

PART 5: Planning Applications for Decision

Item 5.2

1 APPLICATION DETAILS

Ref: 22/02586/FUL
 Location: Land Adjacent To 185 Brighton Road, Coulsdon CR5 2NH
 Ward: Coulsdon Town
 Description: Erection of a three storey building to provide a mixed-use development of 3 residential units and commercial area with associated refuse and cycle storage.
 Drawing Nos: 2036 - DS - ZZ - 00 -DR- A - P005 P0; 2036 - DS - ZZ - 00 -DR- A - P006 P0; 2036 - DS - 01 - ZZ -DR- A - P250 P1; 2036 - DS - 01 - ZZ - DR- A - P251 P0; 2036 - DS - 01 - ZZ -DR- A - P252 P0; 2036 - DS - 01 - 00 -DR- A - P151 P0; 2036 - DS - 01 - 00 -D R- A - P150 P2; 2036 - DS - 01 - 00 -DR- A - P151 P0; 2036 - DS - 01 - FF -DR- A - P154 P0; 2036 - DS - 01 - ZZ -DR- A - P350 P0; 2036 - DS - 01 - 00 - DR- A - K065 P0
 Applicant: Crown Coast Coulsdon Limited
 Agent: Lotte Hirst
 Case Officer: Yvette Ralston

	Housing Mix				TOTAL
	1 bed	2 bed	3 bed	4 bed	
Existing					0
Proposed (market housing)	1	1	1		3

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 3	
Car Parking maximum standard	Proposed
2.5	0
Long Stay Cycle Storage minimum (residential/commercial)	Proposed
0	0
Short Stay Cycle Storage minimum (residential)	Proposed
5.5	8
Short Stay Cycle Storage minimum (commercial)	Proposed
0	2

1.1 This application is being reported to committee because:

- Referral to Committee by Cllr Mario Creatura, ward Councillor for Coulsdon Town
- Objections above the threshold in the Committee Consideration Criteria have been received

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- a) Sustainable Transport contributions of £4,500
 - b) Removal of parking permits (business and residential) for the CPZ
 - c) 2 new street trees
 - d) S278 Agreement for new pavement
 - e) Fit out of commercial unit
 - b) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
 - 2.4 That the Director of Planning and Sustainable Regeneration is 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) Carried out in accordance with the approved drawings

Pre-commencement

- 3) Submission of Construction Logistics Plan

Prior to above ground floor slab level

- 4) Submission of materials/details

Pre-occupation

- 5) Submission of cycle and refuse details for the residential units
- 6) Submission of final details of landscaping, communal outside space, play space
- 7) submission of details of the fit out of the commercial space including details of long stay cycle storage for the commercial unit

Compliance

- 8) Obscure glazing (up to 1.7m) and restricted opening on north facing kitchen window of unit 1
- 9) In accordance with the Flood Risk Assessment and Drainage Strategy
- 10) In accordance with Arboricultural Report
- 11) Delivery of 3 x M4(2) accessible units.
- 12) Compliance with energy and water efficiency requirements
- 13) Compliance with requirements of the Fire Statement
- 14) 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) Code of practice for Construction Sites
- 4) Highways informative in relation to s278 and s38 works required
- 5) Compliance with Building/Fire Regulations
- 6) Construction Logistics Informative
- 7) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.5 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

2.6 That if within 3 months of the committee meeting date, the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 Permission is sought for:

- Erection of a 3 storey building on the corner of Brighton Road and Station Approach comprising a commercial unit at ground floor level at 3 residential units above
- A shared amenity space for the residential units



Figure 1: Proposed development

Site and Surroundings

- 3.2 The site is a triangular shaped plot located on the corner of Brighton Road and Station Road. It is located within the Coulsdon District Centre and within the Primary Shopping Area. The site was formerly used for storing cars for sale associated with the car sales retail unit at 185 Brighton Road. The properties immediately to the east on Station Approach and Railway Terrace are within a designated Local Heritage Area.
- 3.3 The site and surrounding area is characteristic of a town centre location with a mix of shops and flats in buildings of 2-4 storeys. There are street trees outside the site on Brighton Road. The area has a PTAL of 3 (moderate) and falls within a CPZ. It is within flood zone 1 and has a high risk of surface water flooding.

