

**1.0 APPLICATION DETAILS**

Ref: 22/00148/FUL  
 Location: 88 Riddlesdown Road, Purley, CR8 1DD  
 Ward: Purley Oaks and Riddlesdown  
 Description: Demolition of existing five-bedroom detached house and erection of a block of flats comprising 21no. units, refuse and recycling store, parking, landscaping and associated works.  
 Drawing Nos: 6729-PA01, 6729-P201 Rev G, 6729-P202 Rev C, 6729-P203 Rev B, 6729-P104 Rev B, 6729-P205.  
 Agent: Howard Fairbairn MHK  
 Applicant: Mantle Developments LTD  
 Case Officer: Samantha Dixon

	<b>1 bed</b>	<b>2 beds</b>	<b>3 bed</b>	<b>5 bed</b>	<b>TOTAL</b>
<b>Existing</b>	0	0	0	1	1
<b>Proposed Market housing</b>	2	14	2	0	18
<b>Proposed London Affordable Rent (LAR)</b>	2	0	0	0	2
<b>Proposed London Shared Ownership (LSO)</b>	1	0	0	0	1
<b>Total proposed</b>	<b>5</b>	<b>14</b>	<b>2</b>	<b>0</b>	<b>21</b>

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
19	40

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
- Referral to committee from the ward councillors (Cllr Helen Redfern and Cllr Simon Hoar)
- Referral to committee from Riddlesdown Resident’s Association

**2.0 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission subject to the completion of a legal agreement to secure the following:

- Affordable housing – 3 units on site (2 LAR and 1 LSO)
- Affordable housing early and late stage review mechanisms
- Sustainable transport measures (with contribution of £31,500)

- Carbon offset contribution of £43,269
- Air quality contribution of £2,100
- Local employment and training (construction phase) contribution of c.£11,250 plus Local Employment and Training Strategy
- S.278 agreement to secure highways works
- Monitoring fee(s)
- Payment of the Council's reasonable legal costs.

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

2.3 That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### CONDITIONS

1. Commencement time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports

### Pre-commencement

3. Submission of Construction Logistics Plan
4. Piling method statement should piling be required

### Prior to above ground works

5. Submission of a biodiversity enhancement strategy
6. Submission of external materials and design details
7. Hard landscaping, boundary treatments, child playspace and maintenance details to be submitted
8. Full details of finished floor levels
9. Fire strategy to be revised to include construction materials and methods

### Pre-occupation

10. Submission of a Delivery and Servicing Management Plan
11. Full details of cycle and refuse stores, EVCP, external security lighting
12. Provision of car parking, levels, external stair lift and paved crossing prior to first occupation.

### Compliance

13. Soft landscaping in accordance with plans
14. Compliance with drainage strategy
15. Obscure glazing on flank windows above ground floor level
16. Compliance with Arboricultural Assessment and Tree Protection Plan
17. Compliance with Ecological Appraisal recommendations
18. Visibility splays as shown on plans with no boundary treatments above 0.6m in the sightlines
19. Implementation of Travel plan

20. Development in accordance with accessible homes requirements (units 3 and 10 built to M4(3) standard and the rest to M4(2) standard)
21. Compliance with energy assessment
22. Water use target of 110 litres per day
23. Noise from mechanical equipment to not exceed background noise
24. Internal acoustic standards
25. Light pollution to not cause a nuisance to local residents
26. Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

### INFORMATIVES

1. Granted subject to a Section 106 Agreement
  2. Community Infrastructure Levy
  3. Thames Water advice
  4. Code of practice for Construction Sites
  5. Highways informative in relation to s278 and s38 works required
  6. Compliance with Building/Fire Regulations
  7. Construction Logistics Informative
  8. Inclusion of ultra-low NOx boilers
  9. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 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 17<sup>th</sup> February 2023 the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

## **3.0 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 3.1 Full planning permission is sought for the demolition of the existing five-bedroom detached house on site and the erection of a block of flats comprising 21no. residential units. The mix includes 2x3 bedroom (9.5%), 14x2 bedroom (66.5%) and 5x1 bedroom (24%) units. 3 affordable housing units would be provided on site (10% by habitable room) with two as London Affordable Rent and one as London Shared Ownership.
- 3.2 The entrance is set level with the parking area and cycle storage is provided at this level of the building. The building has a 'T' shaped form, comprising two storeys of accommodation within the 'T' shape, and two additional storeys above situated in the front part of the building. The fourth storey is contained within the roof space.



*Image 1: CGI from Riddlesdown Road*

- 3.3 19 car parking spaces are proposed along with 40 long stay cycle parking spaces (including 2 spaces for wider/adapted cycles), 2 short stay cycle parking spaces, refuse and recycling store, communal and private amenity space, play space and hard, soft landscaping and other associated works. The existing access is proposed to be utilised and slightly widened to enable the required width and visibility splays to be provided.
- 3.4 During the course of the application amended plans have been received. The plans show the inclusion of an external stair lift from the car park to the refuse store/pavement, details of swept path manoeuvring for a delivery vehicle and visibility splays at the access. The Transport Statement has been updated to include an up-to-date parking stress survey. A further Bat Emergence Survey has also been provided and the Fire Statement amended. These documents have been reviewed by the relevant consultants. The amendments to the plans represent non-material alterations and as such there is no requirement to reconsult.

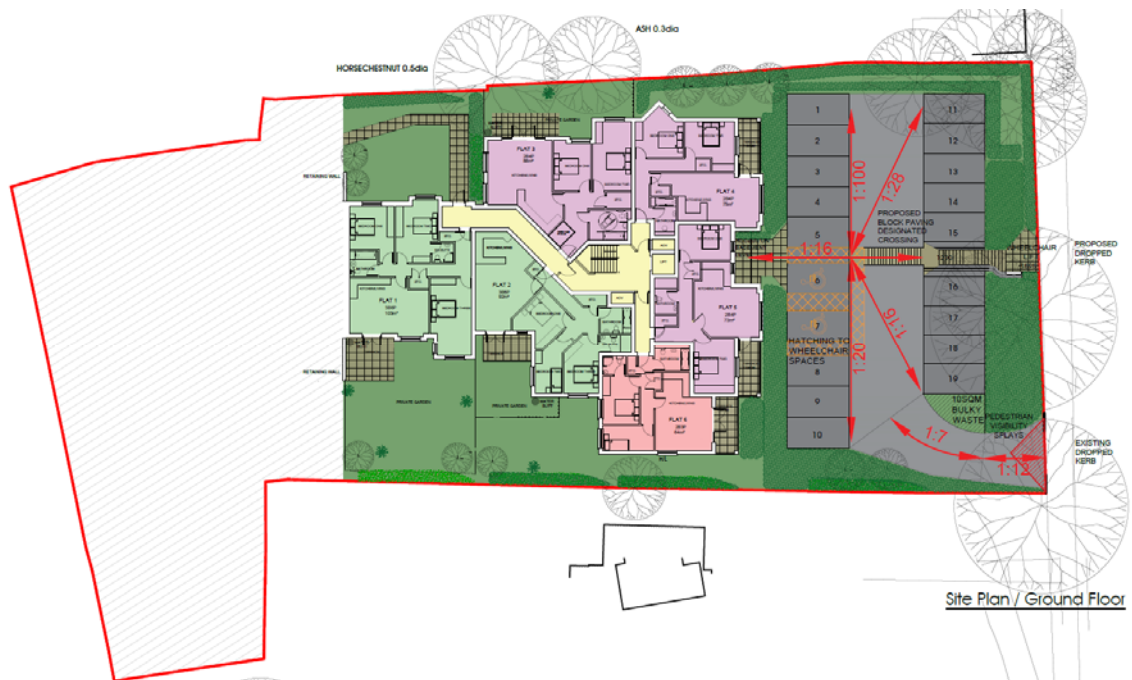


Figure 2. Proposed Site Plan (Ground floor)

