

**1 APPLICATION DETAILS**

Ref: 23/03797/OUT  
Location: Stoneham House, 17 Scarbrook Road, Croydon, CR0 1SQ  
Ward: Fairfield  
Description: Outline planning application for the erection of new part 3/part 4 storey purpose built block of flats comprising up to 4 flats. Reserved matters are access, appearance, landscaping and layout.  
Drawing Nos: A101 Rev C, A101 Rev C, A102 Rev C, A108 Rev C, A110 Rev C, A111 Rev C, A112 Rev C, A114 Rev C, A115 Rev C, A116 Rev C  
Applicant: Marlpark Homes Ltd  
Agent: Mr Ali Datoos of Extending My Home  
Case Officer: Barry Valentine

1.1 This application is being reported to committee because:

- 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 Sustainable Regeneration is delegated authority to issue the planning permission subject to:

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

- a) Parking permit restriction for all residential units created by the development.
- b) Sustainable transport contribution (£1,500 per residential unit).
- c) 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) Carried out in accordance with the approved drawings
- 2) Reserved Matters of access, appearance, landscaping and layout - 3 years to submit/approval
- 3) Reserved Matters - 2 years to implement from reserved matters approval
- 4) Maximum limitation on unit numbers

### Pre-commencement

- 5) Construction Logistics Plan (CLP)
- 6) Construction mitigation/servicing arrangements for Stoneham House
- 7) Archaeological appraisal and follow up actions
- 8) Contaminated Land and follow up actions
- 9) Fire Strategy (both in terms of occupiers of the new homes and those surrounding with reliance on the access)
- 10) FRA and Ground Water Flooding Mitigation
- 11) Secure by design
- 12) Accessible homes - M4 (2) provision
- 13) Co-ordination strategy with existing planning permission/prior approval and residential units

### Prior to commencement (save for demolition/preparatory works)

- 14) Cycle store elevations and details for 44 bicycles
- 15) Waste storage location/elevation/details and management/collection plan (with consideration of the existing flats within Stoneham House)
- 16) SUDS strategy and maintenance
- 17) Landscaping maintenance

### Prior to above ground

- 18) Details of play equipment
- 19) Details of plant and noise limitations
- 20) Internal noise performance
- 21) Details of lighting

### Pre-occupation

- 22) Details of privacy measures and implementation
- 23) Delivery and Service Management Plan
- 24) Highway works implemented/completed
- 25) Biodiversity net gain

### Compliance

- 26) Water efficiency
- 27) Minimum of two trees provided at landscaping reserved matters stage
- 28) Two car parking spaces including disabled parking provision and ECV provision (with consideration of the requirements for 14/02045/P)
- 29) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

### **Informatives**

- 1) Subject to a S.106 legal agreement
- 2) Community Infrastructure Levy
- 3) Code of construction
- 4) Advising applicant to liaise with the adjoining site to discuss the carrying out of fire safety remedial works to Centre View Apartments
- 5) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

- 2.5 That, if within three months of committee 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 Outline planning permission is sought for the erection of part 3/part 4 storey block comprising of up to 4 flats within the car park area of Stoneham House. The matter for consideration as part of this outline application is scale.
- 3.2 The matters reserved for subsequent approval are access, appearance, landscaping and layout.

#### Amendments

- 3.3 During the course of the application clarifications were provided on car parking arrangements, to clarify extent of scale of development being sought, compatibility with existing implemented planning permissions, trees, servicing strategy and other matters, and the plans were updated to correct scale bar errors. As these were only clarifications rather than changes to the scheme that would have any additional impact, they did not require public re-consultation.

