats and 6 x three bedroom flats with associated amenity space and car parking with creation of new access off Sandrock Place – Application Withdrawn (due to a number of concerns raised with the scheme).
- 3.14 17/06074/PRE - Retention of existing public house use and extension plus redevelopment of the remainder of the site to create A4 Use including cellar and 21 residential units with 23 car parking space and communal amenity space – Closed 08/02/2018

#### **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of intensified residential development is considered to be acceptable given the location and need for national and local need for housing.
- The proposal would provide 19 residential units, 30% of which would be affordable, in accordance with the CLP requirements and is the maximum reasonable level of affordable housing currently deliverable in view of scheme viability.
- High provision of family homes.
- The retention and revitalisation of the public house.
- The massing, design and appearance of the development is appropriate, according with the thrust of guidance contained within the Suburban Housing Design SPD.
- The works to the listed building (pub) would be enhanced.
- The living conditions of adjacent and surrounding occupiers would be protected from undue harm subject to conditions.



- The living standards of future occupiers are satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and efficiency would be acceptable subject to conditions and s.106 agreement
- Satisfactory tree planting and soft landscaping would be provided to ensure the verdant setting is respected with mitigation to those trees affected/removed.
- Protection of the high quality trees situated along the south-western bank alongside the development of a woodland walk
- Sustainability and environmental aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions.

## **5.0 CONSULTATION RESPONSE**

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

### Ecology Consultant

5.2 The Council's Ecological Assessors advised that following review of the submitted Preliminary Ecological Appraisal (ArbTech, June 2020), the Bat Survey Report (ArbTech, June 2020) and the Landscape Softworks (Plantit IE, March 2020) the level of information provided was sufficient in terms impacts on protected and priority species alongside appropriate mitigation measures proposed as part of the redevelopment of the site.

### Thames Water

5.3 Thames Water were consulted and stated that the proposed development is located within 15 metres of a strategic sewer. It was requested that a piling method condition be attached should the application be granted planning permission. Furthermore, it was advised that if the sequential approach to the disposal of surface water is followed, no objections would be raised.

### Metropolitan Police

5.4 With the associated pub use, the potential for the development of the site opens up opportunity for anti-social behaviour. Metropolitan Officers raised no objection subject to conditions securing details of security measures.

### Local Lead Flood Authority (LLFA)

5.5 The submitted strategy and overall approach meet most of the LLFA requirements and indicate that a viable strategy can be achieved. However, the preferred full infiltration strategy must be investigated as it appears to still be viable with amendments to the soakaway design. The response from the Lead Local Flood Authority (LLFA) stated that the preferred discharge of surface water for the applicant was infiltration according with the submitted Flood Risk Assessment. However, this would require necessary testing to be designed at a later stage. Accordingly, requested conditions for infiltration testing and its design and for the applicant to have full consultation with Environment Agency and Thames Water as necessary.

## 6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification of the application (including a re-consultation on amended plans received) are as follows:

No of individual responses:    Objecting: 122            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:

Objection	Officer comment
<b>Principle of Development inc mix</b>	
Pub will not be viable without parking	See paragraph 8.2 – 8.14
No affordable flats	
<b>Character and Appearance</b>	
Overdevelopment	See paragraph 8.15 – 8.27
Incongruous – out of character	
Poor design – bland	
New scheme worse than previous	
Heritage Impact	
Would not respect skyline	
<b>Trees/Landscaping/Ecology</b>	
Disruption to wildlife including bats	See paragraph 8.28 – 8.35
Destruction of woods	
Loss of trees – 14 in total	
<b>Quality of Accommodation</b>	
Privacy and lighting issues	This is a residential development (with retained pub use) and there is no evidence or reason to suggest that the proposal would result in undue pollution or noise that is not already associated with a residential area.  See paragraph 8.36– 8.49
Residential density is excessive	
Insufficient area for children to play	
Not enough communal areas	
Air Quality for future occupiers affected	

Sub-standard accommodation	
No outdoor/communal spaces for block A	
<b>Impact on Neighbouring Occupiers</b>	
Overlooking	See paragraph 8.50 – 8.58
Loss of daylight/sunlight	
Noise and disturbance with expansion	
<b>Highway Safety, Access and Parking</b>	
Overspill parking and not enough provided	A pre-commencement condition will be attached requiring a Construction Logistics Plan to ensure construction activities do not cause undue disturbance to the highway network.
Construction traffic and disruption	
Parking stress incorrect – parking cannot be achieved on both sides of Sandpits Road	See paragraph 8.59 – 8.72
Poor visibility splays for proposal and Sandrock Place is narrow	
No parking for scooters/mobility scooters	
Too much traffic will be caused	
Pub has 20 spaces with 8-12 only used – no parking provided for this loss	
Eastern part of Sandpits Road and Oaks Road to west are not suitable for parking – area of Sandpits Road is tight and Oaks Road is on restricted and dark area	
Parking survey is wrong and takes into account disabled bays, echelon bays and restricted areas which is not allowed	
Hazard for emergency and refuse vehicles – not enough room	
Delivery and Servicing plan wrong – you can service the site from Upper Shirley Road	

<b>Flooding</b>	
Increase of flooding from proposal and drainage issues already present	See paragraph 8.73 – 8.76
<b>Sustainability</b>	
New builds should be close to zero carbon	See paragraph 8.77 – 8.81
Gas boilers are proposed but phased out	
<b>Waste Management</b>	
Refuse block is more than 30m drag distance for certain flats	See paragraph 8.70
<b>Other Matters</b>	
Proposal would add stress to the surrounding services	Not a material planning consideration
Utilities such as drainage, sewer, broadband will not cope	To an extent Not a material planning consideration – see Consultation section (Thames Water) and Flood Risk section
Corruption	Not a material planning consideration
Flats will not be cheap	Not a material planning consideration
Refusal reasons 2, 5, 6, 7, and 9 not addressed	See report
Not in intensification zone	Whilst not within an ‘intensification’ zone, the proposal would comply with the Policies and SPD
If application approved, pub should remain in use for its entirety – commercial use	The permission would be granted on the basis that the pub is retained
Governors of Coloma Covent Girls School not consulted	All immediate properties were consulted. The School does not abut the site boundary. Furthermore, several site notices were displayed around the context

