

PART 6: Planning Applications for Decision

Item 6.1

1. SUMMARY OF APPLICATION DETAILS

Ref: 19/04067/FUL
 Location: 27-29 Biddulph Road, South Croydon, CR2 6QB
 Ward: Purley Oaks and Riddlesdown
 Description: Demolition of the existing properties and erection of a building up to four storey's including 26 no. apartments with associated landscaping, car parking, bin and cycle storage. (Amended description).
 Drawing Nos: 3137-17, 3137-31, 3137-32 rev N, 3137-33 rev K, 3137-34 rev L, 3137-35 rev J, 3137-36 rev H, 3137-37 rev C, 3137-38 rev E, 3137-39 Rev F, 3137-40 rev F, 3137-41 rev F, 3137-42 rev A, 3137-43 rev E, 3137-44, 3137-45 rev C, 3137-49 rev B 3137-50, 3137-51 rev B.
 Applicant: St Marks Properties (VII) Ltd
 Case Officer: Tim Edwards

	1b, 2p	2b, 3p	2b, 4p	3b	4b, 5p	Total
Existing Provision				3		3
Affordable Housing Provision		5		1	1	7
Market Housing	1	8	9	1		19
Total Proposed	1	13	9	2	1	26

Number of car parking spaces	Number of wheelchair accessible car parking spaces	Number of cycle parking spaces
15	3	51

- 1.1. This application is being reported to Planning Committee in accordance with the following committee consideration criteria:
- Objections above the threshold in the Committee Consideration Criteria

2. 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 – 30% by habitable room with a 60/40 split between affordable rent and intermediate housing.
 - b) Local Employment and Training Strategy and contributions;
 - c) Financial contribution towards air quality,
 - d) Financial contributions towards sustainable transport measures and highway improvements in the immediate area, calculated at £39,000;
 - e) S278 and S38 Agreement for the implementation of the highway works;
 - f) Carbon offsetting contribution
 - g) Monitoring fee; and
 - h) And any other planning obligations considered necessary.
- 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. 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. Construction Logistics Plan;
- 4. Detailed drainage and SUDs strategy
- 5. Phase 1 Contaminated Land Report;

Pre-Commencement Conditions except for demolition and below ground work:

- 6. Details and samples of materials to be submitted for approval;
- 7. Landscaping and child play / communal amenity space and boundary treatment notably between private amenity spaces and communal areas, ambulant design of external stairs;
- 8. Full details of cycle and refuse storage to be submitted for approval, including lighting details;
- 9. Biodiversity Enhancement Strategy including lighting;
- 10. Detailed air quality assessment and mitigations
- 11. Detailed noise assessment and mitigations.

Pre-Occupation Conditions

- 12. Delivery and servicing plan;
- 13. Waste management strategy.
- 14. Car park management plan;
- 15. EVCP to be implemented on site;
- 16. Energy efficiency / sustainability;
- 17. Secured by design (D4)

Compliance Conditions

- 18. Accessible homes;

19. All proposed units to have access to all amenity areas irrespective of tenure;
20. Car parking provided as specified;
21. Visibility splays as approved;
22. Accord with the submitted Tree Protection Plan and Arboricultural Impact Assessment;
23. Accord with Conclusions and Recommendations section of the submitted Preliminary Ecological Appraisal;
24. Water efficiency; and
25. 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. Light pollution;
6. Requirement for ultra-low NOx boilers;
7. Thames Water informatives regarding underground assets and public sewers;
8. Highways informative in relation to s278 and s38 works required.
9. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3. PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1. The proposed development involves:
 - The demolition of 3 no. detached bungalows with accommodation within their roofs.
 - The erection of a building up to 4 storey's in height, comprising 26 apartments
 - 15 car parking spaces with associated hard and soft landscaping.
 - Provision of associated internal refuse and cycle stores.
- 3.2. During the course of the application amended plans have been received and were re-consulted upon. The main alterations to the scheme have been as follows:
 - Reducing the units numbers from 27 to 26.
 - Changing the internal arrangements and proposed mix.
 - Introduction of the first floor communal podium area
 - Alterations to the elevations.
 - Increasing the proposed affordable housing offer from 15% to 30%, all of which are
 - Changes to the vehicle and cycle parking layouts.

- 3.3. Since the previous consultations additional amendments have been made to the application, are considered to be non-material to the application and have therefore not be re-consulted upon.
- The addition of an additional lift within the western core, allowing for the 5 units located from the first floor and above within this core to have step free access.
 - Minor alterations to the buildings footprint to facilitate the alterations above.
 - Alteration to the internal car parking layout, moving the wheelchair accessible spaces closer to the wheelchair accessible units.
 - Additional refuse store to be provided along the western boundary for wheelchair accessible units.
 - Other minor alterations to the internal arrangement (including doors to and from the cycle/refuse stores/corridor sizes) although the unit mix remains the same as previously considered.

Site and Surroundings

- 3.4. The site comprises three detached bungalows with accommodation within the roof space. The site slopes significantly towards the rear, as land levels step up towards Kingsdown Avenue. The site also fronts onto the Haling Downs Passage which allows vehicular access to the rear of properties fronting onto both Brighton Road and Kingsdown Avenue and is an adopted highway.
- 3.5. Biddulph Road is a curved road, with varied character of in-fill three storey developments, such as Dell House located on the opposite curve to the site (with undercroft parking and two storeys of accommodation above) as well as two storey terraced properties.
- 3.6. The site is also closely located in relation to Brighton Road, being approximately 120 metres from the Brighton Road/Biddulph Road shopping parade, 450 metres from Purley Oaks Station (or 750 metres by step free access). The site has a Public Transport Accessibility Level (PTAL) of 3.
- 3.7. The site is located just outside an Archaeological Priority Area but within an area at risk from surface water and ground water flooding.