#### **Site and Surroundings**

- 3.4 The application site is a car park area to Stoneham House, that is accessed both by foot and vehicle from Scarbrook Road to the west, between the flank elevations of 15 Scarbrook Road and 21 Scarbrook Road. Stoneham House itself was originally a 1970s five storey office building, that has been converted fully to residential under permitted development. Stoneham House is in the process of being extended with a three-storey roof extension, that extends up to eighth floor level, which creates six additional flats. The main access to Stoneham House is via the car park area that is subject to this application.
- 3.5 To the east of Stoneham House is nos. 72 and 74 High Street, a three storey mid terrace building, that features a solicitors and associated office area over half the ground floor and whole of the first/second floor. The other half of no.72 and 74 High Street at ground floor level is in commercial use, falling within Class E.
- 3.6 To the north-east is Green Dragon House a former ten storey office block that has been converted to residential. To the north of the site is Boulevard Point, 15 Scarbrook Road, which is an eleven storey residential flatted development that has recently been completed. To the west is 21 Scarbrook Road, a thirteen storey residential development. To the south is Centre View, which is a nine storey block of flats.



*Figure 1: Site Location Plan  
(note it predates building of Boulevard Point, 15 Scarbrook Road)*

### **Planning Designations and Constraints**

3.7 The site is subject to the following formal planning constraints and designations:

- Located within the Croydon Opportunity Area and the Croydon Metropolitan Centre.
- Has Public Transport Accessibility Level (PTAL) rating of 6b (best).
- Within Flood Zone 1 as defined by the Environmental Agency. The site itself is predominantly modelled as being at very low risk flooding from surface water flooding, although at the sites entrance there is low/medium surface water flooding risk. The site is one that is modelled as there being 'potential for groundwater flooding to occur at surface'.
- Located within a Tier 2 Archaeological Priority Area.
- Not located in a Conservation Area and is not a listed building. To the northeast of the site is the Central Croydon Conservation Area, approximately 30m away at its closest point.

### **Relevant Planning History**

#### *Planning history for developments within the car park area*

3.8 Planning application reference 12/00868/P was refused on the 27/07/2012 for the "Erection of a four-storey office building with under croft parking to the front". Extracts from this refused planning application are shown below:



Figure 2: Extracts from Planning Application Submission 12/00868/P

### 3.9 The 12/00868/P scheme was refused for the following reasons:

1. The siting, layout and massing of the development would not respect or improve the existing pattern of buildings and the spaces between them, nor maximise the opportunities for creating an attractive and interesting environment and would result in an overdevelopment of the site.
2. The development would be detrimental to the visual amenity of the street scene by reason of its design and appearance.
3. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of loss of privacy and visual intrusion and loss of outlook

3.10 The applicant appealed the Council's decision, and the subsequent appeal was dismissed on the 20<sup>th</sup> June 2013. Key extracts from the appeal decision are set out below:

### 3.11 On character and appearance:

*"The proposed four storey office building would project well over 20 metres into the existing open area to the rear of Green Dragon House and Stoneham House, where it would appear out of context with the substantial nature and more ordered building lines of the adjacent buildings.*

*Other than a single entrance door the rear elevation would comprise a plain rendered wall directly in front of some of the windows in Stoneham House. The southern elevation of the proposed building would likewise be stark, with large areas of plain brick and rendered wall, which would be accentuated by the plain flat roof. The westerly and northerly elevations would be visually uninspiring with their large areas of brick and rendered walls and irregular space fenestration. The building would be sited less than nine metres from the main windows and balconies, which serve the adjacent first and second floor apartments at Centre View Apartments. As a result the visual relationship between the two buildings would appear cramped.*

*Overall the proposed development would appear cramped, visually stark and uninspiring and out of keeping with the surrounding development. It would have a harmful impact on the setting to Stoneham House, Green Dragon House and Centre View Apartments and the street scene in general."*

### 3.12 On impact on neighbouring properties:

*“Due to its height, width and siting the proposed building would totally dominate the outlook from the first and second floor north facing apartments at Centre View Apartments. As a consequence it would be visually overbearing and would materially harm the living conditions of the occupants of the apartments. At the same time the windows in the southern elevation of the proposed building would result in direct overlooking of a number of the apartments.*