6.3 The Spring Park Residents Association (SPRA), Shirley Hills Residents Association (SHRA) and Monks Orchard Residents Association (MORA) have made representations which are as follows:

- No objection to redevelopment but proposal does not reflect character of the area
- Block of flats totally out of character
- Density and layout poor alongside impact to Bishop Walk Heritage Area
- Overdevelopment in respect to housing density
- Lack of internal storage space for occupiers
- Insufficient private amenity space
- No play space
- Overspill parking – 10 spaces only
- Direct overlooking of 6 Sandpits Road and 1A Sandrock Place private amenity space and gardens
- No refuse or food waste storage
- Refuse location is over 30m from the flats alongside access doors would be narrow
- Impact on residential amenity of adjoining occupiers – loss of privacy and light, overbearing, noise, parking fumes
- Traffic congestion/Highway safety/Inadequate access
- Inadequate parking provision for residents/visitors to pub
- Impact on heritage assets – the historic pub, Local Heritage Area and Listed Buildings
- High density
- Inadequate provision of affordable housing
- Inadequate refuse and cycle storage, poor refuse collection arrangements
- Pub will not survive nor be viable
- Impact on drainage
- Out of character
- Poor design
- Inadequate garden space/playspace for future occupiers
- Poor quality accommodation particularly for families
- Impact on trees/loss of trees
- Pressure on local services and infrastructure
- Detrimental to air quality
- Inadequate provision for carbon dioxide reduction
- Overdevelopment of the site
- Impact on ecology
- Construction disturbance

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date

local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a sufficient supply of homes
- Promoting sustainable transport;
- Achieving well designed places;

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

#### 7.4 Consolidated London Plan (2016)

- 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
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Woodlands and trees

#### 7.5 Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- SP8 Transport and Communications
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM19 Promoting and Protecting Healthy Communities

- DM23 Development and Construction
- DM24 Land Contamination
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and Cycle Parking in New Development
- Applicable Place-Specific Policies

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG (March 2016)
- Croydon Suburban Design Guide Supplementary Planning Document (April 2019)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- The Nationally Described Space Standards (October 2015)

### 7.7 Emerging London Plan

7.8 Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan has been responded to by the Secretary of State and it is now being taken forward for adoption. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan and subsequent responses. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

7.9 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger than the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

7.10 The policies of most relevance to this application are as follows:

- SD6 Town Centres and High Streets
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D8 Public Realm



## **8.0 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of Development
2. Affordable Housing
3. Housing Mix
4. Townscape and Visual Impact including Heritage
5. Trees, Landscaping and Biodiversity
6. Housing Quality for Future Occupiers
7. Residential Amenity of Neighbours
8. Highway Safety, Access and Parking
9. Flood Risk
10. Sustainability
11. Air Quality and Pollution
12. Other Planning Matters

### **Principle of Development**

8.2 This application must be considered against a backdrop of significant housing need, not only across Croydon, but also across London and the south-east. All London Boroughs are required by the London Plan (LP) to deliver a number of residential units within a specified plan period. In the case of the London Borough of Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. The emerging London Plan (LP), which is moving towards adoption proposes significantly increased targets which need to be planned for across the Borough.

8.3 Whilst it is noted the figure for homes to be delivered on windfall sites in the Borough is proposed to be reduced in the latest version of the London Plan, the target remains significant and it is a reduction in the target in previously published draft versions – not a reduction in the targets set out in the Croydon Local Plan 2018. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.

8.4 Policy DM21 of the CLP (2018) protects public houses, stating that planning permission will not be granted for development which results in the demolition or change of use of a pub which displays the characteristics of a community pub.

8.5 The scheme would retain the pub, replacing the existing extensions to the original building with new extensions to replace the customer dining area, with improved kitchens and toilet facilities. It is noted the commercial floorspace would be reduced in size, with an additional substantial reduction in the amount of outside space for pub

users and parking spaces. Whilst the pub has been closed for some time, it is considered the pub could be classed as a community pub, supported by a significant number of neighbour representations referencing its local importance. The exterior of the pub would be retained (main fabric) although internal modifications are proposed to enhance and revitalise the vacant pub. In terms of the reduction in floor space, which would be 209sqm, the extensions to the host building would create a more efficient layout and the overall use would not be lost. Largely, the outside rear seating area and carpark would be the majority of the reduction but would be offset by the extensions and improved facilities. As with the previous refused, application, officers consider that the works to the pub are beneficial and the retained pub can still be suitably operated as a pub.

- 8.6 As such, providing that the proposal accords with all other relevant material planning considerations, as set out below, the principle of development, in land use terms, would be considered acceptable. Officers also as part of the refused application confirmed that the principle of development would be acceptable.

### **Affordable Housing**

- 8.7 Policy SP2 of the CLP (2018) states that to deliver affordable housing in the Borough on sites of ten or more dwellings, the Council will negotiate to achieve up to 50% affordable housing, subject to viability and will seek a 60:40 ratio between affordable rents homes and intermediate (including shared ownership) homes unless there is an agreement with a Registered Provider that a different tenure split is justified. Policy SP2.5 of the CLP requires a minimum provision of affordable housing to be provided preferably as a minimum level of 30% affordable housing on the same site as the proposed development.
- 8.8 The previously refused application was accompanied with a viability appraisal which argued that no affordable housing could viably be provided on site. Notwithstanding this, the applicant stated that they would offer 20% on-site affordable housing as shared ownership, should a Registered Provider be able to deliver the units or a commuted sum of £151,369 towards provision of off-site affordable housing. The Council's viability consultant advised that the scheme could provide four shared ownership units on site or make a financial contribution of £559,000.
- 8.9 A full viability appraisal accompanies this new application. The report concluded again that the scheme would not be able to deliver a full policy compliant affordable housing provision. The Council instructed an independent consultant (Adams Integra) which carried out an appraisal with 4 shared ownership units on site which produced a surplus of £405,218. An appraisal with 30% affordable (4 rent and 2 shared ownership) was also carried out and showed a surplus of £109,667. Both show the potential to deliver the policy requirements. The applicants expressed a view that they are unable to provide the affordable units on site due to 'lack of demand from RPs.' The Council's independent consultant further carried out an appraisal for a scheme with 100% open market units, to calculate an equivalent off-site contribution, which produced a surplus of £619,773 which could support an off-site contribution (should the Council be satisfied with this approach). In summary, all these options would still allow the scheme to be viable.
- 8.10 The applicants have agreed to provide 30% of units as affordable with a split ratio of 60:40 – affordable rent and intermediate homes (shared ownership). The applicants have confirmed engagement with RPs (one in particular) although no firm confirmation

and agreement has been put forward. However, 30% of units being affordable will be secured in the s106 agreement.