- 3.5 This application is a re-submission of a previous application 19/04371/FUL which was refused permission on 20 December 2019. This refusal was subject to appeal [APP/L5240/W/20/3254443] which was dismissed on the 7 December 2021 on a single ground namely that the Inspector considered *“that the planning obligation that has been submitted is defective, in particular as a result of the absence of a plan which correctly identifies the intended affordable housing units. There is also uncertainty regarding the mortgagee clause, which has not been adequately addressed by the appellant. It cannot therefore be concluded that the intended obligations would be secured, and accordingly I have given the UU no weight in my considerations. As a result of this, the proposal would fail to accord with all of the policies of the development plan that refer to the provision of affordable housing.”* [paragraph 26].
- 3.6 The current scheme is exactly the same as the previous appealed scheme in all other regards (bar the amendments that have been made during the course of the application as outlined in Paragraph 3.4 above). The level of affordable housing proposed is the same and full details are provided further in this report. The inspector did not object to the amount of affordable housing proposed, just the mechanism to secure it. This will be fully secured by legal agreement as part of this application.
- 3.7 With regard to other material considerations, the inspector concluded:

Paragraph 25 *‘The proposal would not cause harm to the character and appearance of the area, to protected species or in terms of flood risk. It would fail to accord with the policies of the development plan that refer to the provision of larger houses’.*

Paragraph 27 *‘For the reasons set out, I am not persuaded that the appeal scheme could provide a policy compliant level of larger houses and this*

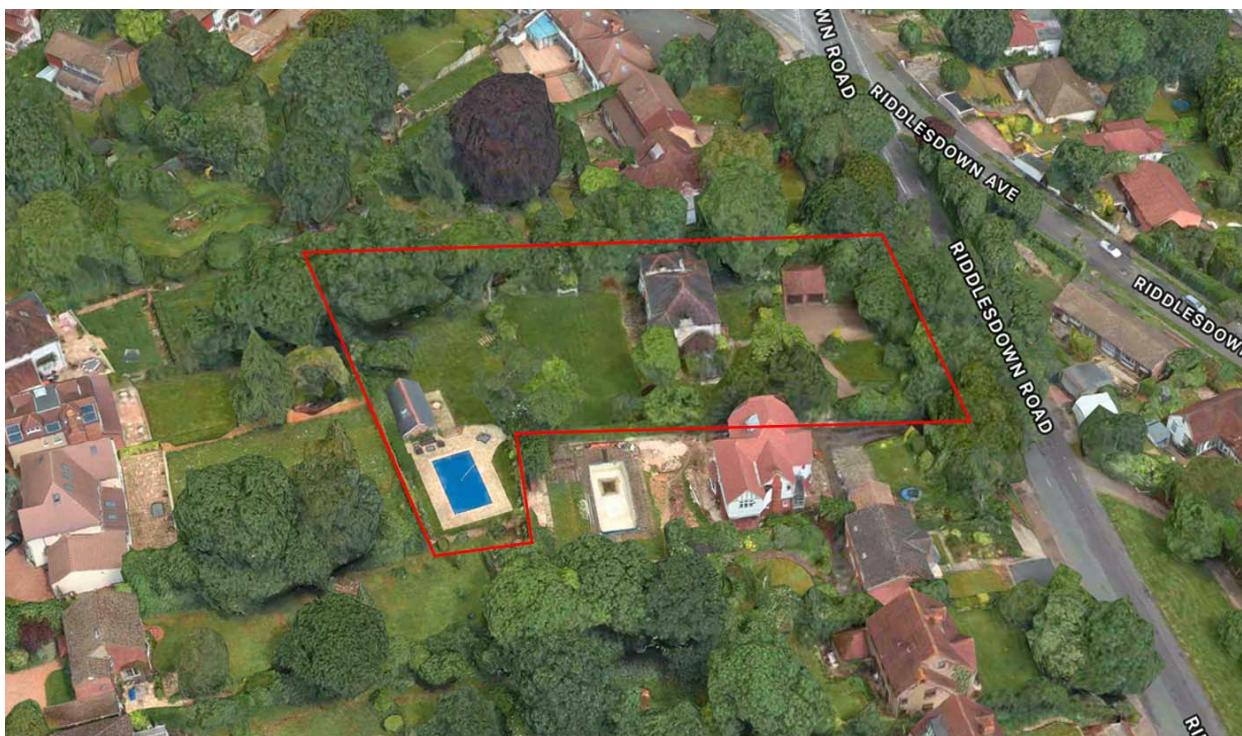
*consideration contains moderate weight in favour of the proposal. There would also be benefits arising through the provision of 21 new residential units, including through the generation of local employment during the construction phase. Given the relatively small scale of the proposal, they also attract moderate weight. Individually and collectively however, these considerations do not outweigh the conflict with the development plan with respect to the provision of affordable housing'.*

- 3.8 Further comments by the inspector with regard to affordable housing (as well as the other considerations) are fully outlined throughout the report below.

### **Site and Surroundings**

- 3.9 The site comprises a large, detached dwelling located in a substantial plot to the west side of Riddlesdown Road. The dwelling is set well back from the frontage of the site behind mature trees and vegetation. It is at a higher level than the highway with an existing vehicular access to the southern end of the frontage and a detached double garage within the front hardstanding area. At the rear of the plot, an outbuilding and swimming pool are located on land at a higher level. Tree Preservation Order 9, 2006 refers to trees within the rear garden of the plot.
- 3.10 The site is located within an Archaeological Priority Zone. The site is at low risk of surface water flooding and has potential for groundwater flooding to occur. The site is within Ground Water Source Protection Zone II and over an existing Principal Aquifer. There are no other policy constraints that affect the site. The site has a Public Transport Accessibility Level (PTAL) of 1a.
- 3.11 The wider area is predominantly residential comprising large, detached dwellings in large plots. Recently a number of sites in Riddlesdown Road have been granted permission for redevelopment of detached houses with flatted schemes.





*Image 3: Aerial view of site*

## **Planning History**

3.12 Relevant planning history at the site is set out below.

- 19/04371/FUL Demolition of existing house and erection of a block of flats comprising of 21no. units with parking, landscaping and other associated works.

Refused 20.12.2019 on grounds of:

- Lack of affordable housing
- Lack of family accommodation
- Harmful impact on visual amenity
- Insufficient information with regard to protected species
- Insufficient information with regard to flood risk mitigation
- Lack of legal agreement

Appeal dismissed 07.12.2021 on ground of legal agreement failing to secure affordable housing

Full details of appeal outlined further in this report.

- 20/03389/FUL Demolition of existing five-bedroom dwellinghouse and the construction of part-four/part-five storey building comprising 19 flats, associated vehicle and cycle parking and refuse storage with hard and soft landscaping. Refused 29.10.2020

3.13 Pre-application history on the site:

- 18/05377/PRE Demolition of the existing building and erect a residential block comprising 21 flats.

- 19/01042/PRE Proposed demolition of the existing house, erection of a new block of flats comprising 23 units

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

- The principle of this development has already been established by the Inspector's decision. The appeal was only dismissed by reason of the inadequate mechanism to secure affordable housing. This would be overcome by the legal agreement that would be finalised as part of this application. The Inspector's decision is a material consideration that members must give weight to.
- The principle of the intensified residential development is acceptable given the residential character of the surrounding area and 21 residential units would make a positive contribution to housing delivery.
- 10% affordable housing (by habitable room, 14% by units) is proposed (3 units of which 2 would be 2 London Affordable Rent and 1 would be London Shared Ownership).
- The design and appearance of the development would have no adverse impact on the character of the area. A high-quality landscaping scheme is proposed.
- The proposed development would have an acceptable impact on neighbouring properties' living conditions.
- The access arrangements have been scrutinised and would not have an unacceptable impact on highway safety.
- 19 car parking spaces would be provided on site, which strikes an appropriate balance between avoiding parking stress on surrounding roads and encouraging sustainable modes of transport. Cycle parking is also proposed.
- Suitable planning obligations and conditions have been recommended.