*Whilst the windows could be obscure glazed, this would increase the bland and oppressive appearance of the building, when seen from the apartments.*

*Whilst not referred to by the Council, if the current approval to use floors two to seven of Stoneham House was implemented, the outlook from some of the flats would be totally dominated by the plain eastern wall of the proposed building. It would be visually overbearing and result in a significant level of overshadowing of some of the flats affected. As such it would result in unsatisfactory living conditions for the occupants of those flats.”*

3.13 Outline planning application reference 23/00016/OUT was refused on the 06/09/23 for “Outline planning application for the erection of new part 3/part 4 storey purpose built block of flats comprising up to 6 flats (matters reserved are access, appearance, landscaping and layout)”. The reasons for refusal were as follows:

1. The development would have an unacceptable impact on living conditions of neighbouring properties, in particular the ground floor units within Stoneham House, in terms of sense of enclosure and loss of outlook by virtue of its bulk, mass, associated separation distances and nature/layout of the impacted properties.
2. The applicant has failed to secure through an appropriate mechanisms (such as section 106 agreement) appropriate mitigations and obligations to ensure compliance with policy in respect of sustainable modes of transport and their promotion of and to prevent the development causing parking stress.

3.14 The current application has similarities with refused outline planning application reference 23/00016/OUT. The main differences are summarised as follows:

- Reduction in the maximum number of residential units from 6 to 4.
- First and second floor levels have been set further away from Stoneham House, with the separation distance increased from 9m to 15m. The ground floor level extends closer to Stoneham House.
- Roof terraces indicatively added on top of the third floor level and balconies added to north eastern elevation.
- Angling the northern façade on first and second floor level

*Planning history for main building (Stoneham House)*

3.15 The main building, Stoneham House, has been/is being converted from office to residential under permitted development, having been through the prior approval process. The most relevant prior approval applications are listed below:

- Basement, Ground and First Floor - 15/01175/GPDO: implemented and occupied.
- Second to fifth floor - 13/01785/GPDO: implemented and occupied.

3.16 A three storey roof extension at sixth to eight floor is being built under planning permission reference 14/02045/P but has yet to be completed or occupied.

*Basement to first floor office to residential*

3.17 Prior approval application reference 15/01175/GPDO was granted on the 03/06/15 for the "Use of basement as 2 flats, ground floor as 2 flats and first floor as 2 flats". This application has been implemented but not occupied/completed.

3.18 The conclusions for 15/01175/GPDO relevant to this application are summarised as follows:

- It was highlighted in the officer report that the application submitted was unclear in regard to parking provision for the flats. However, if the development provided no parking (as is understood to be the case), this would be acceptable given the high PTAL rating.
- It is noted that condition 1 required refuse arrangements to be submitted and approved, with condition 2 those approved details implemented. Condition 1 has not been discharged, and therefore both conditions are currently in breach.