- 8.11 In summary, the final agreed offer would be 30% affordable housing, from which would be 60% affordable rent and 40% shared ownership per habitable rooms. This would be in accordance the Policies SP2.4 and SP2.5 of the CLP (2018) and the previous refusal reason would be addressed.

### **Housing Mix**

- 8.12 Policy SP2.7 of the CLP (2018) seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes and that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 of the CLP (2018) requires a minimum provision of homes designed with three or more bedrooms on sites of 10 or more dwellings. In a suburban area with a PTAL of 2 in a development of 10 or more units 70% of the units are expected to be three bedroom family units. The policy goes on to say that within three years of the adoption of the plan (expires 29/02/2021), where a viability assessment demonstrates that larger homes would not be viable, an element may be substituted by two-bedroom (four person) homes.

- 8.13 The proposal would provide the following mix:

<b>Unit size</b>	<b>Proposed Number</b>	<b>Percentage</b>
<b>1-bed/2-persons</b>	6	32%
<b>2-bed/4-persons</b>	6	32%
<b>3-bed/4-persons</b>	3	15%
<b>3-bed/6-person</b>	4	21%
<b>Total</b>	19	100%

- 8.14 The proposal would provide 68% of three-bedroom and large two-bedroom units, as above which provides an adequate housing mix.

### **Townscape and Visual Impact including Heritage**

- 8.15 The host site is within a prominent corner siting which forms part of Upper Shirley Road, Sandpits Road and Sandrock Place. Directly to the front, is a two storey building which is very prominent and uniform with its central gabled feature, bay windows and materiality. Historically, the host site was known as Sandrock Hotel with the Sandrock Place properties forming part of the curtilage. However, this was later developed with housing situated along Sandrock Place. The host site is significantly larger than is typically found in the area.

- 8.16 The host building is locally listed. Whilst the building displays various 'additions' including front and rear dormers at different sizes and ages, it is understood why the merits of this building are highly important, which is complemented by its relationship with the building opposite. The brick detailing, façade treatment and materiality are high quality and well designed and proportioned. However, it is fair to say that the building is seeing some deterioration more noticeable as it has not been in use for some time.



*Figure 4: The Sandrock (right) and Adjacent Dominant Building*

- 8.17 Policy DM10.1 of the CLP states that proposals should achieve a minimum height of 3 storeys whilst respecting a) the development pattern, layout and siting; b) The scale, height, massing and density; c) The appearance, existing materials and built and natural features of the surrounding area.
- 8.18 Further guidance on achieving efficient use of land whilst also responding to local character is set out in the Suburban Design Guide – Suburban Residential Development, in particular within section 2.8 (Approaches to Character). Section 2.10 (Heights) explains how additional storeys can be introduced to existing residential street, and generally advocates new buildings being a storey higher than the surrounding buildings. Section 2.14 (Corner Plots) further states that some corner plots may be able to accommodate further height provided the massing is responsive to neighbouring properties.



Figure 5: Site Plan – Landscape General Plan



Figure 6: Streetscene from Upper Shirley Road





*Figure 7: Streetscene from Sandrock Place (top) and front and rear (bottom)*

8.19 The previous scheme was very much box like, dominant, incongruous and visually jarring, especially within its flat roof format. It is important to note that the proposed scheme has been significantly progressed and improved in light of the constraints with proactive pre-application discussions with the Council.

8.20 In terms of Block A, the proposed extensions would now appear more proportionate and appropriate within the context and relationship with the listed building. The previous form and massing was incoherent and inconsistent which gave it a dominant appearance. The massing and bulk has been simplified and reduced which allows the extensions to integrate (purely from a massing perspective) much better. The proposed set in of the extension from the front building line allows the extension to be subservient to the locally listed building and retain the dominance of this heritage asset, whilst making the extension legible as a later addition. The extensions would have a more linear formation which helps the massing read appropriately whilst noting the removal of some disjointed features the host building currently has. In terms of fenestration and façade treatment, the front elevation would be the stand out point in the sense that the treatment has respected the heritage value of the property. The window proportion would blend with those of the host building and so would the façade width and treatments. Interesting details such as soldier course, stone stringcourse and brickwork would help soften the extensions presence and the notion and moves of the treatment would help retain the heritage aspect. The Sandrock Place elevation would have less detail, which is typically the case with side elevations. Projecting balconies would be positioned to the rear and facing Upper Shirley Road. The main frame of the listed building would be retained and it is of the view that the proposed extensions and alterations would respect the heritage asset of Shirley.

8.21 In terms of Block B, significant progression has been made from the previous refusal and this is especially given the proactive engagement held with the Council through pre-application prior to the submission. The combination of site layout, separation from the locally listed building, height, width and excessive depth, design response and appearance of the previous scheme was poorly considered.