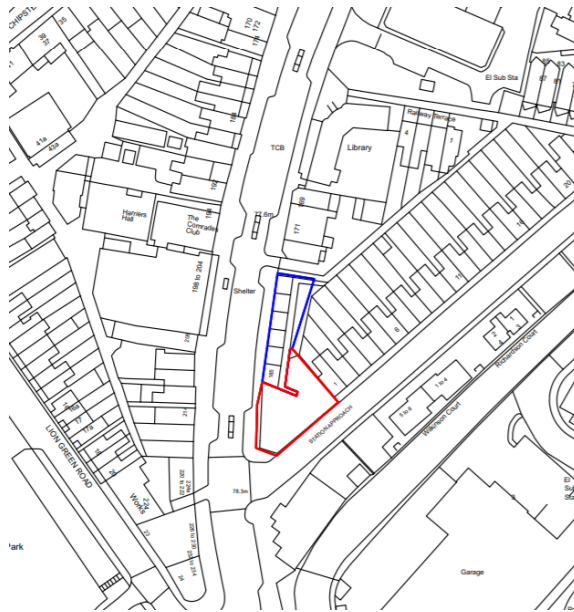


Figure 2: Site location plan

Planning Designations and Constraints

- 3.4 The site is subject to the following formal planning constraints and designations:
- PTAL: 3
 - Coulsdon District Centre
 - Adjacent to Local Heritage Area on Station Approach
 - Coulsdon District Centre CPZ operational Mon-Sat 9am-5pm
 - Brighton Road is a classified road but there is no vehicle access to the site from Brighton Road
 - Flood Risk Zone: 1
 - Surface water flood risk: high

Planning History

- 3.5 21/03755/FUL: Erection of 4 storey building to provide a mixed-use development comprising 5no. residential units and 92sqm of commercial area with associated refuse and cycle storage. – permission refused 01.11.2021. Appeal in progress. Refusal Reasons:

- Fails to demonstrate appropriate standard / fit out for retail unit
- Insufficient 3+ bedroom homes
- Design
- Poor quality accommodation (poor accessibility, single aspect, and lack of communal amenity space)
- Insufficient cycle storage
- Tree removal
- Fails to demonstrate appropriate fire safety

3.6 96/02043/P: Continued use of ground floor and yard for sale and display of motor vehicles and erection of boundary wall – permission refused 17.04.1997

Pre-application history

3.7 20/06528/PRE: To redevelop the site to provide a mixed use development comprising six residential units and circa 85M2 of commercial space. To include refuse and cycle storage.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development of a new commercial unit within the Coulsdon District Centre is supported
- The proposed development of 3 new residential units in this mixed use area is acceptable
- The proposed design is high quality, representing an enhancement to the streetscene, and would not cause harm to the Local Heritage Area
- Impacts on neighbouring amenity are considered acceptable on balance
- The proposed quality of accommodation is acceptable
- A car free development is acceptable given the moderate PTAL (3), the CPZ in operation and the District Centre location.

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

Street Trees

5.3 Objection to the removal of the conifer tree. A figure for its replacement with 2 new street trees has however been provided and would be secured through a S106 legal agreement.

Strategic Transport

5.4 Discussed in the 'Highways' section below.

6 LOCAL REPRESENTATION

6.1 A total of 20 neighbouring properties were notified about the application and invited to comment. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 135 Objecting: 134 Supporting: 1 Neutral: 0

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

Objection	Officer comment
Impacts on neighbouring amenity	
<ul style="list-style-type: none"> • Loss of light to 1 Station Approach. 34% loss of VSC to ground floor window. The Daylight and Sunlight Report refers to the kitchen but the room is actually a kitchen diner. • The side facing window of number 1 is a historic window and should not be described as 'unneighbourly'. • Loss of light to 2 and 3 Station Approach • Loss of light and overlooking/overbearing to neighbours 	<ul style="list-style-type: none"> • Discussed in the report
Security and Safety	
<ul style="list-style-type: none"> • Potential for antisocial behaviour in the amenity space as it is not overlooked. 	<ul style="list-style-type: none"> • There is potential for antisocial behaviour in the current arrangement. The proposal would introduce gates, lighting and landscaping which would be an enhancement.
Design and character	
<ul style="list-style-type: none"> • Not in keeping with the area. Would appear out of place next to the terraced houses • Nearby buildings are 2 storeys so 3 storeys is out of character. The other taller buildings referenced in the DAS are already out of character • Overdevelopment • Ugly design • The bulk will ruin the entrance to Coulsdon 	<ul style="list-style-type: none"> • Discussed in the report

<ul style="list-style-type: none"> • Too high and out of character with historic building lines along Station Approach. • No attempt has been made to protect or enhance the Local Heritage Area. • The 3 storey building will impact negatively on the setting of the LHA. • It does not form a book end to the Heritage Area. 	
Transport, highways, access	
<ul style="list-style-type: none"> • Will cause more road chaos/traffic congestion in Coulsdon • Widening the pavement would make it more difficult for longer vehicles turning in to access the industrial estate, and there would also be commercial deliveries to the new building which would make congestion worse. • Loading and parking could cause disruption to traffic and bus routes along Brighton Road • Cycle storage for visitors to the flats or commercial space is not provided • Bin collection from Station Approach will be noisy. • Wheelie bins are collected from the rear of the houses on Station Approach as collection from the front caused obstructions/safety concerns. This access will be affected/blocked by the proposal. • The development would access onto Station Approach which is a private road. Cars cannot park overnight here. • Loss of car parking • The proposed amenity area blocks off the rear access to properties on Station Approach. 	<ul style="list-style-type: none"> • Addressed in the report • Pavement widening is not proposed. Deliveries will have to take place on street. This is not unusual and the scheme is small scale. • Visitor cycle parking is only required for residential units above 5 units and for commercial space above 5,000sqm. • Bin collection would be directly from the bin store and would not be more noisy than standard bin collections. • Residents and businesses will not have access to parking permits for the CPZ • Assessed below; the existing site is used for car sales. Loss of parking would be compliant with the London Plan. • Access can be provided across the amenity space, via the path adjacent to the building and