3.19 The approved layouts are shown below:

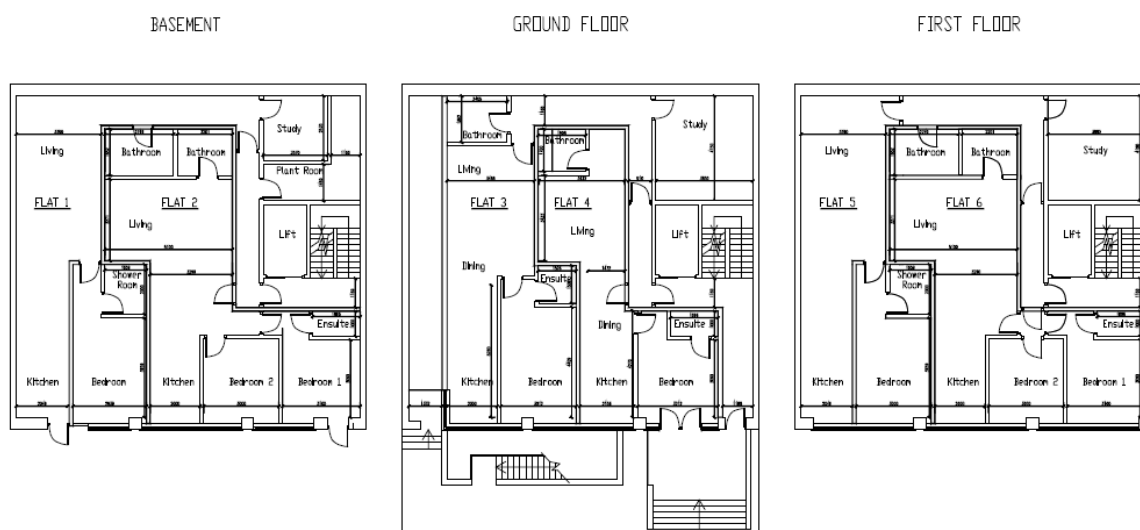


Figure 3: Extracts from Planning Application Submission 12/00868/P

*Second to fifth floor office to residential*

3.20 Prior approval application reference 13/01785/GPDO was granted on the 31/07/2013 for the use as eight two-bedroom flats. The flats were proposed at second to fifth floor level. There was no conditions or legal agreement associated with this approval. This prior approval has been implemented, and the flats use has commenced.

*Sixth, seventh and eighth floor roof extension for residential*

3.21 Planning permission reference 14/02045/P was granted on the 24/11/2014 for the "Construction of sixth, seventh and eighth floors to provide an additional 6 two bedroom flats and roof terrace to the roof of the existing building." This planning permission has been implemented, but at the date of this report has not been completed.

3.22 In relation to the car park the report notes the following:

*“There are 10 spaces on site and no change is proposed. The site is in an area with a PTAL accessibility rating of 6b (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have a very high level of accessibility to public transport links and the number of spaces proposed would be acceptable for a development in the Croydon Metropolitan Centre. One parking space is designed for disabled use in accordance with the standards in Supplementary Planning Guidance No 10. This is supported. Since the planning permission of 12/00863/P the existing building has been converted to flats under the prior approval process. However, it is considered that the proposed development would not significantly impede the safety and efficiency of the adjoining highway network in this central location.”*

3.23 Conditions attached to planning permission 14/02045/P of particular relevance to this application are conditions 3 (see below), 6 (landscaping) and 7 (see below).

3.24 Condition 3 states:

*“Unless otherwise previously agreed by the Local Planning Authority in writing the parking layout shall be provided as specified in the application prior to the first occupation of the flats and shall be retained for so long as the development remains in existence.”*

3.25 A landscaping plan approved under 17/02805/DISC to discharge condition 6 show that eight car parking spaces would be for the existing office, with two car parking spaces for the residential use, one of which is for disabled parking provision.

3.26 Condition 7 states:

*“No development shall take place until the applicant has provided to the Local Planning Authority for approval a pre-assessment report, produced by a Code for Sustainable Homes assessor, confirming that the design will achieve Code for Sustainable Homes Level 4. The approved scheme shall then be provided in accordance with these details. Prior to the first occupation of the development, the developer will provide a report and certification, confirming that Code for Sustainable Homes Level 4 has been achieved in construction.”*

3.27 Discharge of condition application reference 17/02805/DISC was approved on the 13/10/2017 for ‘Discharge of Conditions 1, 2, 6 and Part-Discharge of Condition 7 attached to Planning Permission 14/02045/P - Construction of sixth, seventh and eighth floors to provide an additional 6 two bedroom flats and roof terrace to the roof of the existing building’. This discharge of condition application included cycle provision for 12 bikes in a 4.6m by 2.4m container and refuse store of 4.6m by 1.6m.

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

4.1 The scheme is an outline planning application, which is an acceptable method of securing planning permission as defined in Section 92 of the Town and Country Planning Act 1990 (as amended).

4.2 The proposed development would provide up to four residential homes, which would make a positive contribution to borough’s housing provision and achievement of housing targets.