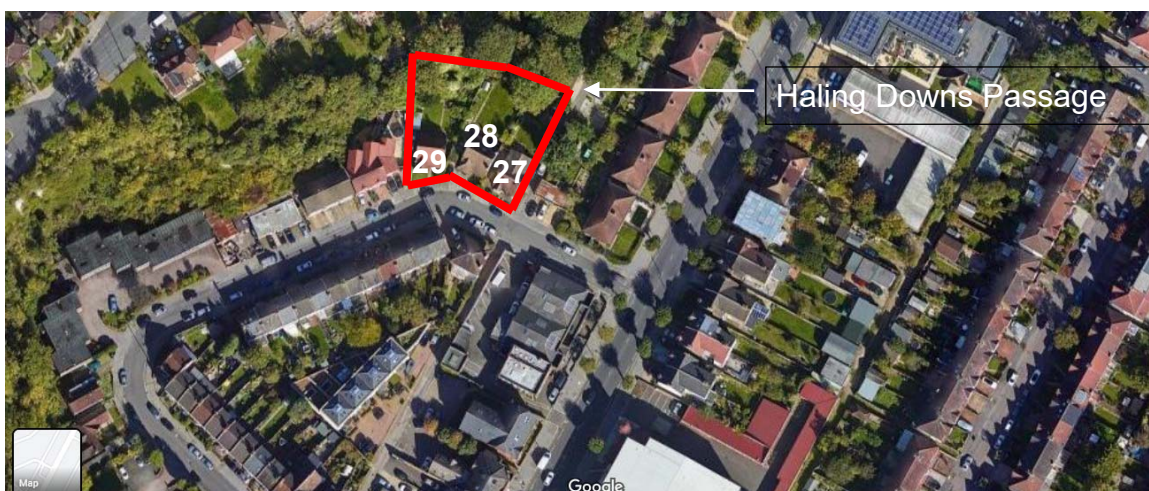


Figure 1 Birds eye view of the site and its surroundings

Planning History

3.8. There are no recent planning applications of relevance at the application site. However it should be noted that the following applications have been determined:

- 27-28 Biddulph Road, South Croydon, CR2: 07/01272/P - Demolition of existing buildings; erection of two storey building with accommodation in roofspace comprising 9 two bedroom and 1 three bedroom flats; provision of associated parking: **Permission Refused.**

3.9. Applications of interest within the immediate surrounding area are detailed below:

- 30 Biddulph Road, South Croydon, CR2 6QB: 05/00420/P - Demolition of existing building; erection of a terrace of 2 three storey four bedroom houses with integral garages and 1 two storey three bedroom house; formation of vehicular accesses and provision of associated parking: **Permission granted and implemented.**
- Land R/O, 1-26 Biddulph Road, South Croydon, CR2 6QA: 10/03301/P - Erection of two storey building with accommodation in roofspace to provide 7 two bedroom, 1 one bedroom and 1 three bedroom flats; formation of vehicular accesses and provision of associated parking (renewal of planning permission 07/01382/P): **Permission Granted and implemented.**

3.10. Applications of interest within the wider surrounding area are detailed below:

- Land To The East Of Montpelier Road And Land And Garages South Of 75-135 Kingsdown Avenue, South Croydon, CR2 6QL: 16/06031/FUL - Demolition of existing garages and erection of 1 six storey building comprising 9 two bedroom, 1 one bedroom and 1 three bedroom flats, 1 four storey building comprising 4 two bedroom and 2 one bedroom flats and 13 three bedroom and 4 two bedroom houses. Provision of associated car parking, landscaping and associated works: **Permission Granted and in construction.**
- 443A Brighton Road, South Croydon, CR2 6EU (Currently the Peugeot Garage) - *Demolition of existing buildings and the redevelopment of the site to provide a residential led, mixed-use, development comprising of up to 79 residential units (C3), 398 sqm GIA flexible commercial space (B1b, B1c and D1), with building heights ranging between 4, 6 and 8 storeys, associated parking and landscaping, and all necessary ancillary and enabling works.*

4. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of intensified residential development is acceptable given the national and local need for housing.
- The proposal includes 30% affordable housing, in accordance with local plan requirements and is the maximum reasonable level of affordable housing currently deliverable in view of the schemes viability.

- The proposal includes a mix of units requested by a Registered Provider and in-line with policy expectations.
- The proposed design and appearance of the scheme would be acceptable;
- The living conditions of adjacent occupiers would be protected from undue harm subject to conditions.
- The proposed residential development would provide quality accommodation for future occupiers and adequate amenity provision.
- The level of parking and impact upon highway safety and efficiency would be acceptable.
- Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions.

5. CONSULTATION RESPONSE

- 5.1. Lead Local Flooding Authority (LLFA): The LLFA have objected to the scheme but state that subject to a detailed planning condition being applied details can be provided and reviewed at the detailed design stage accordingly.
- 5.2. Historic England: No objection as the site is not within an Archaeological Priority Area.
- 5.3. Thames Water: No objection subject to proposed informative relating to water pressure being added to the proposal.
- 5.4. Place Ecology: No objection subject to securing biodiversity mitigation and enhancement measures
- 5.5. The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6. LOCAL REPRESENTATION

- 6.1. The application has been publicised by 19 letters of notification to neighbouring properties, site notices and press notice.
- 6.2. The number of representations received from in response to notification and publicity of the application are as follows. It is noted that there are multiple entries submitted by the same objectors:

No of individual responses: 40 Objecting: 38 Supporting: 2

- 6.3. 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	Response
<i>Principle of development</i> Full assessment within paragraphs 8.2 to 8.7.	
Overdevelopment and intensification of the area with the surrounding developments currently constructed and/or with planning approval.	Addressed in paras 8.2 – 8.7

Loss of a three-bedroom dwellings.	The proposal would provide 12 family units of which three would be 3b or larger dwellings.
Flats are not needed in this location	
Design Full assessment within paragraphs 8.13 to 8.21	
The proposal is not in keeping with the character of the area with predominately Edwardian Terraced houses to the south and 1960/70's apartment blocks to the north.	Officers are satisfied that the proposal reflects the character of buildings in the area as explained in the Design and Character Assessment.
The proposed massing is bulky and out of keeping with the context	The proposed design, roof shape and height would break up the massing of the proposal.
The proposed building is too high.	The proposal would be four-storeys above ground level in line with the principles of the Suburban Design Guide.
The proposed area should be designated as a Local Heritage Area.	The site does not fall within a Local Heritage Area.
Neighbour Amenity Full assessment within paragraphs 8.31 to 8.37	
Proposed leads to loss of privacy, and overbearing impact onto neighbouring properties.	The impact of the development onto all adjoining properties is set out in paragraphs 8.31 – 8.38
Noise to adjoining properties which is already an issue	The impact of the development onto all adjoining properties is set out in paragraphs 8.31 – 8.37
Loss of light to the adjoining occupiers	The impact of the development onto all adjoining properties is set out in paragraphs 8.31 – 8.38
Impact on amenities of adjoining occupiers which would change a peaceful calm area	The impact of the development onto all adjoining properties is set out in paragraphs 8.31 – 8.38
Impact upon the security of all existing properties within Kingsdown Avenue and Brighton Road.	The proposed scheme would create additional passive surveillance onto Hailing Down Passage and towards Brighton Road.