- 8.22 Block B has been arranged in a 'horseshoe' format with the main bulk of the building running along the western landscaped bank. Centrally to this is an area for communal/play space. The rear aspect of the building aligns with no.1A and 1B Sandrock Place and demonstrates how the massing has been formed around this property which is positive. The previous flat roof has been replaced with a pitched/gabled roof formation which clearly has been drawn from no.1A and 1B Sandrock Place. This helps reduce the bulk and massing and reduces the previous concerns of dominance and overbearing. The central part of the building has its roof form rotated in order to respond to the 'horse shoe' layout which is successful as the breaking of massing can be seen when viewed in elevation, especially from Upper Shirley Road (figure 6). This layout also helps bring away the bulk from the immediate neighbour of no.1A and clearly demonstrates how this approach and massing has been robustly considered. The block is now further away from the host building and has an acceptable relationship with the locally listed building which allows the heritage asset to be the dominant element in the streetscene from the Upper Shirley Road Sandpits Road junction.
- 8.23 Representations have concerns in terms of residential density. The London Plan suggests that for a site within an area of PTAL 2, the density of the development should be 150-250 hr/ha for a suburban location. The applicant has calculated the density as 269hr/ha. Whilst this is slightly over the acceptable range, the London Plan is clear that this should not be applied mechanistically and shouldn't be used to unnecessarily restrict development. This calculation also only takes into account the residential aspect of the site, so in reality the site benefits from a more generous size with the inclusion of the pub. The density is considered acceptable.
- 8.24 The landscaping of the scheme has been improved in the form of a woodland walkway around the south and west of Block B which responds to the existing character and vegetation on the site which is an asset which will be improved through the proposed landscaping scheme with the retention of significant amounts of the existing trees and paths provided so that this space can be used by residents. This area has a 'forest' feel and it is considered the retention and improvement of this area brings a degree of difference and opportunity. The horseshoe layout would be arranged around a communal amenity space which would be well overlooked and include a children's' play area which would become the heart of the scheme.
- 8.25 The overall material pallet of brick, zinc cladding, aluminium windows/doors and the detailing within Block B has been well considered. Officers requested the pattern and materiality of Block A to be linked to the host property. Furthermore, the window proportions were requested to be enlarged alongside the entrance of Block B needing to appear more light and welcoming. The drawings have been amended which demonstrate a more convincing and welcoming entrance alongside a material pallet which is acceptable and full details will be secured by condition. It is clear that the scheme has taken a contemporary reinterpretation approach towards the rear with a sympathetic and faithful notion for Block A.
- 8.26 The pub would retain its sole access from Sandpits Road. A new stepped access directly behind the pub from Upper Shirley Road would provide an alternative access whilst linking and retaining the proposals connection with this frontage. The land levels towards the rear are excessive. Various forms of step free access to Upper Shirley Road have been considered and discounted however step free access is provided from Sandpits Place which would be the front elevation of Block B. It is considered that the



site layout is well considered and appropriate to accommodate this level of development and quantum of units. It is important to note that Block A and B would respond to the 'backland' typology of this rectangular parcel the site forms part of which is positive.

- 8.27 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character. Officers are further satisfied, taking into account the relationships with neighbouring buildings, along with accommodating sufficient space for adequate levels of parking, landscaping and amenity space, that the development delivers the optimum level of development for the site in this location without being of adverse impact to the character and appearance of the area.

## **Trees, Landscaping and Ecology**

### Trees and Landscaping

- 8.28 The site is subject to a TPO made in 2018 (14 of 2018), which largely relates to the prominent mature trees on the southern and western boundaries. These are highly visible in the area particularly from Upper Shirley Road, and contribute as a group to the visual amenity of the street screening the site from the road, although it is noted that a number of the individual trees are of poor quality – their value is more as a group than as individual trees. An Arboricultural Report by Crown Consultancy and associated information has been submitted in support of the application.
- 8.29 To the north-east of the site grow four trees: one Category U Ash (T1), two Category B Scots Pine trees (T2 and T4) and a Category A Scots Pine (T3). Apart from T1, these three trees are outside of the application site with T4 located relatively closely to the east of the site – within the front garden of no.1a Sandrock Place. Along and adjacent to the embankment within the site, which occupies the south and west of the site, grows one Category A Oak tree (T16), nineteen Category B trees, nine individual and five groups of Category C trees and one Category U tree (T28). Tree species present predominantly include Beech, Cypress, Horse Chestnut, Lime, Norway Maple, Oak, Scots Pine and Sycamore. The plot is approx. 0.6 acres.
- 8.30 The previous scheme was refused on the basis of the loss of a number of trees, including those preserved by a Tree Preservation Order, concerns about work within Root Protection Zones (RPZs) and that the relationship of residential units to trees would put them under future pressure to be removed. It was previously proposed to remove 14 trees alongside two groups to accommodate the development.
- 8.31 As part of this scheme, in terms of tree removal, no trees located outside of the site would be removed and the scheme would retain all Category A trees (T16 - Oak along the rear boundary) and all Category B Trees that are situated predominantly along the southern and western boundary apart from T8 – Sycamore which is situated centrally. In terms of Category C trees, T5, G6, T7, T9, T10, T20, G22, G26, T27 and T33 are proposed for removal (7 alongside 2 groups). There are two Category U trees which are proposed to be removed given their poor quality. Works to a number of trees are also proposed. It is important to note here that no new hard surfacing is proposed in any area where there currently exists soft ground.

8.32 Whilst the site would retain an ample amount of soft landscaping, it is proposed to mitigate the tree removal and works with new planting of trees, hedges, shrubs and understorey including development of a woodland trail. It proposed to plant 12 new trees within the communal space and along the existing landscaped areas. This, with conditions securing maintenance and appropriate specimens can result in a net gain in biodiversity terms. Details of this and tree protection measures are recommended by condition.



Figure 8: Indicative Landscaped Layout and Communal/Play Area

## Ecology

8.33 The site is not subject to any policy designations relating to ecology, but does lie opposite a Site of Nature Conservation Importance (SNCI) beyond Upper Shirley Road. The previous scheme was refused on the basis of insufficient information on protected species and habitats.

8.34 As part of this application, a Preliminary Ecological Appraisal (ArbTech, June 2020), a Bat Survey Report (ArbTech, June 2020) and the Landscape Softworks plan (Plantit IE, March 2020) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats has been submitted in support of the application and reviewed by the Council's Ecological Consultants. The surveys concluded that the site had moderate levels of bat roosting, nesting birds, reptiles (slow worms) and hedgehogs. As part of mitigation measures, the surveys have recommended additional planting, bird/bat boxes, brash and log piles and holes within the fences to retain movement. Following review by officers in consultation with Ecology consultants, it is considered that the measures and surveys are adequate to consider the likely impact on protected species. This is subject to compliance with the mitigation measures and details provided through pre-commencement conditions requiring Bat Licences, Biodiversity Enhancement Layout and sensitive lighting strategy will be attached.

8.35 Having considered all of the above, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting trees/landscaping. The removal of trees/hedges, which would include replacement trees and planting (high quality), subject to conditions, would not be of detrimental to the trees, landscaping and ecological values of the site.