- 4.3 The proposed scale of the development would not, in itself, cause harm to the character and appearance of the area and context. Nor would it cause significant and unacceptable harm to the living conditions of neighbouring properties. The development through appropriate legal mechanisms and conditions promote sustainable modes of transport and be in line with creation of Healthy Streets, whilst also promoting active and healthy lifestyles.
- 4.4 Officers are satisfied that it is possible that a policy compliant scheme can come forward at reserved matters stage when access, appearance, landscaping and layout details are submitted and considered. This includes (but not limited to) the provision of three bed family units, good standard of architectural design, good quality residential accommodation with appropriate play and amenity space provision, layouts/design that would not unacceptably cause harm to neighbouring amenity, a development that would not have an adverse impact on parking stress or operation of the highway, has appropriate refuse arrangements and good quality landscaping with replacement tree planting. Matters such as protection of archaeological remains, contamination, flooding, light pollution and fire safety can be appropriately managed/mitigated through condition.
- 4.5 Officers are satisfied that it is possible at reserved matters stages, and through the use of conditions, for the wider site (which includes residential properties within or in the process of being created in Stoneham House) to comply with policy requirements and/or existing planning obligations defined through prior approvals/planning permissions as applicable.

## **5.0 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:

### **Greater London Archaeology Advisory Service (Statutory Consultee)**

- 5.3 No objection subject to conditions.

## **6.0 LOCAL REPRESENTATION**

- 6.1 A total of 271 neighbouring properties were notified about the application and invited to comment by the way of letter and a site notice was erected. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows. 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: 23      Objecting: 23      Supporting: 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:

Comment	Officer Response
Overdevelopment and impact on character/appearance	The potential impact of the massing and scale has been considered, and not considered to result in harmful impact to the appearance of the site and surrounding area.
Impact on light, privacy and sense of enclosure	Officers are satisfied as a matter of principle and giving regard to the proposed scale of the development sought, that it would not cause unacceptable harm to neighbouring properties for the reasons set out in the body of the report.
No need for the development	The proposed development would provide additional homes that are much needed and would contribute to the achievement of the borough's housing targets.
Deliveries	On balance, this is not a matter which planning permission can be refused on as outlined in the body of the report.
Fire safety and other emergency vehicle access from loss of access	Conditions are recommended to ensure that the proposed development, and in turn the impact on Stoneham House, is sufficiently safe in terms of fire and emergency access. It should also be noted that access is a reserved matter.
Bin storage	This matter can sufficiently secured via condition.
Impact of development on amenity during construction	Conditions could be recommended to help mitigate the impact on construction as far as reasonable under planning legislation. Neighbouring properties are also sufficiently protected under other legislation, such as Noise Act. Imposing further restrictions would be unreasonable.
Impact on property prices	Not a material planning consideration.
No affordable housing	As the development is for less than 10 units, there is no policy requirement to provide affordable housing.
Not enough parking	The proposed development is car free (with exception of two parking spaces for Stoneham House). This in line with policy.
Impact on wildlife	Given the poor environmental quality of the site, it is not considered the impact of the development on wildlife would such to justify refusal. Conditions in regard to landscaping and biodiversity, could also be recommended to help mitigate any impact.
Lack of local infrastructure to support the development	The development would likely to be CIL liable, which would mitigate the impact of the development on local infrastructure.
Impact on fire safety remedial works to Centre View Apartments	This is considered beyond the scope of current planning policy, and largely a civil legal matter. An informative is recommended advising the applicant to liaise with the adjoining site to discuss the carrying out of such works.
Slowness of building roof extension should be taken into consideration	There are no policies or conditions that require an implemented planning permission to be built within a set period of time. As such, whilst neighbours' concerns are understood, ultimately it is not matter than can form a notable consideration in the determination of the application.