Traffic & Parking <i>Full assessment within paragraphs 8.38 to 8.49</i>	
Impact upon parking overspill onto the road and cumulatively with the Brick by Brick development on Montpelier Road and The Peugeot Garage redevelopment on Brighton Road.	The proposal impacts namely relating parking availability and cumulative impact is considered in points 8.39 to 8.45 within the Brick By Brick Scheme. The Peugeot garage scheme is located over 200 metres away, and is therefore does not fall within the parking stress survey area to which this application related. This site are also separated by Brighton Road, where no parking can overspill anyway and creating a clear physical barrier between the sites.
The road is a constant car park and does not have double yellow lines as shown by the developer.	
The proposal would build over a footpath.	The proposed building does not build over a footpath it proposes a new public footpath to allow for improved pedestrian access to and from the Hailing Down Passage which is south of the development.
Hailing Downs Passage would be used as a rat run.	The proposal provides an improved entrance and exit onto Biddulph Road from this existing access route, with improved visibility, as well as pedestrian footpath directly adjacent to the site.
Impractical location of the proposed refuse.	This is discussed in paragraphs 8.49
Impact on Ecology <i>Full assessment within paragraphs 8.106 to 8.114.</i>	
Destruction of habitat for local wildlife such as bats (endangered species) birds foxes and badgers.	The submitted Preliminary ecological report found no evidence of endangered species. The decision notice would include a condition to mitigate impact on wildlife and increase biodiversity of the development.

<p>The proposal includes the loss of mature trees.</p>	<p>The NPPF, the London Plan and Croydon Local Plan do not prohibit cutting down trees. The Council Tree Officer did not raise objections regarding the loss of non-TPO trees, the proposed landscape Plan would provide replacement trees with significant sizes to overcome the harm of removing existing trees.</p>
<p><i>Other matters</i></p>	
<p>Previous planning applications have been restricted due to the Bungalow at no.29.</p>	<p>Each application is assessed on its own merits, in relation to the relevant planning policies and guidance at the time.</p>
<p>Previous refusals on site and adjoining the site in 2002 have stated concerns relating to overdevelopment.</p>	<p>Each application is assessed on its own merits, in relation to the relevant planning policies and guidance at the time.</p>
<p>The proposal only provides 5 apartments of affordable housing.</p>	<p>Officers are satisfied of the quality of the development; the proposal provides more than an appraisal indicates can be viably supported on site and so provides the maximum reasonable amount of affordable housing. This is discussed further in paragraphs 8.9 – 8.10</p>
<p>The proposed plans do not provide any community space for existing residents, only for the proposed residents.</p>	<p>There is no requirement, as part of this planning proposal, in line with national and local guidance for a development of this nature and size to provide communal space beyond that for the future occupiers.</p>
<p>No mention of the site proximity to the old quarry's cliff.</p>	<p>The development would provide adequate light and outlook</p>
<p>Impact on local infrastructure such as schools, and local surgeries.</p>	<p>The application would be liable for CIL payment which would contribute to delivering infrastructure to support the development of the borough.</p>
<p>Road and communities across Croydon are suffering from cumulative impact of too many HMO's.</p>	<p>The application proposes 26 individual apartments and not an HMO.</p>

Impact of construction within old quarry.	This is a building control matter and not a planning consideration.
Construction traffic and disruption	A pre-commencement condition will be imposed requiring a Construction Logistics Plan to ensure construction activities do not cause undue disturbance to the highway network and adjoining occupers.
The proposed site location plan is wrong.	The details submitted are considered to be accurate for consideration with appropriate certificates having been signed with the application.

6.6. The two letters of support, highlighted the following points:

- Great demand for affordable housing in the area with the development effective use of available space.
- The proposed development is in-keeping with other development situated in Biddulph Road.
- Use of underground parking provides large area of green space for future residents.

6.7. Note that a number of non-planning related concerns (eg low gas supply pressure loss of view, setting a precedent, loss of property value, etc) were also raised.

6.8. Lower end Kingsdown Avenue Residents Association (LeKARA) objected to the application, raising the following (summarised) planning related concerns:

- Impact upon the amenity of the adjoining/local residents, especially when combined with Montpelier Road scheme.

7. RELEVANT PLANNING POLICIES AND GUIDANCE

7.1. In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations. Such determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2016, 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) revised in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Promoting sustainable transport;
- Delivery of housing
- Promoting social, recreational and cultural facilities and services the community needs
- Requiring good design.

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

7.4. Consolidated London Plan 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
- 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)

- SP1 – The places of Croydon
- 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. Suburban Design Guide Supplementary Planning Document (SPD) 2019

7.7. The SPD is a 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.

7.8. Other relevant Supplementary Planning Guidance as follows:

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

7.9. Emerging New London Plan

7.10. 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 Secretary of State has commented on the Mayor's Intend to Publish version and so it would appear to be nearing 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. 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.

7.11. 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 the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

7.12. It is important to note, should the Secretary of State support the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current

Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.

- 7.13. For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1. The principal issues of this particular application relate to:

- The principle of the Development
- Affordable Housing and Housing Mix
- Townscape and visual impact
- The Quality of the Proposed Residential Accommodation
- Impact on Neighbouring Amenity
- Impact on Parking and Access
- Impacts on Trees and Ecology
- Sustainability and Flooding
- Environmental Health

Principle of Development

- 8.2. Proposed Land Use: Paragraph 11 of the NPPF 2018 applies a presumption in favour of sustainable development which means approving development proposal which accords with an up-to-date development plan without delay. Paragraph 68 acknowledges the contribution of small and medium size sites can make in meeting the housing requirements and supports the development of windfall sites.
- 8.3. The above policies are clearly echoed within Policy SP2.1 of the Croydon Local Plan (2018) (CLP 2018) while Policy SP2.2 commits to the delivery of 10,060 homes across the borough's windfall sites.
- 8.4. The site is a windfall site which could be suitable for sensitive renewal and intensification. The proposal is for a residential scheme within a residential area; it would comprise 26 flats which would accord with national and local policies. Accordingly, the proposed land use would be acceptable in principle.
- 8.5. Loss of Existing Land Use: Policy DM1.2 of the CLP (2018) permits residential redevelopment where it would not result in the net loss of three-bedroom homes or the loss of homes smaller than 130 sqm. All three of the homes are three-bedroom dwellinghouse under 130 sq m in size. Twelve family homes (including three of three or more bedrooms) would be provided within the proposed development and therefore would be acceptable and in accordance with the requirements set out by Policy DM1.2.
- 8.6. Density: The site falls in an urban setting under The London Plan (2016) terms and has a PTAL score of 3. Table 3.2 of The London Plan identifies the optimum sustainable residential quality density; this table sets the density for such setting within a range of 200 - 450 hr/ha. The proposal would result in a density of

476hr/ha, which officers notes slightly exceeds density when compared with the London Matrix. However, the London Plan indicates that it is not appropriate to apply these ranges mechanistically, and also provides sufficient flexibility to support higher density schemes (beyond the density range) where they are acceptable in all other regards such as design, quality of proposed accommodation and impact on neighbouring amenity and traffic.