#### **5.0 CONSULTATIONS**

5.1 Comments from external consultees have been received as follows:

Lead Local Flood Authority

5.2 No objection.

Environment Agency

5.3 Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We therefore do not have any specific comments to add. We note that the application site is located partially within Source Protection Zone 3 (SPZ 3) and partially within SPZ2, and underlain by a principal aquifer and therefore need to be reconsulted if infiltration of surface water includes that involves deep borehole soakaways or water other than clean rainwater, or if during development contamination not previously found is identified. The EA has provided additional information with regard to these aspects and as such the local planning authority is satisfied that the EA does not require re-consultation at this time.



### Historic England

- 5.4 Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, Historic England conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

### Thames Water

- 5.5 No objection subject to conditions/informatives:
- The applicant must demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer and apply for a Groundwater Risk Management Permit.
  - The applicant must follow the sequential approach to the disposal of surface water.
  - With regard to wastewater network and sewage treatment works infrastructure capacity, Thames Water do not have any objection based on the information provided.
  - With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company.

### Building Control (Fire safety)

- 5.6 Building Control initially raised some concerns with the detail provided with regard to fire safety. The Fire Statement has been amended to address the comments made and as such Building Control now find the submitted details acceptable subject to condition. More detail is provided in paragraph 8.34 of this report.

### Energy and sustainability

- 5.7 No objection subject to S.106 contribution for carbon offsetting, which is recommended.

### Pollution Control

- 5.8 No objection subject to conditions/informatives as follows:
- Observe the Council's Code of Practice regarding 'Control of Pollution and Noise from Demolition and Construction Sites'
  - The construction logistics plan (CLP) as submitted is incomplete and needs to be amended.
  - Outlines requirements with regard to noise standards for living rooms and bedrooms and insulation
  - The noise level from air handling units, mechanical plant, or other fixed external machinery should not increase the background noise level when measured at the nearest sensitive residential premises

- Light from the proposed illuminations should not cause a nuisance to local residents
- Inclusion of ultra-low NOx boilers
- Because of the increasing relative contribution of non-road transport sources of emissions of air pollution to breaches of the air quality objectives and the exposure reduction target, the Council considers that development should play a greater role in improving air quality. As such the development would be contrary to Policy DM23: (Development and Construction) of the Croydon Local Plan 2018, the Council's Air Quality interim policy guidance and the Air Quality Action Plan (AQAP). It is therefore required that a section 106 agreement should be included to either provide some form of mitigation on site, or to contribute to an air quality fund which funds actions in the Council's AQAP.

### Ecology

5.9 No objection subject to securing biodiversity mitigation and enhancement measures. Full comments are detailed below in Section 8.

## **6.0 LOCAL REPRESENTATION**

6.1 The application was publicised by 10 letters of notification to neighbouring properties. A site notice was displayed and a press notice was published in the Croydon Guardian on 17.02.22.

6.2 The number of representations received in response to the consultation are as follows.

No of individual responses: 112; Objecting: 112; Supporting: 0

6.3 The following objections 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.

<b>Objection</b>	<b>Officer comment</b>
<b>Character and design</b>	
Overdevelopment	Addressed below in this report
Scale and massing out of proportion, overbearing Too tall and too deep	Addressed below in this report
Not in keeping with the character of the area	Addressed below in this report
There is nothing of this scale and design in the local area. Other intensifications are more in keeping	
Inappropriate backland development	Addressed below in this report
<b>Transport and Highways impacts</b>	
Insufficient on-site parking will lead to increased vehicle parking on the surrounding highway	Addressed below in this report

Close to a dangerous junction. Street parking and extra traffic will exacerbate highway danger	Addressed below in this report. Parking on Riddlesdown Road is currently unrestricted.
Extra street parking will result in reduced visibility for homeowners attempting to exit driveway and pedestrians	Addressed below in this report. It is already possible to park on the unrestricted highway in this area.
Cumulative impact of other flatted development in Riddlesdown Road in terms of parking on the street and increased congestion.	Addressed below in this report
No footway on the opposite side of the road – danger to pedestrians	There is a pavement directly outside the application site which users of Riddlesdown Road can use.
Inadequate refuse provision – excess carry distances and access for residents	Addressed below in this report
Area not suitable for cyclists or walking to station due to steep topography	The topography is acknowledged by officers, but it should not be assumed that all users of the site will own a private vehicle just because of topography.
Transport Assessment is flawed – car ownership is higher than outlined.	Parking assessed below in this report
<b>Neighbouring amenity</b>	
Dominate adjacent properties	Addressed below in this report
Overlooking of adjacent properties	Addressed below in this report
Loss of light	Addressed below in this report
Noise disturbance	This is a residential development in a residential area.
Smell and odour from large combined bin store and pollution from run-off	The bin store will be well separated from adjacent properties. There would be no more impact in comparison to other residential developments. Full details of the bin store will be secured by condition

Light pollution	Light standards can be secured by condition.
Increase in crime	This is a residential development in a residential area. There is no reason to assume crime levels will increase.
No clarity with regard to boundary levels or treatment. How will levels be managed?  A Party Wall agreement will be required	Details of boundary treatment including level details will be required by condition. Party Wall matters fall outside of the planning system
Construction process – impact on existing residents	A Construction Logistics Plan will be required by condition to ensure minimal disturbance during the construction process.
<b>Trees and ecology</b>	
Destruction of natural habitats	Addressed below in this report
Loss of green space and trees	Addressed below in this report
Ecology survey is out of date	Updated surveys have been provided
Arboricultural report fails to show two mature trees at T11 in garden of No.86 (just shows 1) as well as other smaller trees	The scheme does not propose to remove trees in adjacent sites. The method of construction in this area would be undertaken to ensure the tree roots are protected.
Does not demonstrate benefits to outweigh loss of mature trees – concern with regard to design, quality of accommodation, impact on transport and flooding	Officers consider that the provision of 21 residential units is a material benefit and other listed considerations have been found to be acceptable.
<b>Quality of accommodation</b>	
Wheelchair user units are too small	The 2 wheelchair accessible units exceed minimum space standards
Insufficient private green space for occupiers	Addressed below in this report. A large amenity area is retained for future residents.
<b>Other</b>	

<p>Principle of flats:</p> <ul style="list-style-type: none"> <li>- Not required in the area as other flats remain empty. No demand.</li> <li>- Cumulative impact of other developments nearby on Riddlesdown Road, Selcroft Avenue - do not support the principle of flats</li> <li>- There is a need for family homes with gardens</li> </ul>	<p>Flats are acceptable in principle. Applications are assessed on their own merits. Cumulative impacts are considered in terms of character and overspill parking. The development provides some family accommodation.</p>
<p>Extra pressures on local infrastructure that cannot cope with extra demand</p>	<p>A CIL contribution will be required</p>
<p>S.106 monies should be used to create a roundabout at the junction of Riddlesdown Road and Warren Road</p>	<p>Noted</p>
<p>Riddlesdown is not identified for intensification of this scale in the Local Plan</p>	<p>Any area can be considered for some intensification as long as it responds to its context. Addressed in report below</p>
<p>Failure to provide adequate affordable housing requirements.</p>	<p>Addressed below in this report</p>
<p>It is clear from the Inspector's Report that absence of a satisfactory UU was not a decisive factor on its own, so its belated production here is not enough to offset the main issue of affordables.</p>	<p>The Inspector's conclusions are addressed in this report</p>
<p>Do not want social housing in the area</p>	<p>There is a policy requirement to provide affordable housing in all major planning applications.</p>
<p>Viability assessment is out of date</p>	<p>The viability information has been reassessed by an independent consultant and the details found to be sound.</p>
<p>Loss of a family home</p>	<p>Addressed below in this report</p>
<p>Does not meet target for 3 bedroom dwellings</p>	<p>Addressed below in this report. The inspectors decision is a significant material consideration in the determination of this application.</p>