### Housing Quality for Future Occupiers

8.36 The previous scheme was refused on the basis of the proposal resulting in sub-standard accommodation by reason of inadequate internal layouts, privacy, poor access to daylight/sunlight and inadequate amenity space.

8.37 Policy SP2.8 of the CLP states that the Council will seek to ensure new homes will require all new homes to achieve the minimum standards set out in the Mayor of London Housing Supplementary Planning Guidance and National Technical Standards (2015) (NDSS (2015)). It would also ensure that all new homes designed for families meet minimum design and amenity standards. Table 3.3 of the LP sets out the minimum floor areas which should be provided for new housing. The minimum and proposed standards are set out in the below table:

Dwelling	Unit Mix	Minimum GIA Required (sqm)	Proposed GIA (sqm)	Minimum Private Amenity Space Required (sqm)	Proposed Private Amenity Space (sqm)
<b>Block A</b>					
Flat 1.01	2 bed 4 persons	70	78	7	0
Flat 1.02	1 bed 2 persons	50	50	5	6
Flat 1.03	2 bed 4 persons	70	70	7	8
Flat 2.01	1 bed 2 persons	50	59	5	0
<b>Block B</b>					
House G01	3 bed 6 persons	108	115	9	9
House G02	3 bed 6 persons	108	109	9	13
Flat G03	2 bed 4 persons	70	70	7	8
Flat G04	2 bed 4 persons	70	70	7	9
Flat G05	3 bed 4 persons	74	76	7	7
House G06	3 bed 6 persons	108	114	9	13
House G07	3 bed 6 persons	108	114	9	14

Flat 101	2 bed 4 persons	70	72	7	7
Flat 102	1 bed 2 persons	50	50	5	6
Flat 103	1 bed 2 persons	50	50	5	6
Flat 104	3 bed 4 persons	74	77	7	8
Flat 201	2 bed 4 persons	70	73	7	7
Flat 202	1 bed 2 persons	50	50	5	6
Flat 203	1 bed 2 persons	50	50	5	6
Flat 204	3 bed 4 persons	74	77	7	8

8.38 All residential units would meet the minimum standards, purely in terms of minimum floor areas.

8.39 Single aspect dwellings are more difficult to ventilate naturally and are more likely to overheat, and should normally be avoided. All units would be dual/triple aspect which is positive. Given the presence of the embankment, officers previously raised concerns with the siting of Block B in regards to the proximity and potential impact of outlook and access to natural light.

8.40 A daylight and sunlight assessment has been submitted in support of the application. The BRE guide recommends an Average Daylight Factor (ADF) of 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary lighting is provided. There are additional minimum recommendations for dwellings of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The BRE guide recommends that main living room windows should receive 25% of the total annual probable sunlight hours, including 5% of the annual probable sunlight hours during the winter months between 21st September and 21st March.

8.41 The assessment has considered the impact for internal units, private and communal spaces as well as the embankment and trees and their potential impact in restricting daylight/sunlight. The results show that each of the rooms would be compliant apart from flat 2.01 at second floor of Block A. Window 21 (north) and window 22 (south) which would serve the kitchen would receive 1.7% which is marginally lower than the 2% requirement, in terms of ADF. On balance, given that this level is an existing aspect of the host building, it is considered this marginal shortfall would be acceptable. With regards to Block B, a number of units would fall below the minimum requirement and this purely given the presence of the mature trees and landscaping that the site is wrapped around. The most noticeable shortfall would be to those ground and first floor units facing the south and west of the site – in particular units G04 and 103. Whilst the situation would not be ideal, a balance must be struck in terms of the identified need of housing and the constraints the site holds. All units would be dual/triple aspect which would further help these units and provide good ventilation and lighting as well as outlook for future occupiers.

- 8.42 The submission has demonstrated that the siting between the mature trees and those to be replanted would have a minimum separation distance of 3m (from the canopies) to the closest part of the residential units. Block A and B would have a minimum separation distance of 15m which would further allow the layout to be relaxed and allow satisfactory outlook for future occupiers, which the previous scheme failed to do so.
- 8.43 The report has indicated transgressions in the amount of light available for communal external areas and ground floor gardens. However, as three of the four areas are sat amongst the retained trees this is to be expected and the light levels need to be balanced against the positive elements of retaining these trees.
- 8.44 Following the approach set in the LP to address the unique heat island effect of London and the distinct density, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is required so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. This would be achieved.
- 8.45 Policies DM10.4 and DM10.5 of the CLP require all flatted developments to provide functional and high quality private and communal amenity space, in addition to child play space, with a minimum size of 5sqm for 1 or 2 person's units and an extra 1sqm per occupant thereafter.
- 8.46 Each of the units (including the ground floor units) would have private amenity in the form of integrated balconies/terraces apart from flats 101 and 201 of Block A which do not have any. It is important to note that the units would fall within the 'conversion' and 'main fabric' element of the existing building. This building is locally listed and provision of integrated or projecting balconies would damage the heritage setting and the retention of the external appearance from the front and side is far more important. These units have additional internal space beyond the NDSS minima to offset this lack of external provision. The private amenity spaces for the remainder of the units has been sited away from 'communal spaces' and therefore future occupiers would not be impacted in regards to overlooking and privacy issues. The originally submitted bridge feature from Upper Shirley Road has been omitted and considered to be a positive move.
- 8.47 89 Sqm of communal/play space would be located centrally – along the boundary of no.1a for occupiers of Block B. This is sufficient in terms of provision and the general siting, on balance, is considered acceptable. No dedicated spaces would be provided for occupiers of Block A – 4 flats. However, it is fundamental that the south and western embankment is utilised as a woodland walk way and 'forest' for future occupiers to enjoy. The notion is positive and would provide a communal open facility for all future occupiers of the development.
- 8.48 Policy 3.8 'Housing Choice' of the LP requires 90% of dwellings to meet M4(2) 'accessible and adaptable dwellings' Building Regulations requirement, with the remaining 10% required to meet M4(3) 'wheelchair user dwellings'. The London Plan recognises that securing level access in buildings of four storeys or less can be difficult and that consideration should also be given to viability and impact on ongoing service charges for residents. Amendments have been sought to incorporate a lift within Block B. This is crucial given the land levels of the site and fundamental need to provide accessible units. The scheme has been amended to include ramped access rather than steps – internally which is positive. The previous refusal accepted the inclusion of

two wheelchair units which will be controlled at a condition stage. Block A would not have a lift and whilst not ideal, this building is locally listed and would only serve four flats. On balance, the lack of lift and level access within Block A would be acceptable especially given that a main bulk of the building would be retained.