- 8.7. In summary, the proposed residential use and its density would be acceptable in principle. The proposal would accord with the National and Local requirements and would optimise the delivery of additional housing in the borough.

Affordable Housing and Housing Mix

- 8.9. Affordable Housing: 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. CLP Policy SP2.5 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.
- 8.10. A full viability appraisal accompanied the submitted documents for the planning application which concluded that the development would not be viable to provide any affordable housing within the development or make any financial contributions to affordable housing to the council. This appraisal was subject to a third party review during the course of the application who disagreed with the original viability findings and concluded that the scheme would be viable to support 26% of units as shared ownership units. However an agreement with a Registered Provider subsequently has meant that 30% of the development, by habitable room, is now proposed to be provided in-line with policy SP2 with a 60/40% split between affordable rent and intermediate housing provision. Therefore, the s106 would secure seven of the units, including two of the larger units as affordable housing, which is more than the site specific viability assessment indicates can be supported. This is therefore considered to be the maximum reasonable amount which can be secured.
- 8.11. Housing Mix: Policy DM1.1 of the Croydon Local Plan (2018) requires major developments to have a minimum amount of three-bedrooms in accordance with Table 4.1 except for where there is an agreement with an approved registered provider for a specific mix; this policy also allows an element of two-bedroom/four-person dwellings as a substitute. Table 4.1 of Policy DM1.1 states that an urban setting with PTAL 3 should have 60% minimum percentage of three-bedrooms or larger.
- 8.12. 12 of the 26 units (approx. 46%) would be family units, including 2bed-4person units, and the affordable units are in accordance with a mix required by the registered provider, therefore meeting the policy requirements.

Townscape and Visual Impact

- 8.13. The existing buildings do not hold any special significant architectural merit and are neither locally nor statutorily listed. Therefore there is no objection to their demolition.
- 8.14. The proposed development would sit within a prominent corner both with Biddulph Road and to a lesser degree from Brighton Road. The proposal would also be visible from Hailing Down Passage, an adopted road which is notably fronted by garages and back entrances to the houses fronting Brighton Road and Kingsdown Avenue and therefore whilst the proposal must address this road accordingly, its role is much more prominent within Biddulph Road.
- 8.15. Biddulph Road, is made up of a variety of terraced housing as well as infill developments which are predominately three storeys in height and include for the most part parking at ground floor level and as seen by figure 2 below.

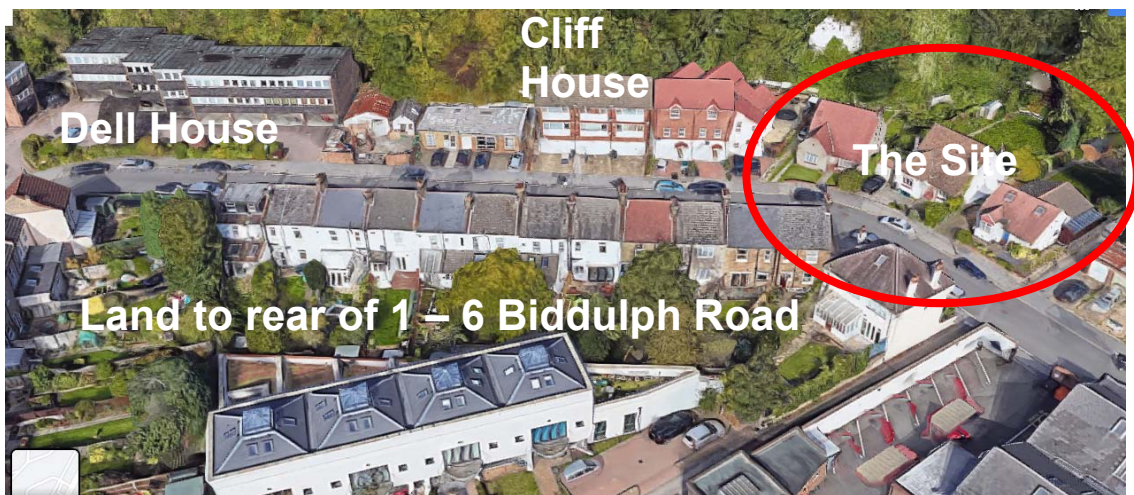


Figure 2 Site and the surroundings

- 8.16. As figure 2 indicates Biddulph Road, is not defined by one particular form of development with in-fill flatted blocks with flat roofs (Dell House) located on the adjacent curve of Biddulph Road, shallow pitched roofs such as those found on Cliff House as well as the crown roofs found on the backland development situated behind 1 – 26 Biddulph Road.



Figure 3 Proposed Block Plan

- 8.17. In line with the principles set out by the Suburban Design Guide (SDG) the location and site circumstances (i.e. the land level changes between this site and those set above within Kingsdown Avenue) provide the opportunity to create a marker point within the townscape by accommodating additional height and depth. The proposal aims to respond accordingly by proposing additional height as well as utilizing the combined depth of the site to create an L-shaped building which fronts onto the eastern and southern boundaries (as seen within figure 3). Additionally, Haling Down Passage provides separation from properties to the East and having a frontage on to this is positive in terms of providing a more defined setting and some passive surveillance to this route. Whilst the proposal is noted to be four storeys in height, taking into account the varied form of development including three storey flatted blocks such as 137 – 165 Montpelier Road, Dell House and Cliff House (see fig 4), the development is considered to be an innovative and original scheme which take its design queues from the existing built form.



Figure 4 The surroundings areas character (137 – 165 Montpelier Road – top left, Dell House – top right and Cliff House/30/30a and 30b Biddulph Road – bottom right).

- 8.18. Unlike the majority of examples seen throughout the wider streetscene, hard standing will not dominate the proposed scheme with the building set back by 2.50 metres at its closest point on the corner between Biddulph Road and Hailing Down Passage and then stepping back to 5.70 metres adjacent to 30b Biddulph Road to meet the building line seen within this stretch of the road. This setback allows for soft landscaping (with indicative replacement tree planting highlighted) and the two level access street facing entrances to the proposed two cores. On-site parking would instead be provided at ground floor level utilising the land levels to the rear and excavating accordingly. This parking space would then be topped with a podium and landscaped to provide additional communal/child play space, which would be accessible directly of the main core as well as externally from the ground floor amenity spaces seen within figure 5. Overall it is considered that the proposed development site layout, mass, height and scale respond to the evolving context of the area, whilst making the most efficient use of the land in line with guidance set out by the CLP 2018 and the SDG.
- 8.19. The elevations have been broken down utilising recessed balconies, fenestration, as well as adding stepping brick course (as a response to the local context seen with 30- 30b Biddulph Road) and soldier course banding during the application process adding detail and interest to all elevations.