	<p>along the rear of the amenity space as shown. Rights of Way are separate to planning matters, however access is designed-in on the plans and how it is managed is a matter for the land owner and those with rights of access.</p>
Quality of accommodation	
<ul style="list-style-type: none"> • Flat 1 is single aspect • Access to cycle store is complex • Amenity space can only be accessed by exiting the building and walking round to Station Road. Also it is shaded so will not be used. • Privacy and security of the amenity space given the need to access flats at 185 • Fire safety is inadequate due to lack of rear windows • Rubbish storage inadequate 	<ul style="list-style-type: none"> • Addressed in the report
Trees, flooding, climate	
<ul style="list-style-type: none"> • Surface water flooding not been properly considered • Potential loss of trees • Will increase the impact of climate change 	<ul style="list-style-type: none"> • Addressed in the report
General objections	
<ul style="list-style-type: none"> • Insufficient infrastructure • More housing in Coulsdon is ruining the area. The area is already over-developed, e.g. Cane Hill and flats on Lion Green Road • There are already unoccupied new builds in Coulsdon so there is no demand for new flats • The priority should be development of the town centre and public transport, not homes • Why is a commercial space proposed when nearby shops have been empty for a year? • Sewage problems would be worsened • The site boundary on the east elevation is unclear. 	<ul style="list-style-type: none"> • A CIL contribution towards local infrastructure would be required • The borough has unmet demands for housing • The Council can only assess the scheme submitted. • A commercial space is policy compliant in this town centre location. • Sewage is managed by Thames Water rather than the Council. • Please refer to plans.

<ul style="list-style-type: none"> • The commercial use is not specified • If permission is granted there should be a condition restricting any future extension at ground floor or roof level • The proposed scheme is car free so why does it state that there is spare capacity for parking on Station Approach? This would circumvent the car free agreement. 	<ul style="list-style-type: none"> • The commercial use would be an office. • PD rights should only be restricted where necessary; there are no PD rights for upward extensions to a new building. • The application would result in the loss of existing parking. The proposal must be determined on its merits following an assessment of the impacts.
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6.3 Representations in support

- The principle of development on this plot is acceptable.
- An improvement on the previous application by reduction in height

6.4 The Coulsdon West Residents' Association has objected to the application on the following grounds:

- A 3-storey development would block out daylight and sunlight to the side windows of 1 Station Approach including their kitchen diner (sole window)
- There are unsold 1-bed flats on the market – why build more?
- Surface water and foul water systems cannot cope with more residential development
- The site is not 'brownfield' as it has not had development on it previously
- There is no amenity space.

6.5 Cllr Creatura has objected to the application on the following grounds:

- Size and massing - neighbouring properties are significantly smaller, and those on Station Approach would be dwarfed by the height.
- Not in keeping with the environment - residential properties in the immediate vicinity are smaller, and a different design style
- Lack of infrastructure/drainage issues - this area is prone to significant flooding, especially the car park area where the site is proposed. I have been dealing with blocked drains and severe flooding with Highways Maintenance at the Council for the drains near this site.
- Parking provision - with the construction of Lion Green Road, the number of parking spaces in Coulsdon has been reduced. The removal of this space would reduce it yet further, impacting local business footfall.
- Privacy - the height of the building would mean that it overlooks properties in Station Approach and beyond, impacting privacy.

Officer response: Re 'parking provision', the application site is for car sales and is not a public car park so there would be no loss of local parking provision. All other points are addressed in the report.

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- 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
- H2 Small sites
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T4 Assessing and mitigating transport impacts
- T5 cycling
- T6 car parking
- T6.1 Residential parking

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- SP8 Transport and communications
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- Policy DM18: Heritage assets and conservation
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and cycle parking in new development
- DM40 Kenley and Old Coulsdon

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last

document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity
5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Flood risk and energy efficiency
8. Fire safety
9. Conclusions

Principle of development

8.2 The application site is a brownfield site that was formerly used for parking of cars for sale.

Loss of Existing Use

8.3 The site is within Coulsdon District Centre and the Primary Shopping Area. It is currently used for the storage of cars associated with the adjacent commercial unit (car sales). The existing use is Sui Generis (which means it does not fall within the land

uses within the Use Class Order). In such locations, Local Plan Policy SP3 protects Sui Generis uses where they provide “employment which is comparable in terms of activities and job numbers to industrial/warehousing uses.” Given that the site is used for sales, rather than industrial or warehousing activities, the existing use of the site is therefore not protected, and there is no policy objection to its redevelopment for appropriate uses.

- 8.4 The site is associated with 185 Brighton Road (next door) which is the car sales office. The separation of the site from that unit would leave a unit which is within the District Centre and could either continue to be used for a similar use, or could (subject to planning permission) be used for other appropriate town centre uses.