8.49 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of quality level of accommodation, subject to conditions.

### **Residential Amenity for Neighbours**

8.50 The application site only shares the common boundary with no.1a Sandrock Place (south-east) towards the rear, largely due to the corner siting and surrounding roads. No.6 Sandpits Road (east) is a close by neighbour which is a single storey dwelling (separated by the Sandrock Place highway). Directly to the front (north) is no.148 Upper Shirley Road – this property’s side elevation faces the front of the host property (separated by the Sandpits Road highway) although contains sole facing habitable windows.



*Figure 8: Site Location Plan*

### **148 Upper Shirley Road (north)**

8.51 This property is at 90 degrees from the host property - Block A with a 14m (building to building) separation distance with Sandpits Road separating the two properties. It is noted that there are habitable windows facing the host property. The extensions to Block A would have a mutual relationship to this neighbour – no part of the building would project further forward. The existing upper floors of the host property are used as ancillary residential accommodation. The proposed extensions alongside the conversion into independent residential units would not result in a detrimental impact to the amenities of these occupiers.

### 6 Sandpits Road (east)

- 8.52 This neighbour is a single storey dwelling with front and rear habitable windows. There is a separation distance (boundary to boundary) of 7.5m between the sites. There is an existing access drive to the side of the host property to which Block A would be extended at two-storeys (side and rear). The proposed extensions would maintain a 9.5m separation distance (building to building) noting Sandrock Place highway in between. There would be a sufficient separation distance to mitigate the impact to this occupier. Habitable windows are proposed to the side elevation and as such would look towards the first 10m of the neighbouring garden (DM10.6 of the CLP). Noting that there would be a road in between and the separation distance, this is not considered to result in direct overlooking which the policy indicates is unacceptable. The separation distance and presence of the highway would mitigate the level of impact. It is not considered appropriate to impose a condition requiring these windows to be obscure glazed and partially fixed shut.
- 8.53 Whilst the site would be intensified in its massing, in particular Block B, there would be an 18m building to building separation distance. Furthermore, this relationship would not be direct and the siting of the building would be well separated from the nearby neighbour noting the highway separating the host site from no.6. As such, concerns would not be raised to the amenities of this occupier.

### 1A Sandrock Place (south-east)

- 8.54 The adjacent property comprises a two-storey dwellinghouse. The proposed site layout has been effectively considered, in particular Block B whereby the 'horse shoe' format means that the closet part of this building aligning with the footprint of this neighbour and so adjacent to the side elevation, minimising the impact. The central feature of block B would be set away from the neighbour – 12m building to building separation. The front part of block B would be separated from the front of no.1a by approx. 17m, noting the highway is directly in front of the adjacent neighbour, alongside the front garden.
- 8.55 No part of the building would project beyond the rear of no.1a and the nearest parts would be broadly in line with the buildings front elevation resulting in an acceptable relationship. The central section of Block B would include 4 projecting balconies in the direction of the communal/play space and front garden of no.1a. Policy DM10 of the CLP does not protect the 'front' gardens from direct overlooking and given the approx. 7.5m separation distance from the balconies to the adjacent boundary and their orientation, it is considered that the proposal would not be detrimental to the amenities of this occupier.
- 8.56 A daylight/sunlight assessment by Right of Light Consulting dated 6<sup>th</sup> April 2020 has been submitted in support of the application. The survey includes the properties listed above and concludes that none of the main facing habitable windows would fall below 27% or reduced less than 0.8 times its former value (in terms of Vertical Sky Component). Again, for daylight/sunlight distribution, the impact would not be substantial. It is important to flag that window 40 of no.1a – domestic study room window within the stepped elevation to the front would have an 8.3% loss of in terms of lighting but would not fall below 27% (as per the BRE guidelines). As such, the level of impact, on balance, would be acceptable.



- 8.57 Given that the proposal is for a residential use in a residential area, the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.
- 8.58 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of neighbouring amenity impact, subject to conditions. The proposal would not be detrimental to the amenities of the adjacent occupiers in regards to overlooking, overbearing impact, visual intrusion, outlook, loss of daylight/sunlight, noise/disturbance, light pollution and sense of enclosure. The previous scheme was not refused on this ground.

### **Highway Safety, Access and Parking**

- 8.59 Unrestricted kerbside parking is noted within the immediate area (apart from the disabled and echelon bays along Sandpits Road. East Croydon Railway Station is located 2.3 miles from the subject site. Bus stops are situated along Upper Shirley Road with access to surrounding areas. The Public Transport Accessibility Level (PTAL) is 2 which is poor.

#### Vehicular Parking

- 8.60 The LP sets out maximum car parking standards for residential developments based on Public Transport Accessibility Levels (PTAL) and local character. 1-2 bedroom units should provide less than 1 space per unit and 3 bedroom units should provide up to 1.5 spaces per unit. For the proposed scheme, the London Plan maximum requirement is 22.5 spaces. The Council's expectation on sites with a low PTAL is that at least one parking space will be provided for each new home on the site, with visitor spaces also required for narrow streets or those with high parking stress. The scheme proposes 10 parking spaces for the residential aspect of the development within the centre of the site. No parking would be re-provided for the pub use. In terms of the residential side of the proposal, the scheme would have a shortfall of 9 car parking spaces when reviewed against the Council's expectations on sites with low PTAL rating.
- 8.61 The previous application (refusal reason 6) was refused largely on the fact of the transport survey not being in accordance with the Lambeth methodology and lack of clear information regarding the scope of the survey and whether the surrounding roads could have tolerated the shortfall. Whilst there is no specific parking standards for the pub, officers stated that it is not considered sufficient to rely completely on overspill onto the surrounding roads for all pub visitors in an area with a high car ownership and low PTAL rating.
- 8.62 As per paragraph 3.5 of the proposal section, the applicants consultant has provided an updated Transport Statement including updated parking survey reports removing areas of road (echelon bays, disabled bays and the area towards the eastern part of Sandpits Road) that were previously included but cannot be used for parking as it would prevent larger vehicles from accessing Sandpits Road. The surveys show that on the nights of the surveys the parking stress across Sandpits Road, Sandrock Place and Oaks Road was 65.9% and 69.4% (26 available spaces). If Sandpits Road and Sandrock Place are looked at in isolation on the same 2 nights of the surveys the parking stress was 89.4% and 97.9% both of which are over the 85% on street parking stress that the council consider a road as being at capacity. However, there is parking available in Oaks Road which is still within the 200m walking distance advocated by