Figure 5 Site/Ground Floor Plan (left) and First Floor Plan (right)

8.20. Biddulph Road and the surrounding area are predominantly made up of buildings where brick is utilised as the main material, especially within the later developments highlighted through this report. The proposal would follow this material palette with two variations of brick utilised alongside aluminium fenestration and steel capping for the parapet. Overall this choice of materiality and how it is proposed to be used are considered appropriate for the design ethos.



Figure 3 – Proposed Front Elevation onto Biddulph Road

8.21. Therefore, having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development that would comply with the objectives of the above policies in terms of respecting local character.

The Quality of the Proposed Residential Accommodation

8.22. Internal Areas: Policy SP2.8 of the CLP (2018) states that the Council would require new homes to achieve the minimum standards set out in the Mayor of

London Housing Supplementary Planning Guidance (SPG) and National Technical Standards (2015) (NTS (2015)) or equivalent.

- 8.23. The proposal would comprise single-floor units with a mix of one, two, three and four bedroom units. All units would achieve or exceed their minimum respective sizes as set out in the NTS (2015). 21 of the 26 units are dual aspect with all single aspect units facing either east or west, ensuring no single aspect north facing units. Whilst the topography of the former quarry to the rear are noted, all units, notably including those at ground floor would be provided with acceptable outlook as well as acceptable daylight and sunlight as demonstrated by the average daylight calculations statement submitted with the amended plans.
- 8.24. Accessibility: London Housing SPG (2015) states that 90% of new-build housing should meet Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings' with the remaining 10% meeting Building Regulation requirement M4(3) 'Wheelchair User Dwellings' unless viability has shown accordingly. Policy SP2.8 of the CLP (2018) states that the Council would ensure that new homes in Croydon meet the needs of residents over a lifetime.
- 8.25. The proposed building would be provided with two cores, with lift provided in each core allowing for step-free access to be provided. The proposal is therefore able to meet the London Housing SPG guidance for accessible dwellings with the proposal including 3 x M4 (3) units (10% on units) at ground floor level which is fully accessible from front door to rear door as well as to the proposed parking area and lower communal amenity space. The rest of the units on site are proposed to be secured as 90% M4 (2).
- 8.26. Amenity Areas and Play Space: Policy DM10.4 of the CLP (2018) states that all new residential development will need to provide private amenity space, this space should be functional with minimum depth of 1.5 metres and a minimum area of 5 sqm per 1-2 person unit and an extra 1 sqm per extra occupant thereafter.
- 8.27. All of the units would meet or exceed the minimum private amenity areas in accordance with Policy DM10.4. Further details in relation to the proposed defensible planting treatment indicatively highlighted on the submitted plans would be conditioned to be provided as part of a detailed landscaping plan.

8.28. In addition to the private amenity areas, the development would have two communal spaces, one at ground floor level and the other at first floor level which would be accessible via steps externally or via the main core which includes a lift. Whilst this mean that those located within the other core do not have direct step-free access they would still be able utilise the lift within the other core to ensure that this communal space is accessible. Regardless of this point and to ensure ease of movement and connectivity between the communal spaces, the details relating to the communal stairs/routes including handrails, lighting and step depth are proposed to be secured via condition to ensure ambulant disabled accessible stair design.

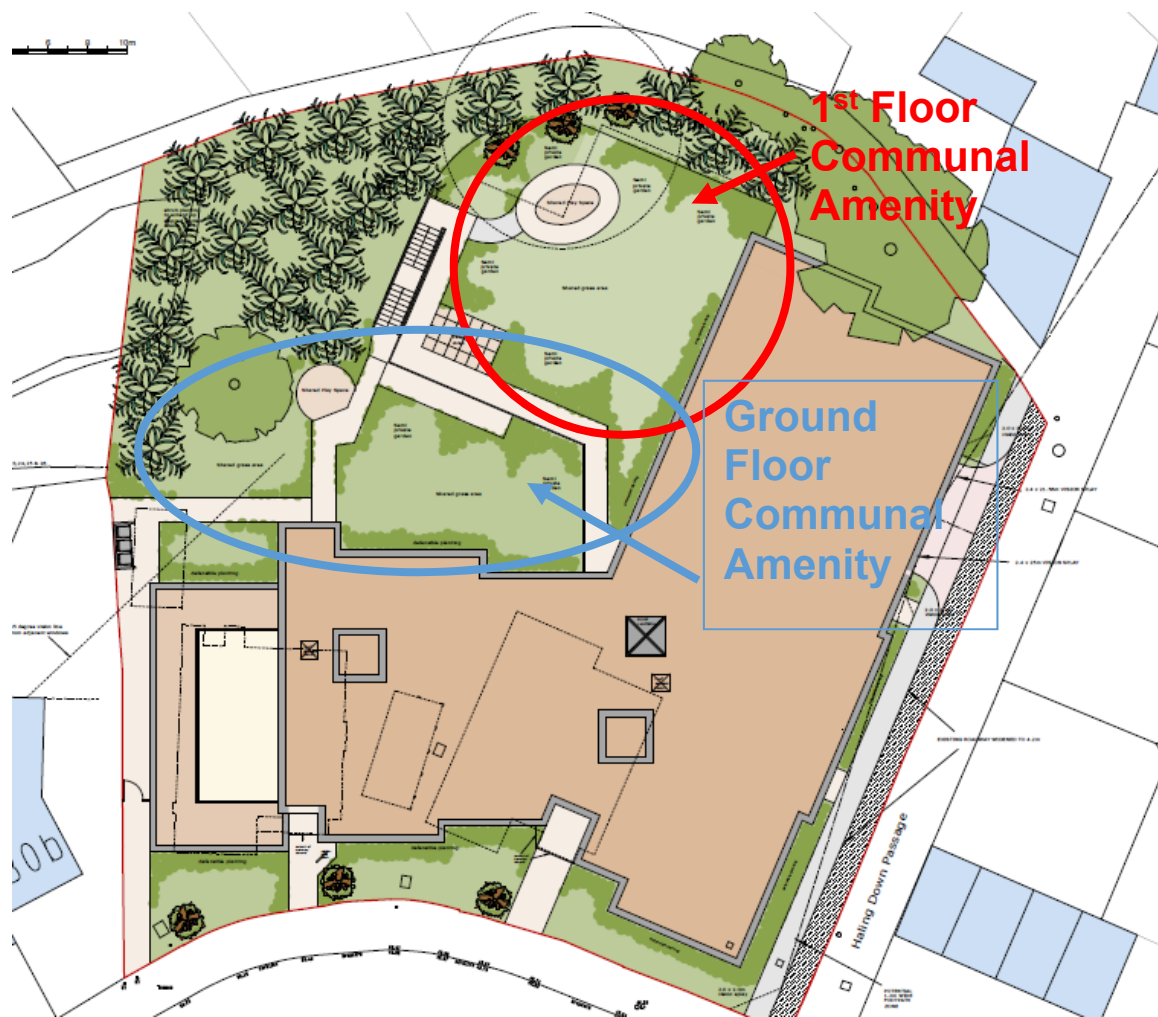


Figure 6 Communal amenity spaces

8.29. Policy DM10.4 also states that all flatted developments must provide a minimum of 10 sqm of new play space as set out in Table 6.2, this calculation will be based on the amount and tenure of affordable housing and the sizes of the proposed units. The proposal should therefore provide 103 sqm would be required as play space for the scheme. The proposed indicative site plans have indicated two areas for play and whilst this are noted not to meet the proposed policy requirements there is approximately 297.5 sq m of communal space (both at ground and first floor) which could further increase the play provision to the required standards whilst still providing 193.5 of communal space for all

users of the development. Further details are proposed to be secured via condition as part of the landscaping scheme for the site.