Increase in flood risk	Addressed below in this report
Inadequate sewerage system to cope with extra demand	Thames Water do not have any objection
A similar application was refused in 2019	19/04371/FUL was refused by officers and dismissed at appeal. The application is referenced thoroughly throughout this report.
My house extension was refused for being out of keeping so this development should be too	Every application is assessed on its own merits.
Fire Statement – parking space is in the wheelchair bay and can only be used if the bay is empty	The Fire Statement has been reviewed by Building Control officers and is found to be satisfactory.
Since COVID people work from home and need outside space	It is necessary for planning applications to be considered in accordance with the adopted Development Plan.
The developer did not consult neighbours	Whilst officers would encourage it, the developer does not have an obligation to consult neighbours. Publicity was given by the Local Planning Authority in accordance with our standard procedures and in accordance with Legislation.
Set a precedent for overdevelopment	The application is not considered to constitute overdevelopment, covered in detail below. Every application is assessed on its own merits.

6.4 The Riddlesdown Residents' Association objects to the proposal and refers to committee on the following grounds:

- Over intensification of development – design is cramped
- The Transport Statement does not address the topography of the area (Officer comment: The topography is acknowledged by officers, but it should not be assumed that all users of the site will own a private vehicle just because of topography).



- Loss of privacy - Several windows overlook the neighbours at Nos 86 and 90 as well as extra height
- Visual intrusion to the outlook from the rear of adjacent properties
- Noise pollution to adjacent properties
- Lack of affordable housing
- Insufficient family accommodation
- Insufficient on-site parking provision
- Insufficient EVCP proposed
- Disabled parking bays inadequate size
- Inadequate drainage details to demonstrate surface water will not drain onto the adopted road
- What is the width of the proposed access and will the tree be affected (Officer comment: The mouth of the access would have a width of 4.5m. The existing tree adjacent to the access would be retained)
- Where is the Parking Design and Management Plan for this application?
- No provision for mobility scooter storage or motorbikes
- A number of units do not show storage space (Officer comment: The plans have been amended to ensure the proposed storage space accords with the national technical standards).
- Not demonstrated that the bin store is large enough for the number of bins needed for this development
- Bin store would be an eyesore and potential pollution hazard
- Bin store not accessible to those with reduced mobility
- Not satisfied that the proposed drainage strategy is acceptable
- Overdevelopment introducing an uncharacteristic build form in the area harmful to the existing character
- Insufficient amenity and private garden space for future residents
- Not satisfied that the disabled access flats comply with Part M of the Building Regulations
- What alternative access is there if the lift fails?
- Loss of a family home
- Strain on existing infrastructure

6.5 The Purley and Woodcote Residents' Association objects to the proposal on the following grounds:

- Loss of a family home whilst the proposed development would not contribute to providing family accommodation
- Overdevelopment of the site
- Inadequate amenity space for potential occupiers
- Design is out of keeping with the ovality and surrounding townscape, as a result of its massing, form and overall layout and appearance
- Detrimental to the amenity of occupiers of adjoining properties – visual intrusion, increased noise and loss of privacy
- Inadequate car parking resulting in additional street parking and increased traffic movements endangering road safety

6.6 Cllr Helen Redfern has objected on the following grounds and referred to the application to Committee:

- Overdevelopment of the site
- Overlooking/massing and loss of light/privacy
- Several windows overlook the neighbours at Nos 86 and 90
- Depth of building would impinge on day-to-day life of those living in neighbouring properties
- Noise/light/movement impact from additional units
- Lack of sustainable transport provision
- The Transport Statement does not address the topography of the area
- Insufficient on-site parking provision
- Insufficient refuse and recycling provision
- Bin store would be an eyesore and potential pollution hazard
- Bin store not accessible to those with reduced mobility
- Wheelchair accessible units are sub-optimal
- What alternative access is there if the lift fails?
- Insufficient local infrastructure to accommodate extra units
- Limited affordable housing

6.7 Cllr Simon Hoar has objected on the following grounds and referred to the application to Committee:

- Overdevelopment of the site
- Lack of sufficient parking
- Out of keeping with area

## **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 London Plan (2021), 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) (2021). 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.

7.3 The main planning Policies relevant in the assessment of this application are:

### London Plan (2021):

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards

- D7 Accessible housing
- D12 Fire Safety
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- S4 Play and informal recreation
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S11 Improving air quality
- S12 Minimising greenhouse gas emissions
- S13 Energy infrastructure
- S112 Flood risk management
- S113 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 cycling
- T6 car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

#### Croydon Local Plan (2018):

- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP4 Urban Design and Local Character
- DM10 Design and character
- DM13 Refuse and recycling
- SP6 Environment and Climate Change
- DM23 Development and construction
- DM25 Sustainable drainage systems and reducing flood risk
- DM27 Protecting and Enhancing our Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

#### Supplementary Planning Documents/Guidance

- Section 106 Planning Obligations in Croydon and their relationship to the Community Infrastructure Levy (2019)
- London Housing SPG (Mayor of London, 2016)
- Accessible London: Achieving an Inclusive Environment SPG (Mayor of London, 2014)
- Play and Informal Recreation SPG (Mayor of London, 2012)
- Character and Context SPG (Mayor of London, 2014)
- Sustainable Design and Construction SPG (Mayor of London, 2014)

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues relevant in the assessment of this application are as follows:

- Principle of development
- Housing tenure and mix
- Design and impact on the character of the area
- Quality of accommodation
- Impact on neighbouring residential amenity
- Trees, landscaping and biodiversity
- Access, parking and highways impacts
- Flood risk and energy efficiency
- Other matters
- Conclusion

### **Principle of development**

8.2 The existing use of the site is residential and as such the principle of redeveloping the site for residential purposes is acceptable. The London Plan (2021) sets a minimum ten year target for the borough of 20,790 new homes over the period of 2019-2029. London Plan Policy D3 states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. This means ensuring that development is of the most appropriate form and land use for that site. The policy encourages incremental densification to achieve a change in densities in the most appropriate way.

8.3 It is important to note that London Plan policy H2, which requires Boroughs to support well-designed new homes on small sites, is applicable to sites below 0.25 hectares in size. The site area for this application is 0.27 hectares, so strictly that policy is not applicable.

8.4 Policy SP2.1 of the Croydon Local Plan (2018) applies a presumption in favour of development of new homes and Policy SP2.2 states that the Council will seek to deliver 32,890 homes between 2016 and 2036, with 10,060 of said homes being delivered across the borough on windfall sites.

8.5 This presumption includes Purley, which is identified in the “Places of Croydon” section of the CLP (2018). In broad location terms the main focus of major residential growth will be in and around the District Centre with high quality residential development that will respect the existing residential character and local distinctiveness. Officers acknowledge that the site sits approximately 450m east of the Purley Place Specific Policy.

8.6 The Planning Inspectorate noted that since 19/04371/FUL was refused in December 2020 the London Plan (2021) had been adopted and the revised National Planning Policy Framework had been published. The Inspector had regard to these documents in the determination of the appeal. The inspectorate

did not raise object to the principle of development with the same Development Plan in place.

- 8.7 The application is for a flatted development providing additional homes within the borough, which the Council is seeking to promote. The site is located within an existing residential area and as such the principle of intensifying the residential use of the site to provide 21 flats is acceptable.