Proposed Residential

- 8.5 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036. The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher target of 2,079 homes per year.
- 8.6 The site has an area of 510sqm and redevelopment of this brownfield site would accord with London Plan Policy H2 which states that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). This policy sets a target for LB Croydon to deliver 641 homes on small sites per year. Similarly, the Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year).
- 8.7 The proposal for 3 new residential units is acceptable in principle.
- 8.8 There is limited developable land available for residential development within the built-up area of the borough. Croydon Local Plan Policy SP2 explains that developments should ensure land is used efficiently. London Plan policy H1 states that boroughs should optimise housing delivery on sites of PTAL 3-6 or within 800m of a train station or town centre boundary. The site has a PTAL of 3 and is a 500m walk from Coulsdon Town Train Station. It is therefore suitable for residential intensification in policy terms, subject to compliance with other material planning considerations.
- 8.9 Local Plan policy SP2.7 sets a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to ensure that the borough’s need for family sized units is met. The proposal is for 1 x 1b2p, 1 x 2b4p and 1 x 3b6p unit which constitutes 33% family sized homes which would be policy compliant. This would overcome the previous refusal reason relating to insufficient 3+ bedroom homes.
- 8.10 The proposal for 3 residential units would not trigger affordable housing contributions in line with policy SP2 and London Plan policy H4 or H5.

Proposed Commercial

- 8.11 The site falls within the Coulsdon Town District centre and Primary Shopping Area. The rest of the shopping parade to the north is designated as a main retail frontage however this site falls just outside of the main retail frontage (although it could potentially be incorporated into the main retail frontage as part of the Local Plan review if a ground floor commercial unit is approved). Policy DM4.3 states that outside of main and secondary retail frontages, but within centres, proposals for mixed use developments will be required to either:

- a) Demonstrate that a specific end user will be occupying the ground floor unit upon completion; or
- b) Provide a free fitting out of all ground floor units for the eventual end occupier to ensure that the unit is capable of occupation and operation by the end user and ensure that the ground floor units are capable of conversion to the same use as the remainder of the building if after two years, subsequent to completion, no end user has been found for the ground floor unit.

8.12 The applicant has confirmed that the commercial space would be fitted out and occupied as office space by the applicant (Crown Coast Coulsdon Limited) which would fall within Class E of the Town and Country Planning Use Classes Order (2021 Amendment). This would be secured by S106 Agreement and is acceptable. The provision of a new commercial unit at ground floor level would result in a net increase in town centre uses within the District Centre, thereby helping to maintain its vitality and viability, which is supported.

Design and impact on the character and appearance of the area and the Local Heritage Area

8.13 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 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.

8.14 The site is an irregular shaped corner plot on the junction of Brighton Road and Station Approach. The proposal is for a 3-storey block of flats with a flat roof. It would be positioned on the corner, adjoining the row of shops/flats fronting Brighton Road, but separated from the dwellings on Station Approach which is a designated Local Heritage Area (LHA).

8.15 LHAs are distinctive locally significant heritage assets that have been identified as a result of their heritage and architectural or townscape or landscape value. They are not designated as Conservation Areas, and as such their status is as "non-designated heritage assets." NPPF paragraph 203 states that:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

8.16 London Plan policy HC1 states that 'development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings'. Local Plan Policy DM18.6 states that:

“To preserve and enhance the character, appearance and setting of Local Heritage Areas within the borough, the Council will determine all development proposals that affect a Local Heritage Area in accordance with the following:

- a) Substantial weight will be given to protecting and enhancing buildings, townscape and landscape features that make a positive contribution to the special character and appearance of a Local Heritage Area; and*
- b) All proposals for development must have regard to the development principles in the Conservation Area General Guidance Supplementary Planning Document and the Local Heritage Area evidence base.”*

- 8.17 Station Approach was designated as a Local Heritage Area in 1997. It comprises a group of well preserved modest Victorian railway cottages with bespoke features, built in the 1900s. The terraced houses at numbers 1 to 21 Station Approach are described in the Croydon Local Heritage Area Review as being of a ‘modest domestic scale’ with ‘architectural features such as alternating dormers and gable features, paired sash windows and arched recessed doorways are well preserved.’ The appearance of the Victorian terrace appears almost in its original condition. The wider area, however, has a mixed character comprising commercial town centre uses of varying heights, with residential uses above, and other standalone residential developments.
- 8.18 The row of adjoining commercial/residential buildings fronting Brighton Road are 2 storeys with a pitched roof, and the houses on Station Approach are also 2 storeys with pitched roofs. The proposed building on the site would be a contemporary style 3-storey building with a flat roof. The height of the building would be 3m taller than the ridge height of the adjoining buildings on Brighton Road and approximately 1.4m higher than the houses on Station Approach. The proposed 3 storey height would not appear out of character on this corner plot in a town centre location, and the proposed transition in height to the adjoining building is considered acceptable. The building would step down to single storey adjacent to the Station Approach terrace and a gap of between 4.5m (measured at the street) and 9m (measured at the widest point) would be retained between the proposed building and the first dwelling in the LHA to maintain visual separation. This area in between the proposed new building and number 1 Station Approach would be landscaped to provide a new amenity space for future occupiers and also an enhancement to the streetscene at the end of Station Approach.
- 8.19 There is a consistent front building line along this side of Brighton Road and the proposed positioning of the building would continue this line to the corner. On the south east side of the site (Station Approach) there is currently no pavement, and the proposal would introduce a new pavement in this location which, along with the proposed landscaping in this location, would be a positive contribution to the streetscene. Concerns have been raised about safety and security within the landscaped space to the north of the building however amendments to the plans have been made during the assessment of the application to ensure lighting is proposed and the area is secured by a gate on the Station Approach frontage. Currently this space is un-used, having previously been used for car sales/storage, and the proposal to introduce grass, planting and lighting and to make it more useable and more visually attractive from the street is considered to be a benefit of the scheme.
- 8.20 The building would be clad in brown bricks, referencing the nearby Coulsdon Library and other similar brick buildings in the vicinity. Ground floor windows would be full height commercial style windows facing Brighton Road (west elevation) and around