## 7.0 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)

- GG2 Making the Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Homes Londoners Need
- SD1 Opportunity Areas
- 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
- D12 Fire Safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small Sites
- H10 Housing Size Mix
- S4 Play and Informal Recreation
- G5 Urban Greening
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T1 Strategic Approach to Transport
- T2 Healthy Streets
- 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 Communication
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM18 Heritage Assets and Conservation
- 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 Developments
- DM38 Croydon Opportunity Area

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<sup>th</sup> December 2023, 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 Healthy and Safe Communities
- Promoting Sustainable Transport
- Making Effective Use of Land
- Achieving Well Designed Places
- Meeting the Challenge of Climate Change, Flooding and Coastal Change

#### 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:

- Croydon Opportunity Area Planning Framework (2013)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- London Housing SPG (March 2016)
- National Design Guide (2021)
- Housing Design Standard LPG (2023)

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The scheme is submitted as an outline application, as covered in Section 92 of the Town and Country Planning Act 1990 (as amended). This outline application is for consideration of scale only, with matters relating to access, appearance, landscaping and layout reserved for later approval. The applicant has submitted indicative plans to aid assessment and to demonstrate that a scheme to the scale proposed can be policy compliant. To be clear, the only matter for full assessment at this outline stage is scale.

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

1. Principle of development, housing mix and quality of residential accommodation.
2. Impact on the appearance of the site and surrounding area and heritage assets.
3. Impact on neighbouring properties' living conditions.
4. Transport, parking and highways.
5. Trees and biodiversity.
6. Sustainable design.

7. Impact on surrounding environment.
8. Other planning issues.

## **Principle of development, housing mix and quality of residential accommodation.**

### *Principle of Development*

#### *Housing*

- 8.2 The London Plan (2021) sets a minimum ten-year target for the borough of 20,790 new homes over the period of 2019-2029. The Croydon Local Plan (2018) sets a minimum twenty-year target of 32,890 new homes over the period of 2016 to 2036, with 10,060 homes being delivered across the borough on windfall sites.
- 8.3 The site is within the Croydon Opportunity Area. The Opportunity Area Planning Framework (2013) encourages new homes, the revival of the high street, and improved streets and amenity spaces. The site is located within the Croydon Metropolitan Centre, where Local Plan Policy SP3.10 sets out a flexible approach to office, housing and retail uses.
- 8.4 The proposed development would create additional housing on a windfall site that would make a contribution to the borough achieving its housing targets as set out in the London Plan (2021) and Croydon Local Plan (2018).
- 8.5 London Plan (2021) Policy GG2 states that to create successful sustainable mixed-use places that make the best use of the land, that those involved in planning and development must enable the development of brownfield land, particularly on sites within and on the edge of town centres. London Plan (2021) Policy H1 states that boroughs should optimise the potential for housing delivery on brownfield sites which have a high PTAL (3 to 6) or which are located within 800m distance of station, and/or which are low density retail parks. The site with its PTAL rating of 6b has excellent access to public transport, local shops and services. The site is therefore one in which intensification and increased housing delivery is supported by policy. It is noted that there is no minimum number of units that would be delivered, which does undermine to some extent the positive weight that can be afforded. However, given this is only a minor development with no affordable housing considerations and an infill/backland development, so has limited capacity in terms of unit creation, no objection is raised in this regard.

#### *Housing Mix*

- 8.6 SP2.5 states the Council will seek to ensure that a choice of homes is available in the borough, which will address the borough's need for homes of different sizes. Policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
- 8.7 Whilst layout is a reserved matter, indicative plans have been submitted. The indicative plans show three of the proposed units to be a three bed or larger. This would amount to a 75% offer, which would exceed the strategic target. Officers are satisfied that an appropriate policy compliant mix can be secured at reserved matters stages, when the final layout is submitted.