- 8.30. Overall, the development is considered to provide an acceptable standard of accommodation for future occupiers.

Impact upon the adjoining occupiers

- 8.31. The properties most affected by the development would be the immediate neighbours (24 – 26 and 30b Biddulph Road, the properties fronting Brighton Road to the east and to the rear 47/49/49/51/53 Kingsdown Avenue).

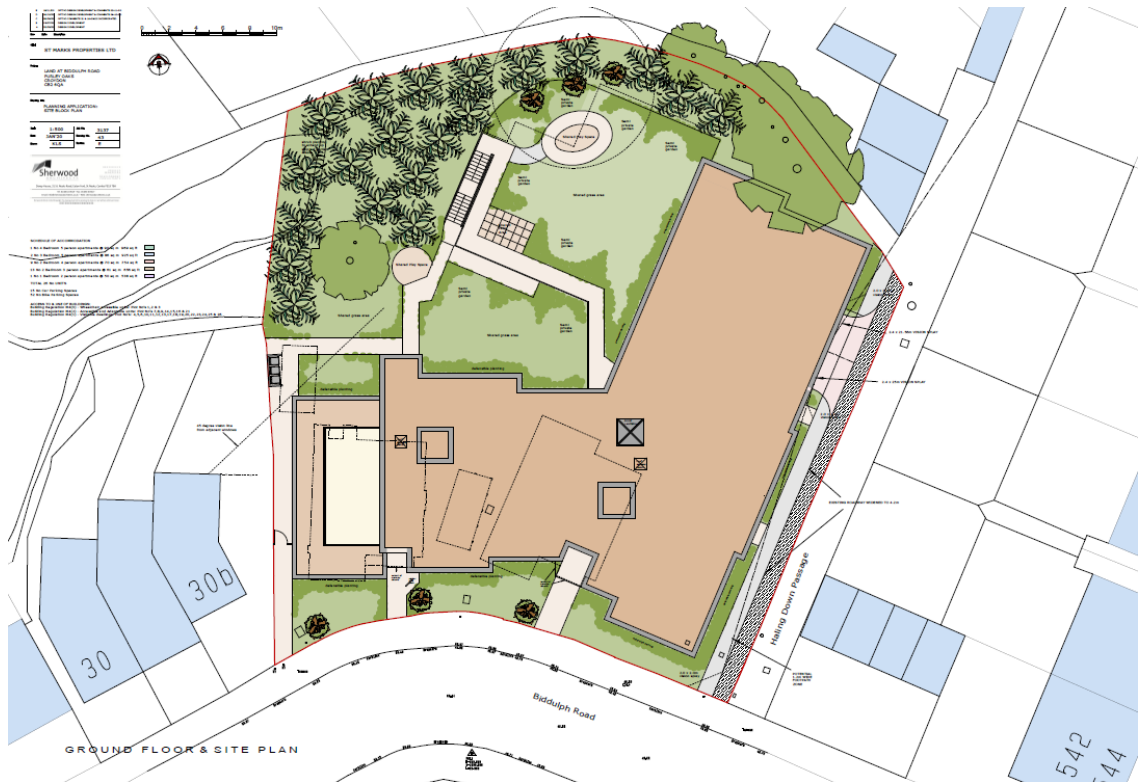


Figure 7 Relationship with neighbouring properties

30b Biddulph Road

- 8.32. The proposed flatted block is located east of this adjoining occupier. There would be an approximate 3.60 metre separation between the buildings at the closest point between front elevations, further increasing to 5.25 metre as 30b steps into towards the rear.
- 8.33. There are no habitable side facing windows within the western elevation of the proposed development, with the balconies recessed within the building envelope, restricting overlooking towards this adjoining occupiers. There is noted to be a third floor private amenity space on the third floor, however this is set in from the flank elevation with further details in relation to the balustrading/screening treatment proposed to be conditioned to ensure that the impact of this on the streetscene is acceptable as well as ensuring that any overlooking towards 30b is minimised accordingly.

542/544 Brighton Road

- 8.34. There is an approximate 24 metres separation between the eastern elevation of the proposed development and these adjoining occupiers which is mirrored throughout those fronting onto Brighton Road. Whilst it is noted that these adjoining occupiers sit at lower land levels, overall considering the separation distances there is not considered to be an overbearing impact upon these adjoining occupiers.

24 – 26 Biddulph Road (opposite side of Biddulph Road)

- 8.35. To the south of the site is the end of the terrace to which 24 and 25 Biddulph Road are attached and then the detached two storey house, 26 Biddulph Road. There is approximately an 18 metre separation between the front elevations. Considering this separation across a road, overall there is not considered to be a detrimental impact upon these adjoining occupiers.

47/49/49/51/53 Kingsdown Avenue

- 8.36. To the rear of the site are the properties which front onto Kingsdown Avenue. Owing to the land levels, the site is set significantly below the properties and whilst the proposed development would be notably higher than the existing properties, there would remain approximately 35 metres separation between the rear elevation of the development and the rear elevation of these adjoining occupiers. Whilst there would be some overlooking to and from the very rear of 47 and 49 Kingsdown Avenue's rear garden. Considering the land levels changes, the separation distance and Policy DM10 which provides protection for the first 10 metres of a neighbouring garden, overall the proposal would have an acceptable impact upon these adjoining occupiers.
- 8.37. Being for residential use within a residential road, but in close proximity to a mixture of use overall the proposal is not considered to create unacceptable noise and disturbance to the adjoining occupiers.
- 8.38. In summary, the proposal would not result in a significant adverse impact on adjoining neighbouring properties in terms of loss of privacy, overbearing impact or loss of sun and daylight, as per Croydon Local Plan (2018) Policy DM10.6 and the Croydon Supplementary Guidance (2019).