the Lambeth Parking Survey methodology which is why the overall parking stress when all three roads are taken into account is much lower. Therefore, adequate on street parking is available, albeit towards the outer edges of the area assessed in accordance with the Lambeth Methodology. This area of available parking is partially located on Oaks Road to the west of the site in an area where the road is on a slight bend with a single white line on both sides of the road with a pavement on one side and which does not appear to currently be heavily parked. The single white line does not prevent, or otherwise control, parking. The Lambeth methodology makes clear that areas where people are unlikely to park should be excluded from the assessment. Considering whether people are unlikely to park in this area is a matter of fact and degree. It is in some respects disadvantageous but parking here is lawful and, following development, on balance officers consider that residents would park there and that this would be acceptable. Therefore on balance, officers consider it is right to include this as available parking in consideration of on-street parking. Therefore, whilst the immediate vicinity of the site is heavily parked, the standard Lambeth methodology parking stress area as a whole has adequate available parking, including the area on Oaks Road.

- 8.63 In addition, parking surveys were undertaken at 2 to 3 hour intervals between 7am and midnight (Friday – Sunday) to establish the current level of parking available during the busier times for the public house. The stress levels were 73% (23 spaces available). The peak observed parking accumulation of 12 vehicles in the pub car park therefore indicates that a maximum of around 12 vehicles will be required to park on-street at 1.00pm on a Saturday following the development of the site, and an average of around 6 vehicles will be required to park on-street during the afternoon and evening periods.
- 8.64 Given the proposed intensification to the site and shortfall from the development, in terms of vehicle parking, a legal agreement securing a financial contribution towards sustainable transport improvements and preventing residents applying for permits in a future CPZ forms part of the recommendation. This will help support sustainable travel, highways improvements and the proposed works. The funding will also be used to ensure that sustainable travel options are present for residents to allow sustainable access to shops and services, such as car clubs.
- 8.65 The proposal would result in an overspill of 9 parking spaces (from the residential aspect of the development) which would not take the cumulative parking stress levels over the 85% benchmark with the inclusion of the Oaks Road area. A contribution would be made to provide for sustainable transport measures. Therefore, balancing the need to provide adequate parking with the need to promote sustainable travel and other elements of the scheme, the parking provision on balance is acceptable.

#### Parking Layout and Manoeuvring

- 8.66 The site would utilise the bend of Sandrock Place and position the crossover at this 'angled' point, allowing good visibility for movement to and from the site. The crossover would be approx. 6.5m wide which would allow vehicles to manoeuvre and pass side by side. The 10 parking spaces would be arranged in a 'U' format with 6m separation distance between the bays behind the pub and from those in front of Block B. The bays closest to the highway would have a gap between them and the boundary which acts as an area for visibility. The general layout is much improved and the manoeuvring plans from each of the bays (in forward gear) show satisfactory movement without jeopardising the public way and safety of all users. The swept plans also demonstrate 2.4m x 25m visibility splays which is positive. The cycle storage for pub visitors would

be positioned on the north-east corner of Sandrock Place and Sandpits Road. The siting would not impede visibility.

- 8.67 The Parking bays next to landscaping/structures and walls must be 3 metres wide to allow passengers and drivers to alight onto the hardstanding. This has been demonstrated on the plans and a compliance condition will be attached ensuring this is laid out in accordance. One parking bay would be allocated as 'disabled' and the drawings have annotated that '20%' of the bays will have an electric vehicle charging point and all spaces to have passive provision for installation of future points. A compliance condition will be attached accordingly with details of EVCP sought as a pre-commencement condition.

### Cycle Parking

- 8.68 Table 6.3 of The London Plan (2016) sets the cycle parking standards at one space per one-bedroom units and two spaces for all other bigger units; it also required major developments to have one space per 40 units for short stay cycle parking should be provided in accordance with Draft London Plan requirements which seek a minimum of 1.5 cycle parking spaces per 1 bed unit and 2 cycle parking spaces per 2 bed+ units. For Block A, 7 spaces would be required which the proposal would integrate into the envelope of the building accessed from the rear (two tier storage). The staff would have 2 spaces integrated into the building which is positive. Visitors of the pub would have an accessible external storage to the front (north-east) of the building – adjacent to the relocated seating area. For Block B, a storage area would be integrated that would accommodate 26 cycle spaces over a two-tier system. A further cycle storage for unit G07 of 2 spaces would be provided. A total of 28 cycle spaces would be provided which would comply with the London Plan standards. Two visitor cycle spaces (Sheffield stands) would be sited adjacent to the refuse storage and car parking bay. This is positive. It is important to note that the proposal would be expected to provide 5% of cycle parking spaces as Sheffield stands for larger adapted and disabled bicycles with larger spacing accordingly. However, in order to accommodate this requirement, one of the units would realistically need to be removed. This would impact the housing delivery of the site and whilst not ideal, it is of the view that cycle storage as proposed would be sufficient. As mentioned above, the applicants have agreed to offset this by way of sustainable transport contribution which would go towards improving the local network in terms of cycling and walking – cycle stands, on street EVCP's and car clubs. This contribution would help improve the wider community. The compromise is considered to be appropriate, in this instance.

- 8.69 Electrical sockets should be provided within the store to allow for the charging of e-bikes. The entrance to the cycle storage would be appropriately sized and so would the access arrangements. The general siting and integrated nature is supported although a pre-occupation condition will be attached ensuring details including appearance, size and types of stands including electrical charging sockets.

### Refuse/Recycling Storage

- 8.70 An adequately sized waste store is proposed which is acceptable. The current siting would exceed the drag distance for some of the units although would be sited close to the Sandrock Place highway. The applicants have confirmed a waste management strategy will be in place with reliance on private collection service. In principle, this is considered acceptable subject to conditions (further commentary in the waste section).