### *Quality of Residential Accommodation*

- 8.8 Whilst layout is a reserved matter, indicative plans have been submitted to aid assessment. The indicative plans show four units that all meet internal space standards, and with private external amenity space that either meets or exceeds policy standards. Officers are satisfied that appropriately sized units can be secured as matter of principle at reserved matters stage once final layout plans are submitted.
- 8.9 In terms of communal amenity space, the indicative details are vague, and it is unclear how this space would work in tandem with the existing residential homes in Stoneham House. Similarly, there are no indications on playspace in terms of quantum or location. However, the space itself is large enough to be able to provide a sufficient quality of communal amenity space including playspace, whilst also meeting potentially other needs/policy requirements (including fire safety, transport, waste, tree/biodiversity and accessibility requirements). As such, it is not a matter of planning principle, but one that can be considered and secured at reserved matters stage when landscaping details would be required to be submitted and assessed.
- 8.10 London Plan (2021) states that developments should maximise the provision of dual aspect units, with single aspect units only provided where it is considered to be a more appropriate design solution in order to optimising capacity, and where it can be demonstrated they will have adequate passive ventilation, daylight, privacy and avoid overheating. Indicative plans have been submitted showing the creation of four homes, all of which are dual aspect. These indicative plans are not acceptable as they rely on indicative detailed design that is not supported, specifically angled façade, which officers presume is to try to mitigate privacy concerns. Therefore instead it needs to be considered whether the fundamental characteristic of the development, having regard to the context, whether it is theoretically possible for the development to be able to provide an acceptable scheme that includes acceptable accommodation, at reserved matters stage.
- 8.11 Officers are satisfied that it would be possible for a future layout and appearance to be able to provide accommodation with good light and aspect, given the fundamental characteristics of the development that has open aspects on three sides, and a relatively shallow floorplate. Privacy considerations will impact where windows are able to be located, but as set out in the privacy section in paragraphs 8.31 to 8.44, there are sufficient locations on the façade where windows could be located, as well as design options (high level windows for example), that would not cause unacceptable harm to neighbouring privacy and vice versa.
- 8.12 It is noted that the scale of surrounding development combined with site orientation, is likely to prevent the development achieving sunlight compliance at reserved matters stage in line with BRE. However, giving regard to overall likely quality of accommodation in all other regards, the need and policy support to optimise development in this highly sustainable location, and limited options to resolve this, no objection is recommended to be raised.
- 8.13 Given that the four-storey height is achieved by excavating/lowering the site, care will be needed to ensure that ground level homes, through appropriate landscaping and layout solutions, achieve appropriate light and outlook conditions. Care will need to be taken to balance the issue of good quality accommodation with privacy, as the two are mutually interlinked. These are matters that can be sufficiently considered and safeguarded at reserved matters stage when the finalised landscaping and layout plans are submitted and considered.

- 8.14 No details have been submitted on noise levels within the units. However, given regard to its enclosed location and the modest sound environment within which the development sits, this is a matter that officers consider can be resolved via conditions. Similarly, any agent of change considerations can also be resolved via conditions.
- 8.15 Indicative sections show that the proposed development could achieve a floor to ceiling height of over 2.5m, which is in line with London Plan (2021). Therefore the scale applied for would provide the necessary floor to ceiling heights in a four storey building.
- 8.16 In regard to accessibility and particularly M4 (2), indicative landscaping plans have been submitted showing use of gradients throughout the site to achieve step-free access. Indicative layout plans also show the provision of lifts within the residential block. As such officers are confident that the development would be able to comply with M4(2) at the appropriate reserved matters stage, and conditions are recommended to ensure this.
- 8.17 It is noted that the area also provides access to residential properties within Stoneham House. There were no conditions on these associated applications for the conversion of this property to residential that required either wheelchair units or M4 (2) units. It is noted the roof extension application did have a Code for Sustainable Homes Level 4 condition, which has accessibility requirements within it. It is unclear from the applicant's submission how this application interacts with this condition requirement, but this is considered to be resolvable at reserved matters stage. The planning agent has also confirmed that the application would not prevent Code for Sustainable Homes Level 4 being achieved in connection with roof extension planning permission reference 14/02045/P.
- 8.18 In conclusion, officers are satisfied that the development would be able to achieve high standard of residential accommodation through securing appropriate details at reserved matters stage and via condition. The development would also be able to accommodate requirements of existing permissions related to Stoneham House.