the corner of the site where it joins Station Approach (south east elevation). Windows above would be vertical in shape, and window frames and balcony balustrades would be finished in grey aluminium. Simple architectural detailing such as projecting brickwork and different bonding techniques are proposed and balconies would be inset which maintains the simple and contemporary appearance of the building and avoids clutter. The building would be visible when approaching down Station Approach (from north to south) and when approaching from the corner or along the high street. The site is currently vacant / underused and the proposed building is considered to make a positive contribution to this corner.

- 8.21 There are a number of examples of flat roofed buildings within the District Centre, including the 4 and 5 storeys buildings on the corner to the south, and the block opposite to the north at 198 to 204 Brighton Road, in the centre of the high street. A 4 storey building of a similar design was previously refused on this site, partially due to its overall height, (application ref: 21/03755/FUL) and is currently awaiting an appeal decision (ref: APP/L5240/W/22/3297900). The proposed flat roof design is considered to be the most suitable design approach given the irregular shape of the proposed building and the plot, and the mixed character of the area. The contemporary style of the building distinguishes itself in design terms from the terrace in the Local Heritage Area and its modest scale would not detract from the historic significance of the Local Heritage Area.
- 8.22 The residential entrance to the building is proposed on Brighton Road, adjacent to the shop at number 185, and there are 2 commercial entrances proposed on Brighton Road, promoting an active frontage in this town centre location. The 'back of house' entrances to the commercial refuse store and the residential refuse store are proposed on Station Approach. Residents living above 175-185 Brighton Road would continue to have access through the landscaped space to the north of the building, and this access would be improved in comparison to the existing situation by way of a formal path with lighting bollards leading to their external steps. This is a positive feature of the scheme. There is also access currently at ground floor level to the rear service entrances/exits to the parade of shops at 185-175 Brighton Road; no boundary treatment is proposed at the rear of the amenity space to ensure that access to these service doors is retained via the new path on the left hand side.
- 8.23 Overall, the proposed height and mass of the building is considered to reflect the scale of the surrounding buildings; the proposed positioning of the building is considered to respond appropriately to the irregular shape of the plot; and the proposed appearance of the building is considered to be suitably high quality to offer an enhancement to the character and appearance of the site and the area. The separation from the houses within the LHA and the proposed landscaped area in between would make a positive contribution to the special character and appearance of the Local Heritage Area. The proposal is considered to comply with Local Plan policies SP4, DM10 and DM18, London Plan policies D3 and HC1 and NPPF paragraph 203.

Quality of accommodation

Commercial

- 8.24 The proposed commercial space at the ground floor would be an open plan space with ancillary WC, kitchen and cycle parking facilities. Floor to ceiling heights would be 3.5m. In accordance with Local Plan Policy DM4.3 (quoted above) the proposal is for the applicant to occupy the commercial space themselves for office use. A condition

would be attached to require submission of details of the fit out of the ground floor commercial space to an acceptable standard for occupation. This would also cover the eventuality that the applicant chooses not to occupy the space themselves, as they would be required to complete a basic fit out (electricity sockets, shopfront, etc.) to enable occupation by another eventual end occupier.

Residential

8.25 The National Design Guide states that well-designed homes should be functional, accessible and sustainable. 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 and requires that 75% of the GIA of each dwelling has a floor to ceiling height of over 2.5m. Local Plan policy DM10.4 and London Plan policy D6 set out the standards for external private amenity space which is for 5sqm per 1-2 person unit and an extra 1sqm per occupant thereafter.

8.26 The table below summarises the assessment of the internal and external spaces of the proposed new dwellings against London Plan policy D6.

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1	1b2p	50.5	50	5.4	5	1.6	1.5
2	2b4p	73.5	70	7.4	7	2	2
3	3b6p	125	95	7.1	9	3.3	2.5

Table 1: scheme considered against London Plan Policy D6 and Table 3.1

8.27 The proposed flats all comply with the space standards. Unit 3 falls short by 2sqm in terms of private amenity space, however additional internal floorspace is proposed for this unit (30sqm over the minimum standard) and residents would also have access to the shared amenity space so on balance this is acceptable.