Parking and Access

Parking

- 8.39. The site is located on the corner of Biddulph Road and Hailing Down Passage which are adopted highways. Hailing Downs Passage is a single lane road, which allows access to the garages located at the rear of Brighton Road and Kingsdown Avenue but also allowing access through to Kingsdown Avenue itself.
- 8.40. The site has a PTAL rating of 3 which means that it has moderate access to public transport links. The site is also located approximately 120 metres from the Brighton Road/Biddulph Road shopping parade, local bus services on Brighton Road and 450 metres from Purley Oaks Station (or 750 metres by step free access).
- 8.41. The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. 1-2 bedroom units should provide less than 1 space per unit and 3 bedroom

units up to 1.5 spaces per unit and for 4 bedroom units up to 2 spaces. However, it is important to note that Policy DM30 of CLP2018 states that development should provide parking for affordable homes at an average rate not less than 2/3 that of other tenures. Taking all this into account the maximum requirement for this development would be 20 parking spaces.

- 8.42. The proposal provides 15 vehicular parking spaces on-site of which 3 would be wheelchair accessible with step free access provide to both cores from the proposed parking area. Therefore, the development would create a maximum of 5 vehicles onto the local road network. The applicant has undertaken an on-street parking survey to recognised Lambeth methodology which shows that local parking stress was 75%. Further details were subsequently provided following a request for a cumulative consideration of parking stress taking into account the approved scheme on Montpelier Road. Whilst this is a material consideration for this proposal, as identified by the submitted assessment owing to the separation distances between the two sites the immediate surrounding areas and those assessed by both parking surveys do not directly overlap with the area surveyed and considered for ref.16/06031/FUL being at points over 500 metres away from this proposed site. Overall it was considered that the parking stress linked to ref.16/06031/FUL would leave a capacity of 39 parking spaces on the street following the potential overspill from that development and which has been consider the baseline of parking capacity. As the development is likely to result in five overspill cars, there is ample on street capacity.
- 8.43. The proposal involves the removal of the three existing crossovers and therefore has the potential to create three additional spaces on street. Whilst concerns have been raised in relation to highway safety and the location of these spaces on the bend in the road, it is notable that there is unrestricted parking throughout Biddulph Road, barring single yellow lines with the Brighton Road junction, and that currently the areas adjacent to these existing crossovers on-site are utilised for parking. The existing on-site arrangements also require existing residents to enter or exit their drives in reverse with limited visibility which would be removed.
- 8.44. Considering the parking stress levels set out, and to encourage sustainable transport methods and discourage car ownership, it is recommended that the following measures are secured through the S.106 Agreement process:
- A financial contribution of £39,000 towards
- (1) the placement of car clubs with Electric Vehicle Charging Points within low to moderate PTAL area,
 - (2) contribute towards feasibility study to further develop proposals with TfL to introduce a tramlink extension along Brighton Road to Purley.
 - (3) remove parking permits from future occupiers should the site fall within a permit zone.
- 8.45. Taking into account the sites location, the potential the maximum demand of two additional on-street parking spaces alongside the sustainable transport contribution proposed to be secured via legal agreement overall the proposal is not considered to have an unacceptable impact upon highway safety and parking capacity to warrant refusal.

Access

- 8.46. The proposed access to the on-site parking arrangement would be via Hailing Down Passage with the applicant proposing to widening of the roadway to 4.2 metres (which would allow vehicle to pass each other) and the introduce a 1.2 metre pedestrian footpath for future residents to access the proposed cycle and refuse store externally in a safe manner. The proposed widening of this existing element of Hailing Down Passage would improve visibility to and from this road as well as to the site itself. This proposal is considered acceptable and the proposed work would be secured via legal agreement as well as via section 278 and section 38.
- 8.47. The proposed access and manoeuvring within the site is considered acceptable with adequate sightlines having been provided alongside pedestrian visibility splays which are proposed to be conditioned accordingly. An automatic gate is currently proposed on-site and whilst this is understood from a secure by design perspective, details in relation to its appearance and operation are proposed to be secured via condition to ensure that vehicles entering the site do not detrimentally impact highway safety within Hailing Down Passage.

Electric Charging Points

- 8.48. Policy DM30 states that 20% of parking bays should have EVCP with future provision available for the other bays. In line with the relevant policies, 6 parking spaces are proposed with charging points and the other bays will be secured with passive provision by way of condition.

Cycle Storage

- 8.49. Cycle storage would be provided internally within the building, accessible via the footpath from Hailing Down Passage as well as via the building itself. 51 cycle parking spaces are proposed to be provided as required by policy. Full details of this storage area will be secured by condition.

Refuse Storage

- 8.50. The main refuse store is located within the building, with access provided off Hailing Down Passage and in an appropriate position for waste personnel to access. An external refuse store is also proposed at the rear of the site, adjacent to the western boundary for units 1 and 2 (two of the M4 (3) wheelchair accessible units). This store would however be located more than 20 metres from the highway and therefore full details of waste collections on site are proposed to be secured via a waste management strategy which would be secured via condition accordingly.

Trees and Ecology

- 8.51. There are currently a total of 7 trees and one group of trees within the immediate vicinity of the development and identified within the submission. There are noted to be other trees within the site, however these are located on the old chalkface of the quarry on which the current bungalows are located. These are therefore not proposed to be impacted by the development. The proposal includes the removal of 6 trees on-site, all of which are C graded barring one B grade tree. These are proposed to be replaced like for like with 3 replacement

trees at the rear and 3 trees located along the front boundary, further improving the frontage, whilst being located in appropriate locations adjacent to the proposed entrances footpath to ensure they do not come under undue pressure from future occupiers. The applicant proposed 3 Irish Yew Trees, 2 Beech trees (offering two different variations) and 1 Hornbeam, in the proposed locations circled below. Considering the importance of the proposed trees, it is proposed that further details shall be secured via condition to ensure those notably proposed at the front of the site are of a size/quantity to ensure they have an instant on the wider streetscene.