### **Housing tenure and mix**

#### Tenure

- 8.8 Policies GG4 and H4 of the London Plan 2021 set out a target for 50% of all new homes delivered across London to be genuinely affordable. Policy H5 of the London Plan sets out a threshold approach to affordable housing, including with reference to a minimum provision of 35% and to the Viability Tested Route. Policies SP2.4 and SP2.5 of the Croydon Local Plan 2018 (CLP) set out a strategic requirement for an up to 50% provision of affordable housing, with a minimum provision either of 30% or 15% plus a review mechanism to be entered into.
- 8.9 The proposal includes the provision of 3 x 1 bedroom affordable homes. This equates to a 10% affordable contribution by habitable room (or 14.3% by unit). This is below the 15% minimum within the Croydon Local Plan.
- 8.10 The proposed tenure split comprises 2 x London Affordable Rent and 1 x London Shared Ownership which equates to a 67:33 tenure split. The Council normally seeks a 60:40 ratio between affordable rented and intermediate homes, so the tenure split is broadly policy compliant .
- 8.11 This proposed provision is the same as that proposed within the previous refused application. The local planning authority refused that application on the grounds that 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 Local and London Plan policies.
- 8.12 In their decision, the Inspector noted that Policy H5 of the London Plan does allow for viability testing for proposals that would not meet the policy compliant amount of affordable housing. The Inspector was satisfied that based on the Viability Appraisal information presented (the inputs of which had been agreed between the appellant and the council via an independent viability assessor) that no case could be made for a greater provision of affordable housing. The failure of the proposal to accord with policies with regard to affordable housing provision was not upheld by the Inspector. They concluded that the maximum reasonable amount of affordable housing would be secured.
- 8.13 The Inspector did however dismiss the appeal because the submitted planning obligation was defective with regard to actually securing affordable housing, in particular as a result of the absence of a plan which correctly identified the intended affordable housing units and uncertainty regarding the mortgagee clause. For this reason, it could not be concluded that the intended obligations

would be secured and as a result, the proposal failed to accord with all of the policies of the development plan that refer to the provision of affordable housing.

- 8.14 This application is a resubmission of that application and the applicant has confirmed that the amount of affordable housing now proposed is the same as the previous scheme in terms of number, unit size and tenure. The applicant has provided a plan which confirms which units would be affordable. The provision of affordable housing will be secured via a S.106 legal agreement, the terms of which shall be agreed between the applicant and the Council. This would overcome the sole ground upon which the Inspector dismissed the previous scheme.
- 8.15 The applicants Viability Assessment has been reviewed on behalf of the Council by an independent viability assessor as part of the current application, to ensure the inputs are relevant at this point in time. It has tested the provision of 3 affordable units on site and has concluded that this amount of affordable housing would produce a scheme deficit of -£60,971. Therefore 3 affordable units is the maximum reasonable amount that can be secured on this site.
- 8.16 In addition, an early and late-stage review mechanism will be secured through the S.106 legal agreement in accordance with Local Plan and London Plan policies. This will ensure the viability is reassessed on commencement (if not commenced within 2 years of permission) and on 75% occupation to establish whether a greater on-site or financial contribution could be provided. This has been agreed by the applicant.
- 8.17 This is the approach that was accepted by the Planning Inspectorate and thus the local planning authority subsequently supports this view.
- 8.18 The applicant has subsequently provided a letter from Optivo who have confirmed their interest in purchasing the scheme in its entirety and delivering 100% of the development as affordable rented units. It is critical, however, that members consider the level of affordable housing proposed in paragraph 8.9 that would be secured as part of the legal agreement.

#### Unit size mix

- 8.19 Policies SP2.7 sets a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms in order to ensure that the borough's need for family sized units is met. In order to achieve this strategic target, Policy DM1.1 sets out a minimum percentage of 3-bed units that must be achieved on major schemes. In suburban areas of low PTAL, such as this, the requirement is for 70% of homes to have 3 or more beds.
- 8.20 The proposal is for 2 x 3-bed units, 14 x 2-bed units and 5 x 1-bed units. This mix comprises 9% 3-bed units which falls well short of the 70% target and therefore fails to accord with Policy DM1. This is the same mix as proposed under 19/04371/FUL which was refused by the LPA for the following reason:

*'The development would fail to provide a sufficient amount of family accommodation and would thereby conflict with Policies SP2.7 and 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)'.*

8.21 At appeal the Inspector made the following conclusion:

*'With respect to the provision of dwellings with 3 bedrooms or more, the VA demonstrates that the £ sq/m sales value of the larger 3-bedroom units would be lower than that of the smaller 1 and 2 bedroom units. Given the conclusions of the VA it appears unlikely that the development could proceed with both an obligation to provide 3 affordable units and a greater number of units that have three bedrooms or more'.*

8.22 The Inspector weighed up the competing material considerations and did not dismiss the previous scheme based on the lack of 3-bedroom homes. Given the same Development Plan is in place as when the Inspector made their decision, combined with the fact the mix of unit sizes and amount of affordable housing are the same as the 19/04371/FUL scheme, officers raise no objection on this application.

### **Design and impact on the character of the area**

8.23 The existing property is not statutorily listed or locally listed and does not fall within a conservation area. Whilst the building contains some attractive qualities, it is of no particular architectural merit nor does it contribute significantly to the character of the area. As such, there is no objection to its demolition.

8.24 The properties situated in the surrounding area comprise varied architectural forms in terms of their scale and appearance. Predominantly the area is characterised by large, detached dwellings of mostly two storey with pitched roofs. The building line to the west side of Riddlesdown Road varies as does plot size and shape. The application site itself is notably wider than that of the adjacent properties and the existing dwelling is situated further back within the plot. The site has an 'L' shaped form, its rear garden extending to the rear of No.90 to the south. The dwelling, like others in this row are set on a higher level than the road. The existing house is mostly screened behind a row of mature trees and landscaping that line the front boundary and are a very strong feature in the immediate street scheme.

8.25 Policies SP4.1 and DM10.1 of the Local Plan state that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape. Proposals should seek to achieve a minimum height of 3 storeys, should respect the development pattern, layout and siting; the scale, height, massing, and density; and the appearance, existing materials and built and natural features of the surrounding area. London Plan policy D3 states that a design-led approach should be pursued and that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness.

8.26 19/04371/FUL was refused by the LPA for the following reason:

*'By reason of its scale, massing, bulk, form and design the development would be visually dominating and harmful to the character of the locality and detrimental to the visual amenity of the surrounding townscape. The development would thereby conflict with Policies SP4.1, SP4.2 and DM10 of the Croydon Local Plan (2018), Policies 7.1, 7.4, and 7.6 of the London Plan (consolidated with alterations since 2011) and the Croydon Suburban Design Guide (2019).'*

8.27 The Inspector did not agree with our refusal reason, concluding the following:

*- Given that Riddlesdown Road is characterised by a range of dwellinghouses and apartment blocks of differing ages and architectural styles, there is little uniformity in the appearance of buildings within the street scene, or in terms of their visual relationships to one another. He also noted that whilst there is mature landscaping at the frontage of the appeal site, there are examples of frontages that are more open and where the buildings have a greater visual impact on the street scene.*

*- Whilst the appeal building would be higher than existing development on Riddlesdown Road, the proposed building would be set well back from the road, which would reduce its visual impact notwithstanding that it would be set on a higher ground level. There would also be reasonable levels of separation between the proposed building and the two adjacent dwellings, which would also ensure that its greater overall height would be integrated visually without dominating them. As such, it would not appear incongruous within the street scene*

*- In particular, the front elevation of the proposed building has been designed to have two main sections which would be constructed in buff brick with red tiled roofs. These sections would be connected by a section recessed back from the front gables that would utilise a contrasting red brick with a darker roof material, which would also have a lower ridge height. The two main sections would be further visually broken up as, at their outer edges, they would appear recessed owing to the presence of balconies. Collectively, the modelling and varied detailing of the front elevation would serve to successfully break up the massing of the proposed development and to ensure that its width integrates well into the street scene.*

*- At the present time, there is a parking area to the front of the appeal property, which sits on a plateau between the road and the existing dwelling. This area is not comparable in size to the parking area that is proposed, which would cover a greater area and be more formally laid out. However, frontage parking areas are notable within the existing street scene, in particular with respect to the development at 96A and 98, but also to a lesser extent at older properties and in terms of a number of detached garages located at road level. The visual impact as a result of the proposed increased size of the parking area would be softened by landscaping. As a whole, it would not appear out of context nor would it cause harm to the street scene.*

- Bin storage would be located at road level, and it was explained at the hearing that it is necessary to do this as the topography of the access drive provides an insurmountable obstacle to being able to accommodate bin storage elsewhere. Whilst there are no other examples of formal bin storage areas on the frontages of the existing dwellings, detached garages place built form on the edge of the pavement. Furthermore, the proposed bin store would incorporate a sedum roof and be screened by hedging. This would ensure that it would not have a harmful visual effect on the street scene.