8.28 Unit 1 would have its outlook only towards the Brighton Road frontage, but there would be a secondary kitchen window on the northern elevation which, albeit obscured, would provide light and ventilation. Units 2 and 3 are dual/triple aspect and would experience good outlook. Floor to ceiling heights would be 2.5m for all areas of the residential units in compliance with London Pan policy D6.

8.29 The proposed residential units would be accessed via Brighton Road. A secondary access would be available from the rear on Station Approach (via the side door facing the amenity space). This door would also provide the access out to the amenity space via the core of the building.

Accessibility

8.30 London Plan policy D7 requires 10% of new-build housing to be M4(3) 'wheelchair user dwellings' and the remainder M4(2) 'accessible and adaptable'. The site is flat and level access to the front door of the block on Brighton Road would be possible. A lift is proposed internally to step free access to all units and to the bin and bike stores which are located internally on the ground floor. A condition would be attached to ensure that all units comply with M4(2) standards.

Impact on neighbouring residential amenity

8.31 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. Representations have raised concerns about amenity impacts including loss of light and overlooking to 1 Station Approach.

1 Station Approach

8.32 1 Station Approach is the end of terrace house adjacent to the proposed development site to the east. It has 5 windows facing the application site (3 at ground floor and 2 at first floor). The Daylight and Sunlight Assessment demonstrates that the 3 ground floor windows facing the application site, serving the living room, dining room and kitchen, would receive a reduction in Vertical Sky Component (VSC) (which tests the amount of direct daylight reaching the centre of the window) beyond the BRE guidelines. BRE guidance suggests that either 27% VSC in the proposed condition should be achieved, or 0.8 (-20%) times the existing values should be demonstrated. The kitchen window would retain 0.68 of its existing VSC value, the side facing dining room window 0.66 and the side facing living room window 0.68. The dining room and living room both have alternative windows serving these rooms and the No Sky Line (NSL) Test (which measures the distribution of natural light within the room) demonstrates that, when the rooms are considered as a whole, the dining room and living room would both retain between 99% and 100% of their existing daylight. The kitchen would retain only 58%, which would fail the NSL test. A standalone kitchen is not normally considered a 'habitable' room, and it is the rear of the room (which is circulation space leading to the bathroom) that would receive the greatest reduction in daylight. Representations have stated that the kitchen is in fact a kitchen-diner. This is noted (although it is also noted that the room is only 8.4sqm in size and there is a separate dining room shown on the plans). Upper floor side facing bedroom windows would continue to comply with VSC and NSL daylighting guidelines as a result of the proposed development.

8.33 The house at 1 Station Approach is the only one in the terrace that currently benefits from side facing windows looking over an undeveloped plot. The other houses in the terrace have their side facing kitchen windows in their ground floor outriggers facing each other. The resulting daylighting conditions within the property at 1 Station Approach would be no different to the daylighting conditions within the other properties in the terrace. New development is expected to have an impact, however in this case the impact would be minimal to the majority of windows at 1 Station Road, meaning that the impacts on living conditions would be acceptable.

8.34 The proposed building on the site would be 1.4m taller than the ridge line of 1 Station Road and would be positioned away from the side of number 1 Station Road, across the landscaped/amenity space so would not be overbearing. At ground floor level the separation distance would be approximately 6.5m (measured from the centre of the side elevation of 1 Station Approach) and at first floor level the building steps further away so the separation distance would be approximately 10m (measured in the middle). The proposed block would only have 1 window on its north east elevation facing the side of number 1 Station Approach (secondary window serving the kitchen of unit 1) and this would be obscured so would not raise overlooking or privacy concerns to the house or garden.

8.35 The landscaping plan shows that the boundary treatment alongside 1 Station Approach would be a 1.7m high venetian fence with shrubs within a planter formed of a low brick wall. This boundary treatment would ensure privacy and also create a more attractive visual appearance for the site. Concerns have been raised about use of the communal garden space for antisocial behaviour. The proposal includes a gate, lighting and a landscaping scheme, which would result in an improvement of this space in comparison to the existing situation.

8.36 On balance, whilst it is noted that the kitchen at the rear of 1 Station Approach would receive a reduction in daylight beyond that recommended by the BRE guidelines, the overall impact on living conditions would be acceptable and this would not be sufficient to warrant refusal of the application.

Retail units at 175-185 Brighton Road

8.37 The proposed building would adjoin the side of 185 Brighton Road. The side facing window would be removed.

8.38 Currently these retail units have rear access doors facing the informal parking area. No fence or boundary treatment is proposed at the rear of the landscaped area so these doors would be unaffected.

Flats above 175-185 Brighton Road

8.39 The flats above 175-185 Brighton Road currently have access to their properties across the site from Station Approach. This access would be retained and would be improved by the introduction of a designated pathway, lighting and landscaping alongside.