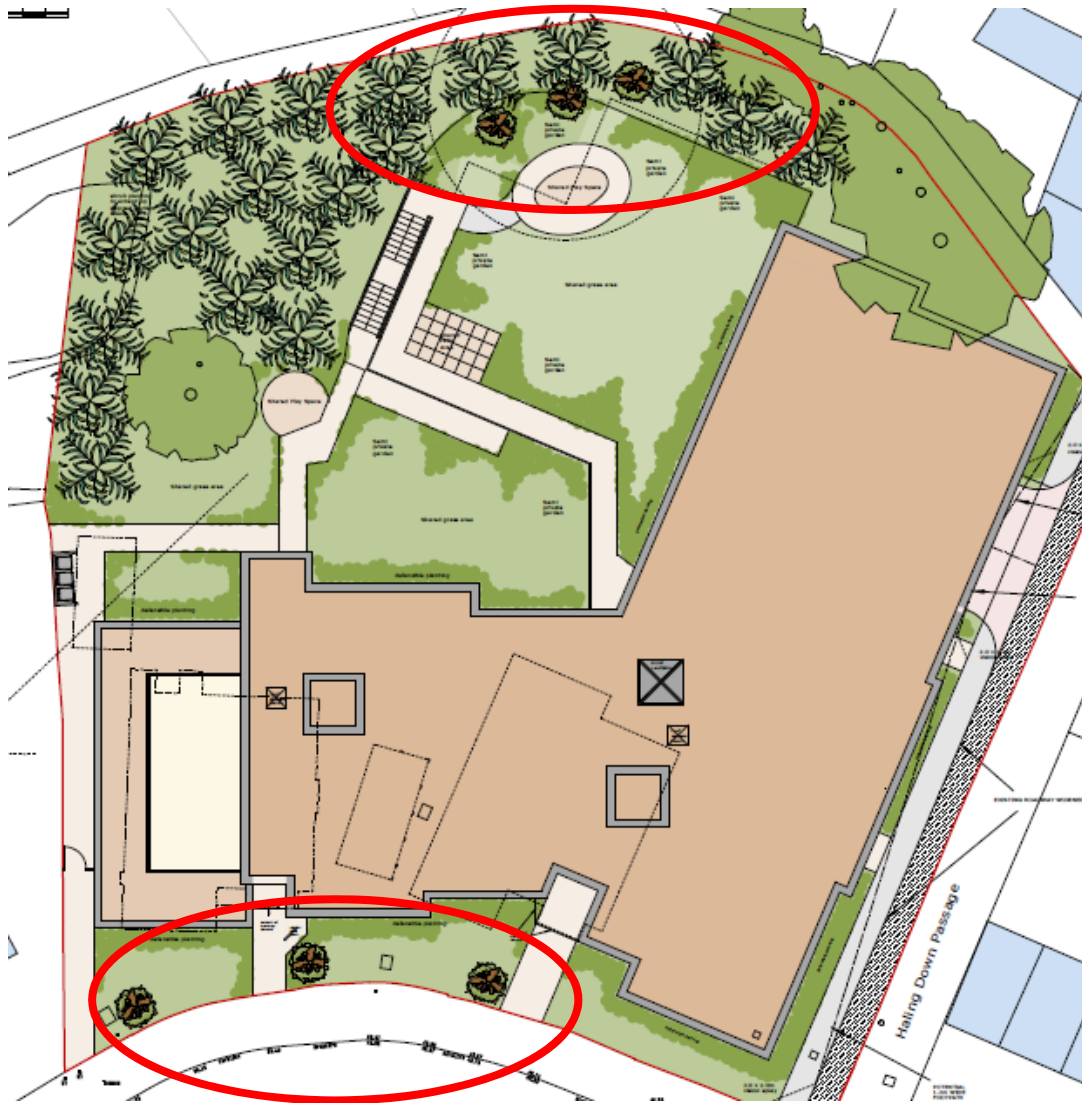


Figure 8: New Tree Locations

The site is not subject to any statutory or non-statutory ecology designations. The application was submitted with relevant assessment which set out that sites likely impact upon designated sites, protected and priority species. This has been reviewed accordingly and considered to be sufficient ecological information for determination, subject to relevant conditions being added to the proposal. Details shall be secured in regards to biodiversity layout plan, indicating where the proposed enhancement measures would be located as well as a wildlife sensitive lighting design scheme.

- 8.52. In summary, the proposal would include replacements to the removed trees on site and would incorporate mitigation measures to reduce or avoid the impact on protected habitats on site as per Local Plan Policies DM10.8, DM27 and DM28.

Sustainability and Flooding

- 8.53. Sustainability and Energy Efficiency: 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. CLP policy SP6.3 requires all new developments to achieve a high standard of sustainable design and construction. All new dwellings in major development should be proposed to be zero carbon with a minimum a 35% reduction in regulated carbon emissions over the 2013 Building Regulations is required on site, with any remaining CO2 emissions to be offset through a financial contribution. Full relation into how the proposal will meet the 35% and provide any carbon offset funding will be secure via s106.
- 8.54. 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.
- 8.55. Flooding and Sustainable Urban Drainage: The site falls within an area potentially at risk from groundwater flooding as well as very low levels of risk of surface water flooding. The applicants have submitted a Flood Risk Assessment which was reviewed by the LLFA and overall, whilst the LLFA accept the principle, they have set out a holding objection to the scheme. However, the LLFA have agreed that these matters can be addressed through planning condition to ensure the relevant details are considered and approved accordingly.

Environmental Health

- 8.56. Policy DM23 of the Croydon Local Plan (2018) states that the Council will promote high standards of development and construction throughout the borough by: a. Ensuring that future development, that may be liable to cause or be affected by pollution through air, noise, dust, or vibration, will not be detrimental to the health, safety and amenity of users of the site or surrounding land; and b. Ensuring that developments are air quality neutral and do not lead to further deterioration of existing poor air quality;
- 8.57. Air Pollution: An environmental management plan and a construction logistics plan prior to the commencement of the development are proposed to be condition. Additionally, the s106 agreement would include air quality financial contribution of £100 per unit.
- 8.58. Noise Pollution: Owing to the sites location, an assessment for environmental noise is proposed to be conditioned and would be required in order to understand noise levels during the survey, the max level both at daytime and night time, where the measurements were taken from, the weather conditions and noise meter used to ensure that the noise standards for all living rooms and bedrooms meet the good standard for acoustic design.

- 8.59. Contaminated Land: The site is in residential use and the land is unlikely to be contaminated. A stage 1 contamination report and intrusive investigation is however recommended by condition, along with remedial works in the event that contamination is found to be present during the construction phase, to ensure a safe environment for future residents.

9. CONCLUSIONS

- 9.1. The provision of 26 residential dwellings within the Borough is encouraged by the Council's Local Plan policies, national guidance in the NPPF and regional policies of the London Plan.
- 9.2. The proposal would provide 30% affordable housing, with a 60/40 split as per agreement with a registered provider and in line with Policy SP2.4 of the local plan.
- 9.3. The proposed site layout and design of the new building has had sufficient regard to the scale and massing, pattern and form of development in the area and to existing building, and would result in an appropriate scale of built form on this site.
- 9.4. The proposed development would result in the creation of modern residential units ensuring good standard of accommodation for future occupiers. The development has been designed to ensure that the amenity of existing local residents would not be compromised.
- 9.5. In addition, the development would be acceptable on highways, environmental and sustainability grounds as well as in respect of the proposed planning obligations.
- 9.6. 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.