8.28 For the above reasons the Inspector concluded that the proposed development would not cause harm to the character and appearance of the area. Consequently, there would be no conflict with Policy D4 of the LP and Policies SP4.1, SP4.2 and DM10 of the CLP, where they seek to protect character and appearance.

8.29 This scheme is the same as that previously submitted and considered under 19/04371/FUL. Given that the inspector found that the proposal would have no harmful impact on the visual amenities of the area, and this was determined against the current Development Plan which has not changed, there can be no objection to the application on these grounds.

### Quality of Accommodation

8.30 London Plan policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments. All proposed units comply with the minimum space standards. 15 of the units would be dual aspect. There are no single aspect north facing units, the vast majority of single aspect units facing either east or west. As such, the development overall is considered to provide adequate levels of light for future occupiers.

Unit - Provision	Min GIA	GIA	Amenity Space	Storage
1 – 3b6p	95 sqm	103 sqm	103 sqm	2.5 sqm
2 – 3b5p	86 sqm	91 sqm	33 sqm	2.7 sqm
3 – 2b4p (WHC)	70 sqm	88 sqm	44 sqm	2.7 sqm
4 – 2b4p	70 sqm	75 sqm	7.5 sqm	2.4 sqm
5 – 2b4p	70 sqm	73 sqm	7.5 sqm	2.3 sqm
6 - 2b3p	60 sqm	64 sqm	7.5 sqm	2.7 sqm
7 – 2b4p	70 sqm	71.5sqm	13.5 sqm	2 sqm
8 – 1b2p (LAR)	50 sqm	50 sqm	9.5 sqm	1.6 sqm
9 – 1b2p (LAR)	50 sqm	54 sqm	5 sqm	1.6 sqm
10 – 2b3p (WHC)	61 sqm	75 sqm	13 sqm	2.4 sqm

11 – 2b4p	70 sqm	75 sqm	7.5 sqm	2.1 sqm
12 – 2b4p	70 sqm	73 sqm	7.5 sqm	2.1 sqm
13 – 2b4p	70 sqm	83 sqm	8 sqm	2 sqm
14 – 2b3p	61 sqm	64 sqm	7.5 sqm	1.7 sqm
15 – 1b2p (LSO)	50 sqm	53 sqm	6.5 sqm	1.4 sqm
16 – 1b2p	50 sqm	50.5 sqm	35.5 sqm	1.5 sqm
17 – 2b4p	70 sqm	75 sqm	7.5 sqm	2 sqm
18 – 1b2p	50 sqm	51.5 sqm	10 sqm	0.7 sqm
19 – 2b4p	70 sqm	73 sqm	7.5 sqm	1.8 sqm
20 – 2b4p	70 sqm	74 sqm	36 sqm	2.1 sqm
21 – 2b4p	70 sqm	73 sqm	30 sqm	2.4 sqm

- 8.31 Policy DM10.4 of the Local Plan requires provision of high-quality private amenity space at a minimum of 5sqm per 1-2 person unit and an extra 1sqm per extra occupant thereafter. Private amenity space has been provided for all units in the form of private gardens and terraces for the ground floor units and balconies/terraces for the upper floor units, all of which accord with the minimum standards. The provision of private amenity space is acceptable.
- 8.32 Local Plan policies DM10.5 requires provision of high quality communal outdoor amenity space that is designed to be flexible, multifunctional, accessible and inclusive. A very generous communal amenity space is provided to the rear of the site with an area of some 600sqm, this includes a summerhouse which is as existing in the garden of the current house. An area of approximately 100sqm of children's playspace is provided as required by Policy DM10.4 of the CLP (Policy requires 31.8sqm to be provided) and full details of this will be secured by condition. There is level access into the communal garden through the building.
- 8.33 Accessibility requirements have been considered in accordance with London Plan Policy D7. Unit 3 on the ground floor and Unit 10 on the first floor are proposed to be the M4(3) wheelchair accessible units. A lift is provided internally, providing step free access from lower ground floor to all units. All facilities of the site are accessible in a step free manner including the communal amenity and play space which is accessed via the first ground floor core, and bike store on the lower ground floor. The bin store is accessed via steps from the car park and an internal wheelchair lift is also proposed.

#### Fire safety

- 8.34 A Fire Statement has been provided in line with London Plan Policy D12. The Statement has been produced by a suitably qualified third-party assessor and reviewed by the Council's Building Control Officer. Initial concerns were raised

with the submitted strategy. The applicant has provided a revised strategy based on discussions with Building Control and the strategy is now considered to be acceptable. Building Control have no objections but recommend a condition be attached to any permission granted requiring the revision of the statement to include and address construction materials and methods once such information becomes available.

- 8.35 The proposal would provide a good quality of accommodation for future occupiers in accordance with Local Plan Policies SP2 and DM10 and London Plan policies D6, D7 and D12.

### **Trees, landscaping and biodiversity**

- 8.36 Policy DM10.8 seeks to retain existing trees and vegetation and policy DM28 requires proposals to incorporate hard and soft landscaping.
- 8.37 Of the 18 significant trees and small groups currently on or adjacent to the site, seven are proposed to be removed to facilitate the development (B and C category trees) and eleven will be retained and protected. In order to mitigate these removals, replacement tree planting of 15 trees plus a number of smaller shrubs is proposed within a detailed landscaping plan. The replacement trees would be to extra-heavy standard with girths of 16-18cm (mature specimens) to ensure they make an instant visual impact.
- 8.38 There are some trees which would experience some construction within their root protection areas a result of the development, generally for the construction of the parking areas, bin store or footpaths. Such works would be supervised by the project arboriculturist and suitable tree protection measures would be put in place. Soil improvement measures would also be undertaken.
- 8.39 The Council's Tree Officer has raised no objection to the tree survey, tree protection plan or method statement. It is considered that the replacement species, sizes and locations listed within the landscaping proposal are suitable mitigation planting. A condition would be attached to ensure all works are carried out in accordance with the tree protection plan.

### Landscaping

- 8.40 The proposed landscaping plan is detailed and of a high quality. Various areas of planting within the front and rear gardens are proposed along with trees and planting on the boundaries to provide screening. The trees would be of a mature size when planted so that they are instant impact and provide instant screening.
- 8.41 The proposed hard landscaping includes permeable paving across the car parking area and access paths, which is supported.
- 8.42 London Plan policy G5 requires submission of an Urban Greening Factor for major applications, with a UGF target of 0.4 for residential development. A calculation has been submitted which demonstrates that an UGF of 0.55 would be achieved on this site by the retention of existing vegetation, planting of new trees, hedges, perennials, amenity grass etc, and permeable paving to pathways

and private terraces. This is supported. The proposal complies with Local Plan Policy DM10.8 and DM28 and London Plan policies G5 and G7.