208-218 Brighton Road (opposite)

8.40 The units opposite the site (west) comprise ground floor retail units with residential above. All would continue to comply with BRE guidance for VSC and NSL so no daylighting issues are raised. The flats on the application site would have their main outlook facing west, but this would be across Brighton Road so no amenity concerns are raised in terms of overlooking.

Summary

8.41 The kitchen window of 1 Station Approach would receive a reduction in daylight. The 2 other ground floor windows which serve the dining room and living room would receive a reduction in their VSC beyond that recommended in BRE guidance, however both of these rooms are served by additional windows and when each room is assessed a whole, they would continue to comply with NSL guidelines for daylight. The resulting situation is unlikely to be materially different from any other houses in the terrace which do not benefit from additional side facing windows. On balance, and when weighed up against the benefits of the scheme such as the provision of new commercial and residential floorspace, plus landscaping and public realm improvements, the daylight reduction to the kitchen would not warrant refusal of the application.

Trees and landscaping

8.42 Local Plan Policy DM28 and London Plan Policy T7 seek to retain existing trees and vegetation. An Arboricultural Impact Assessment and Tree Protection Plan has been submitted. There are no trees on the site but there is 1 street tree (a Cypress tree (conifer) pictured on the right hand side of the image below) on the corner in proximity to the proposed building. This tree would need to be removed as part of the proposal but would be replaced by 2 new trees to be planted in proximity (secured by S106 agreement). The Council's Street Trees Officer has objected to the loss of the street tree due to the visual amenity of tree planting, however it is not of a high quality and its replacement with 2 new street trees, when considered along with the other benefits of the scheme, is considered to be acceptable on balance.



Figure 3: Cypress Tree (on the right hand side) to be removed and replaced with 2 new street trees

8.43 There are 3 additional street trees (London Plane Trees) just outside the site on Brighton Road. 2 of these would experience minor root incursions and some canopy pruning but this would not ultimately be detrimental to the longevity of the trees. An Arboricultural Method Statement and Tree Protection Plan has been submitted outlining how trees would be safeguarded during the works.

Landscaping

8.44 Local Plan policy DM10.8 requires incorporation of soft and hard landscaping within development proposals. Amendments have been made to the landscaping proposal during the assessment of the application. There is some low quality landscaping around the junction on Station Approach which would be removed however this would be mitigated by the incorporation of landscaping in the space to the north east of the application site, between the proposed building and the side elevation of 1 Station Approach. This would include an area of amenity grass, hedging and a low brick wall alongside 1 Station Approach, plus 1 new tree on site. The path alongside the building would be block paving. Play space would also be provided. This space would be lit for safety reasons comprising a combination of bollard lighting and wall-mounted motion sensor lighting. It would also be gated with access for residents (and those occupying 175-185 Brighton Road who also have access through this space). Details are

acceptable and final details, e.g. planting specifications etc, will be required by condition.

Highway impacts

- 8.45 The site has a Public Transport Accessibility Level (PTAL) of 3 which indicates moderate access to public transport.

Parking Impacts

- 8.46 It is located within a town centre and a CPZ. In a PTAL 3 the London Plan would allow up to 1 car parking space per 3-bed dwelling and up to 0.75 spaces per 1-2 bed dwelling which would equate to a maximum of 2.5 spaces. A car free scheme is proposed. This is acceptable given the location of the site on Brighton Road and within the Coulsdon District Centre, and the presence of the CPZ. A S106 Agreement would be secured to remove parking permits for users of the commercial unit, and residents within the CPZ. This would ensure that, if future occupiers own cars, they would not be parked within the CPZ and therefore would not add to parking stress in the area. In addition, a financial contribution of £4,500 would be secured via S106 agreement to contribute towards sustainable transport initiatives in the local area in line with Local Plan policies SP8.12 and SP8.13.

- 8.47 Representations have raised concern about the loss of the parking area, with some residents explaining that they currently park their cars on the site. Any informal agreements between landowners fall outside the planning system. The site is in an established use for car sales and is not a formal car park. However, the London Plan Policy T6(L) states that:

“where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy”

- 8.48 Therefore, although part of the site may be currently used for parking, the London Plan is clear that the parking should not be re-provided at previous levels, and must only be provided in line with the standards for the current development proposal. As above, the proposal would be car-free with a legal restriction on permits and a financial contribution towards sustainable transport measures. Therefore, the re-provision of parking for existing users would conflict with the development plan, and the development as proposed would be policy compliant.

Cycle parking

- 8.49 London Plan policy T5 would require provision of a total of 5.5 cycle parking spaces for the residential unit mix. 8 spaces are proposed within the residential cycle store on the ground floor of the building. The cycle store can be accessed via the main residential entrance on Brighton Road, or from Station Approach via the side entrance. Final details of the cycle store would be required by condition.
- 8.50 Cycle parking is proposed for the commercial unit. The London Plan would require 1 space per 175sqm of commercial floorspace. The commercial unit is 90sqm so no cycle space is required when assessed against the policy. Nonetheless, 2 cycle parking spaces are proposed within the commercial unit. The exact position of the cycle parking can be assessed by condition alongside the details of the fit out of the commercial unit.