Refuse for the pub would be integrated to the side of the building – facing Sandrock Place. This is supported.

### Other Matters

- 8.71 In order to ensure that the proposed development would not have any adverse impact on the highway network or on the surrounding residents, a Demolition, Construction Logistics and Environmental Management Plan will be required by pre-commencement condition. This should outline measures to minimise noise and dust impacts, and disruption to neighbours.
- 8.72 An informative will be attached as a S.278 with the highway authority might be required for the proposed crossover (including reinstatement of existing).

### **Flood Risk**

- 8.73 The host site is located within Floodzone 1 and so is not considered to be at fluvial risk. A small fraction of the host site falls within a surface water floodzone – namely along Sandrock Place but the wider context does fall within this area. The site is not within a Critical Drainage Area.
- 8.74 The previous scheme was refused largely due to insufficient information and absence of a satisfactory drainage strategy. As part of this scheme, a Flood Risk Assessment and Drainage Strategy by Ardent Consulting dated April 202 submitted in support of the application. Various discussions have taken place during the course of the application with the Councils LLFA team. The officers confirmed that the submitted strategy and overall approach met some of the requirements and indicated that a viable strategy on site can be achieved. Some further information was requested in regards to justifying why greenfield runoff cannot be achieved, infiltration testing and general information.
- 8.75 The FRA report sets out a strategy for managing runoff from the various parts of the site as follows:
- Partial infiltration strategy
  - All runoff from roofs is directed to site drainage.
  - All hardstanding areas (carpark) are to be permeably paved (17.5m<sup>3</sup> subbase capacity with impermeable lining) and routed to site drainage.
  - Some additional attenuation will be required within a soakaway tank (49.4m<sup>3</sup>).
  - Soakaway overflow is routed to the Thames Water SW network via a 2l/s flow control with NRV.
- 8.76 As part of the discussions with the LLFA, a Flood Risk Addendum dated November 2002 and Technical Response dated 2021 was submitted. LLFA confirmed that the revised strategy and justifications provided were adequate to address the comments raised. It is clear that the applicant has thoroughly investigated the possibility of a full infiltration strategy. As such, no concerns were raised subject to a compliance based condition.

## **Sustainability**

- 8.77 Policy SP6.2 of the CLP (2018) states that the Council will ensure that development make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan energy hierarchy to assist in meeting local, London Plan and national CO2 reduction targets.
- 8.78 The proposal would need to comply with the Energy Hierarchy of the LP (Consolidated with Alterations Since 2011). Major residential applications would need to achieve a 35% carbon emission above the 2013 Building Regulations and carbon offsetting to achieve zero carbon overall.
- 8.79 An energy statement by Green Built Consult dated April 2020 has been submitted in support of the application. Following consultation with the Councils Sustainable Development and Energy Team, who agreed with the conclusions, the development would:
- Meet the 35% onsite reduction through fabric insulation, gas boilers and solar PV; and
  - Commit to a carbon offset payment of £60/tonne; calculated as: offset of 14.17 (tonne/year) x 30 (years) x £60/tonne = £25, 506.
- 8.80 This carbon offset should be included within the S106 agreement, along with the Council's standard payment triggers of 50% on commencement, 50% on completion. The decision notice would also include a Condition to submit the 'as built' carbon performance (Dwelling Emission Rate), as calculated as part of the Building Regulations compliance. Along with submission of evidence of installation of the solar PV system (e.g. MCS Certificate or equivalent).
- 8.81 Policy SP6.3 of the CLP (2018) requires all new-build residential development to meet water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G. The decision notice would include a condition to ensure the development would adhere to the standards of this policy.

## **Air Quality and Pollution**

- 8.82 An Air Quality Assessment by Hawkins Environmental dated April 2020 has been submitted and reviewed by the Councils Environmental Health Team. Following review, it is considered that the recommendations and mitigation measures are satisfactory in terms of air quality and should be followed through via a compliance condition.
- 8.83 Matters relating to Light Pollution, Air Handling Units/Plant/Machinery, Boilers, Delivery and Serving could have been dealt through condition.
- 8.84 A financial contribution towards air quality management would also be secured through a legal agreement, if the development were to be supported. Managing short term air quality issues arising from construction and non-road transport e.g. dust impact could be addressed within a Construction Method Statement, also to be secured by a condition.

## **Other Matters**

- 8.85 Metropolitan Police were consulted and have reviewed the application. The submitted design and access statement does not reference how the proposal would tackle the security aspect of the development. Officers have recommended that pre-commencement conditions requesting details of security measures and certification (once built) are attached to the permission. As part of the amendments, a lighting plan was requested. This shows the types of lighting that would be proposed around the built form which the notion is generally positive. The above conditions, including tying up with the landscaping condition could allow the lighting plan to be further developed if officers required this to be improved.
- 8.86 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 Borough.

### **Conclusions and Planning Balance**

- 8.87 The proposed intensification, delivery of affordable housing and housing mix would be satisfactory and would contribute positively to the borough. The proposal would provide 30% affordable housing with a mix of 60:40 ratio between London Affordable Rent and shared ownership. The pub would be adequately retained. These are given a positive weighting in balancing the planning application.
- 8.88 The positive benefits of tree retention and creation of biodiverse amenity areas outweighs the impacts in terms of provision of light to units and communal areas and so these are also positive elements of the scheme, albeit with some dis-benefits. The impacts on neighbouring residents are also acceptable.
- 8.89 The provision of parking is acceptable on balance, based on the inclusion of an area of highway as available parking which is a balanced view. The proposal would provide a sustainable transport contribution and other measures to manage parking demand. This element of the scheme is acceptable on balance. Whilst it is acceptable, it weighs slightly negatively against the scheme.
- 8.90 All material considerations have been taken into account, including responses to the consultation. The conditions recommended and obligations secured by Section 106 would ensure that any impacts of the scheme are mitigated against and it is not considered that there is any material planning considerations in this case that would warrant a refusal of this application. Taking into account the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning policy terms. As such, the proposal would not comply with the relevant Policies within the London Plan 2016, Draft London Plan 2018, Croydon Local Plan 2018 as well as the Croydon Suburban Design Guide 2019.

## **6. OTHER MATTERS**

- 6.1 All other planning considerations including equalities have been taken into account.