### Biodiversity

- 8.43 Local Plan policy DM27 seeks to protect and enhance biodiversity in the borough. London Plan policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 8.44 A Preliminary Ecological Appraisal has been undertaken. This identifies the extent of the site and features/habitats within it including 3 buildings, amenity grassland, plantation woodland, scattered trees, introduced shrubs, species poor hedgerows and scattered trees. The main house was assessed to support 'moderate' suitability to support roosting bats and the vegetation within the site optimal to support breeding and nesting birds. The report suggests that reasonable avoidance measures should be implemented to protect birds, badgers and foraging and commuting bats (e.g. timing of works and supervision of works by a qualified ecologist) and extra surveys required to determine the presence or likely absence of bats within the main house.
- 8.45 A Bat Emergence Survey has been undertaken (July 2022) which found no evidence of bats roosting in the surveyed buildings and therefore no recommendations or mitigation is necessary prior to demolition of the existing buildings, although precautionary measures are proposed as good practice. Evidence of a potential roost was found at the rear of the site and therefore mitigation is recommended. It is noted that no trees are to be removed in this area. To mitigate for the loss of potential roosting opportunities where existing trees are to be removed, bat boxes should be erected on retained mature trees.
- 8.46 Proposed biodiversity enhancement measures include bird and bat boxes, native species, minimal external lighting, log piles. These measures alongside the extensive soft landscaping scheme proposed would ensure that the scheme would result in a biodiversity net gain.
- 8.47 The Ecology Assessments have been reviewed by the Council's independent Ecology advisor and no objection has been raised subject to conditions to secure the recommendations and enhancement measures as outlined in the submitted reports. They are satisfied that there is sufficient ecological information available to determine the application. The mitigation measures identified should be secured and implemented in full in order to conserve and enhance protected and Priority Species. They have recommended that both crevas and cavity bat boxes should be included in the mitigation to ensure that the potential roosting habits lost by the demolition of the buildings is replaced. All replanting should be of native and wildlife friendly species. The Ecologists also support the proposed biodiversity enhancements. In the bat report the presence of a stag beetle was identified and it is recommended that the enhancement measures include strategy for stage beetles by the inclusion of log pyramids. With the inclusion of conditions to secure the above, the proposal complies with Local Plan Policy DM27 and London Plan Policy G6.



## Impacts on neighbouring residential amenity

- 8.48 Policy DM10.6 of the Local Plan states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels.
- 8.49 The nearest residential properties are 86 and 90 Riddlesdown Road either side of the site and 62, 62A and 64 Oakwood Avenue to the rear.



*Image 4: adjoining occupiers*

### 86 Riddlesdown Road

- 8.50 No.86 is located to the north side of the application site. It is a large detached two storey dwelling situated on a lower ground level than the application site. There are mature trees and landscaping along the boundary with No.88 and the house is located approximately 7m from the shared boundary.
- 8.51 The proposed building has a 'T' shaped form and extends deeply into the plot. The building would encroach over a 45 degree line in plan from the nearest rear windows of No.86. However, the element that encroaches at the rear is over 20m from the nearest rear window of No.86 and is two storeys in height. Given the gap of No.86 from the boundary and proposed building and the significant existing landscaping and boundary treatment, it is not considered that the

proposal would be unduly overbearing or cause any loss of light or outlook from No.86. The upper storey windows facing the northern boundary are all high level and could be conditioned to ensure they would cause no overlooking of No.86. The bedroom windows have been designed with angled elements that face at an obscure angle towards the front of the site, limiting any overlooking of their rear garden as required by Croydon Plan Policy DM10.6.

#### 90 Riddlesdown Road

- 8.52 No.90 is located directly to the south of the application site. It is a large detached two storey dwelling with accommodation in the roof space. It sits on a slightly higher ground level than the application site.
- 8.53 The proposed building would encroach over a 45 degree line in plan from the nearest rear windows of No.90. However, the element that encroaches at the rear is over 18m from the nearest rear window of No.90 and is two storeys in height. Given this gap and the change in levels, on balance, it is not considered that the proposal would be harmful overbearing or cause any loss of outlook from No.90.
- 8.54 Given the orientation of the buildings, a sunlight assessment is not required in terms of the impact on No.90. There are a number of windows in the northern side elevation of No.90 however none of these windows are main habitable room windows (or sole windows to a room) and therefore it is not considered that the proposal would cause any significant loss of light to the property at No.90.
- 8.55 The rear element of the building is two storey with first floor units with balconies that face the garden of No.90. In accordance with CLP Policy DM10.6, a greater level of protection will be afforded to the first 10m of a neighbouring garden. There are no proposed first floor balconies situated facing the first 10m of the adjacent garden. The only window facing the first 10m is 12m from the boundary. Given the distance from the boundary, change in levels and the boundary treatment which would be enhanced with additional trees, on balance it is considered that the relationship with No.90 is acceptable.

#### Other neighbouring properties

- 8.56 The development would sit to the rear of No's.62, 62a and 64 Oakwood Avenue. These dwellings have long rear gardens of approximately 28m and the closest point of the development would be over 40m from the rear elevation of these houses. Given these distances, the proposal would not be overbearing or cause any harmful loss of outlook, light or privacy to the properties on Oakwood Avenue.
- 8.57 Properties on the opposite side of Riddlesdown Avenue are separated by the highway and the mature vegetation screen along the site frontage. Whilst the application site is a higher ground level, the proposed development will be situated approximately 40m+ from the closest building on Riddlesdown Avenue. Given the separation distance and vegetation and features between the sites, the proposed development would not cause any harmful loss of light outlook or privacy to these dwellings.

- 8.58 General noise from residential occupiers would not be out of the ordinary in this residential location so is not a cause for concern.
- 8.59 Any potential amenity impacts on neighbouring properties have been adequately mitigated so the proposal is considered, on balance, to comply with Local Plan Policy DM10.6.

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

#### Access arrangements

- 8.60 The site has a Public Transport Accessibility Level (PTAL) of 1b which indicates poor access to public transport. The closest train station is Riddlesdown which is a 0.8km walk away and Purley station is a 1km walk away. It is acknowledged that there are topographical changes between the site and both stations.
- 8.61 Trip Rate Information Computer System (TRICS) data suggests that the number of trips expected to be generated by the proposed scheme is a total increase of 47 additional two-way vehicle movements over the course of a typical day. This equates to one additional vehicular movement every 12 minutes at peak times. This is a negligible increase which is considered to be immaterial when considered against the existing background traffic flows in the area.
- 8.62 The existing house has an access to the southern end of the frontage which would be retained. The gradient has been reduced as far as possible to provide a betterment over the existing access into the site. The required pedestrian visibility splays and vehicular visibility splays are achieved at the access. The parking forecourt provides sufficient manoeuvring space for vehicles to access and egress the site in a forward gear.
- 8.63 As originally proposed, pedestrian access to the site was not inclusive as it included steps and therefore disabled visitors or residents that are not driving would have had to access the site from the vehicle crossover which was not considered ideal. The car park level is over 2m from the pavement and given the existing levels of the site, in this instance it is recognised that there is very little scope to provide an accessible gradient for wheelchair users without removing a lot of the existing landscaping at the front of the site. The applicant has subsequently amended the scheme to include a wheelchair platform lift to enable wheelchair users access via the central external staircase to the main entrance of the building. A delineated pedestrian route will be provided across the car park to increase the visibility of this access point.
- 8.64 Servicing and refuse collection would take place from Riddlesdown Road, consistent with the existing arrangement for properties in this road. The bin store is proposed to be located at the front of the site. It is noted that residents would need to carry refuse down a flight of stairs to access the bins (or down the access drive) which is not ideal, however given the levels of the site appears to be unavoidable. Small delivery vehicles can take place within the site and a swept path drawing has been provided to show how such a vehicle could access and egress the site in forward gear.

8.65 This refuse storage layout is the same as submitted in the previous application 19/04371/FUL and no concern was raised in this respect by the Inspector. The Inspector found the location of the refuse store acceptable, noting that the topography of the access road provides an insurmountable obstacle to be able to accommodate bin storage elsewhere.