Refuse storage

- 8.51 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. The residential bin store would be located at the rear, accessed from Station Approach. Representations have been made regarding potential difficulties collecting from this location as the existing dwellings on Station Approach have their bins collected from the path to the rear of their houses. It is important to ensure that the bin stores are fit for purpose and to avoid bins being left out on the street. The Council's Waste Officer has confirmed that the location is acceptable and that these bins would be collected by a different crew. The bin store can be accessed directly from the highway and there is no gradient.
- 8.52 The proposed drawings show a 1100L landfill bin, a 1280L mixed recycling bin and a 240L food waste bin for the 3 residential units. The Council's Waste & Recycling Officer has stated that the provision should be 3 x 180ltr landfill bins, 3 x 240ltr comingled recycling bins, 3 x 240ltr paper & card recycling bins and 3 x external food caddies. The store is large enough to provide the preferred bins so revised plans will be required by condition. A space for depositing bulky waste prior to collection is available within the bin store in accordance with Local Plan policy DM13.1.

Flood risk and energy efficiency

Flood risk

- 8.53 London Plan policy SI13 requires developments to achieve greenfield runoff rates and to manage surface water as close to source as possible by following the drainage hierarchy. Local Plan policies SP6 and DM25 require all developments to incorporate SUDS to reduce surface water runoff and provide water treatment on site.
- 8.54 The site is within flood zone 1, at high risk of surface water flooding and a critical drainage area.
- 8.55 To manage the risk of surface water flooding within the site, no residential development is planned within the area of 'high risk' of flooding, with the commercial use and ancillary spaces on the ground floor.
- 8.56 Infiltration drainage into the ground is not considered feasible on this site due to the constrained size which means it would be difficult to achieve the required 5m separation distance between soakaways and the building. Also, the site is located within Groundwater Source Protection Zone 1 so infiltration into the ground would not be appropriate. It is instead proposed that surface water from the site discharge into the sewer which flows north along Brighton Road adjacent to the west boundary of the site. A geo-cellular water storage system is proposed which would slow the discharge rate. A green roof is also proposed as well as catch pits to intercept silt from surface water discharging from the areas of hardstanding to the below ground cellular storage tank. Water would be discharged at a rate of 2.0l/s and Thames Water have raised no objection to this. The geo-cellular crate system would be positioned beneath the landscaped area to the north. All submitted details are acceptable and a compliance condition would be attached.

Energy and water efficiency

- 8.57 Local Plan Policy SP6 and London Plan Policy SI2 seek to ensure development minimises CO2 emissions in accordance with the energy hierarchy. The DAS outlines

that a fabric first approach would be adopted as well as energy efficient lighting internally, responsibly sourced materials, provision of cycle storage and a car free development, glazing to maximise natural daylight within habitable rooms, and installation of solar panels on the green roof. This is acceptable.

- 8.58 A condition would also be attached to require a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G.

Air quality

- 8.59 London Plan Policy SI1 and Local Plan Policy DM23 require that developments are air quality neutral and do not lead to deterioration of existing air quality. The entire borough of Croydon is an Air Quality Management Area (AQMA). An Air Quality Assessment has been submitted. The detail refers to the previously refused scheme (ref: 21/03755/FUL) however a supplementary statement has been submitted to clarify that the results remain valid with the reduced scale of development proposed. The report concludes that, if no mitigation is implemented during construction there would be a medium risk from the dust-generating activities on the proposed development however with the appropriate good practice mitigation measures in place there are likely to be no significant effects from dust emissions during construction. A Construction Logistics Plan would be required by condition to manage construction impacts. It is also concluded that the proposed development, which would be a car free mixed use scheme would not have significant impacts on air quality locally.

Fire safety

- 8.60 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety. Details have been provided accordingly. A protected core would be provided and stairwells would include an automatic opening vent at the head of the stairs. All flats would be provided with fire detection and alarm systems, external walls would be constructed using appropriate techniques and materials. Exits and escape routes are shown on the submitted plan. A fire appliance could position itself on the road outside the site and a location for future provision of a dry riser is proposed. Details are acceptable.

Conclusions

- 8.61 The proposed provision of a mixed use scheme comprising a new commercial unit and 3 residential units within the Coulsdon District Centre is supported in principle. The proposed scale, mass and contemporary design of the 3 storey building is considered to be appropriate on this corner plot adjacent to the Local Heritage Area at Station Approach. No harm would be caused to the Local Heritage Area. Public realm enhancements are proposed by way of landscaping on the site, a new pavement and a net increase of 1 street tree. The building would result in loss of daylight to the kitchen of number 1 Station Approach, however this is not sufficient to warrant refusal of the application. A car free scheme is appropriate given the town centre location and the location of the site within a CPZ. The proposed quality of accommodation is acceptable and the flood risk mitigation measures and CO2 reduction measures have been found to be acceptable.
- 8.62 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account.

8.63 Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, including the benefits and the harm outlined within this report, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).