#### Car parking

8.66 London Plan policy T6.1 permits up to 1.5 spaces per unit in PTAL 0-1 in outer London boroughs which equates to a maximum of 31.5 spaces. 19 car parking spaces are proposed for the 21 flats including 2 spaces for blue badge holders. In the interests of sustainable development and climate concerns, new developments should not over-provide car parking and a balance needs to be struck between encouraging sustainable modes of transport on the one hand and ensuring highway safety and managing on-street parking on the other.

8.67 Analysis of Census Ward data for Purley (including an uplift in expected car ownership since the data was published) suggests that a development of this size and mix could potentially generate parking demand from occupants of up to 16 vehicles. This means that the proposal would provide sufficient parking on-site to accommodate the needs of the development. It is also noted that there are no parking restrictions on Riddlesdown Road should there be any overspill parking.

8.68 Notwithstanding, a parking stress survey has been undertaken to Lambeth Methodology to assess the parking capacity of the local road network within 200m of the site. Two separate parking beat counts were carried out overnight on two neutral weekdays (Tuesday 13<sup>th</sup> September and Wednesday 14<sup>th</sup> September 2022). The surveys found an average parking stress of 27%.

8.69 The report then goes on to look at other consented or pending schemes within 200m of the site and has used London Plan standards to calculate cumulative parking need and potential overspill parking. This finds that there could be a potential of 8 displaced vehicles onto the local highway network. Given the relatively low levels of parking stress in the area, this potential additional stress parking could be accommodated.

8.70 The LPA does not encourage overspill parking on the street however, as mentioned, a balance does need to be struck between encouraging excessive car occupancy, ensuring highway safety and encouraging more sustainable modes of travel. In this case, the quantum of car parking is considered appropriate.

8.71 A Travel Plan Statement has been provided which outlines opportunities for sustainable travel to and from the site, targeting residents, with the aim of reducing reliance on private vehicle. The strategy includes provision of travel information to residents, provision of cycle parking and electric vehicle charging points. This would be secured by condition.

8.72 With regard to blue badge parking, the London Plan requires that as a minimum, a designated bay is provided for 3% of units available from the outset (1 bay),

and demonstration as part of the Parking Design and Management Plan how an additional 7% of dwellings could be provide with a bay in future upon request (total of 2 bays). 2 blue badge car parking spaces are provided which fulfils this policy requirement form the outset.

- 8.73 Electric vehicle charging points would be required by condition to ensure that 20% active and 80% passive electric vehicle charging points are provided in line with policy DM30 and London Plan policy T6.1. The Transport Statement states that the required 4 spaces will be equipped with EVCP and a condition would be imposed to secure the London Plan requirement.
- 8.74 A contribution of £31,500 would be secured via S.106 legal agreement to contribute towards sustainable transport initiatives in the local area in line with Local Plan policies SP8.12 and SP8.13. This would include on street car clubs and general expansion of the EVCP network in the area and improvements to walking and cycling routes in the area.

#### Cycle parking

- 8.75 Policy DM30 and London Plan Policy T5 would require provision of a total of 40 cycle parking spaces for residents in the unit mix proposed plus 2 visitor parking spaces. 40 cycle parking spaces for residents are proposed in a secure and covered cycle store on the lower ground floor, comprising a mix of Sheffield stands (8 spaces), two tier stands (30 spaces) and 2 larger active cycle spaces. 2 visitor cycle parking spaces are proposed externally adjacent to the entrance of the building. Although the proposed plans do not provide details of all the cycle storage equipment (including stands for larger or adapted cycles) the amount of cycle storage proposed is policy compliant and final details would be secured by condition.

#### Waste and recycling Facilities

- 8.76 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. As found acceptable under appeal, the bin store would be located at the front of the site where refuse operatives could collect from the kerb side. A 10sqm bulky waste storage area has also been shown on the plans. As such the details are acceptable and a condition will be attached for submission of final details.
- 8.77 In order to ensure that the proposed development would not have any adverse impact on the highway network or on the surrounding residents, a Construction Logistics Plan (CLP) has been submitted. The Council's Highway and Environmental Health teams have reviewed this document and both have some concerns in terms of its completeness. As such a condition will be attached to any planning permission requiring submission of an updated Construction Logistics Plan (CLP) and a condition survey of the surrounding footways and carriageway prior to commencement of any works on site.

### **Flood Risk and Energy Efficiency**

#### Flood risk

- 8.78 The site is at low risk of surface water flooding and has potential for groundwater flooding to occur. The site is within Ground Water Source Outer Protection Zone II and over an existing Principal Aquifer. Policy DM25 requires all development to incorporate sustainable drainage measures (SuDS). A Flood Risk Assessment and Drainage Strategy (FRA) has been submitted as part of the application, which sets out a runoff management strategy from the various parts of the site including: rainwater harvesting (includes simple water butts) and pervious pavement (pervious surfaces which allow rainwater to infiltrate through the surface into an underlying storage layer where water will be stored before infiltration to the ground, reused or released to surface water).
- 8.79 The proposed drainage strategy has been reviewed by the LLFA and has been found to be acceptable. A condition would be imposed on any permission to ensure compliance with the submitted details. The proposal complies with Local Plan Policy DM25 and London Plan Policy SI13.
- 8.80 The previous application was refused as insufficient information was submitted with regard to flood risk mitigation. This issue was resolved between parties and the Inspector found the scheme to be acceptable in this regard under the same development plan.

#### Energy efficiency

- 8.81 London Plan Policy SI2 requires major developments to be zero carbon by reducing greenhouse gas emissions in accordance with the energy hierarchy. An energy statement has been submitted stating that the scheme could achieve a 37% reduction in on-site regulated emissions. It follows the London Plan energy hierarchy, outlining that energy efficient mechanical and electrical services would be utilised as well as high levels of insulation. Solar photovoltaics would be positioned on the roof (13.86kWp). These measures would achieve a CO2 reduction of 35% and the remainder would be offset by way of a financial contribution to achieve zero carbon standards. The carbon offset contribution would be £43,269 and this would be secured by S.106 legal agreement (16.15 tonnes of CO2 x £95 per tonne x 30 years).
- 8.82 A condition will be imposed to ensure water consumption of less than 110 litres per day.

#### Other planning matters

- 8.83 The site lies within an Archaeological Priority Area. Historic England have been consulted and having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary in this regard.
- 8.84 A contribution towards air quality improvements to mitigate against non-road transport emissions is recommended to be secured via the S.106 legal agreement.



- 8.85 Croydon Local Plan Policy SP3.14 and planning policy including the adopted Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy – Review 2017 sets out the Councils' approach to delivering local employment for development proposal. A financial contribution and an employment and skills strategy would be secured as part of the legal agreement.
- 8.86 The development would be liable for a charge under the Community Infrastructure Levy (CIL).
- 8.87 All other planning considerations including equalities have been taken into account.

### **Conclusion**

- 8.88 The provision of 21 flats in this location is acceptable in principle. The site is large enough to sustainably accommodate increased residential use. Application 19/04371/FUL was refused by officers and then the subject of appeal. The Inspector found that the amount of affordable housing and housing mix was acceptable taking account of current London Plan and Local Plan policies. The Inspector was also of the opinion that the proposal would have an acceptable impact on the visual amenities of the area. The quality of accommodation is acceptable and the quantity of car parking, cycle parking and access arrangements are all appropriate. There would be no unduly harmful impact on the amenity of neighbouring residential properties. Tree losses would be mitigated by replacement planting and landscaping and ecological features and habitats would be protected. The Inspector's decision in relation to the previous application is a strong and significant material consideration. As such, the application is recommended for approval subject to conditions and legal agreement.
- 8.89 All material considerations have been taken into account, including responses to the public consultation and the Inspector's decision for 19/04371/FUL. 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.