### **Impact on the appearance of the site and surrounding area and heritage assets**

#### *Scale*

- 8.19 The site is backland in nature given that it is enclosed on all sides by substantially taller and larger development. The visibility of the development from the public realm would be extremely limited given the surrounding scale and density, with the only views likely to be possible being glimpsed views between buildings. In these views the scale would not be detrimental subject to appropriate appearance and materials, which would be secured through reserved matters. There is significant potential for improvement, particular at current ground/first/second floor level, given the development is located adjacent and thereby partially covering a large blank rendered wall and on a car park. The parts of the wall which are being covered have little architectural merit or importance. Issues of illogical placement raised in the previous 2012 appeal decision (application reference 12/00868/P) in design terms have been resolved through the placement of the building along the blank wall, rather than along the northern boundary in the centre of the open area between buildings.
- 8.20 From a massing layout visual perspective, the development is covering an unsightly car park, which loss is uncontentious. Similarly, the existing land level is not an important part of the character/appearance of the area, and therefore its potential full

or part excavation to achieve the mass proposed is acceptable. The change in level indicatively shown could create a challenging access strategy, and lead to proliferation of stairs/slopes. Whilst these details could be resolved through reserved matters layout and appearance, they would not be widely visible and would not have sufficient detrimental impact such to justify refusal. There is no impact on the adjacent conservation area due to siting of the development and surrounding built form.

- 8.21 The modest three/four storey height of the development, and separation distances to properties to north, east and west, creates a natural subservience with surrounding buildings, preventing the area from feeling overdeveloped. In conclusion, the proposed scale of the development in relation to its surroundings is acceptable, and would not, subject to acceptable layout and appearance coming forward at reserved matters stage, cause harm to the street scene, appearance of the site or surrounding area.
- 8.22 An indicative scheme has been provided. Given that appearance is matter that is reserved, the detailed design presented cannot form a reason for refusal. Nevertheless, the design presented is not acceptable, with the design lacking detail, interest and a positive relationship to its context, an unbalanced fenestration arrangement and proportions, whilst also appearing underdeveloped from a material perspective. The angulation of the façade (presumably to help assist privacy) does not form part of a coherent design or fenestration approach. The appearance is more of stacked series of portacabins, than coherent sensitive design. The green wall detail on the eastern wall appears poorly thought through both from a design and practicality perspective (around windows, within balconies and in dark part of the site). The applicant has suggested the green wall as way of mitigating visual impact; however, officers are satisfied that the setback in itself is sufficient, and that green wall would not help alleviate massing concerns in any event if these were otherwise considered an issue.
- 8.23 Achieving an acceptable appearance, whilst also balancing privacy and light considerations, will require a skilled architect to resolve; in light of appearance being a reserved matter, the extent of these concerns are not such to justify refusal on this ground. Landscaping is also another complex matter that will need to balance several factors to achieve acceptable resolution. However, given the backland nature of the site and the current poor appearance, there is insufficient evidence to suggest, given the nature of the application (i.e. outline) to conclude that an acceptable landscaping solution cannot be as matter of principle be realised.
- 8.24 The boundary of the Central Croydon Conservation Area finishes on the rear elevation of the Green Dragon Public House (for clarity , this is a separate building to the 10 storey Green Dragon House The development would not be visible from views within or in the context of the conservation area, due to mass of surrounding buildings. As such the development would have no impact on the character and appearance of the Central Croydon Conservation Area.
- 8.25 To conclude, whilst the indicative scheme presented has shortcomings as identified, the sole matter for consideration at this stage is scale, which is acceptable given the surrounding context. Were outline permission to be granted the applicant should take heed of the commentary in this section when developing future reserved matters.

#### *Designing Out Crime*

- 8.26 A condition requiring secure by design accreditation is recommended.



### *Archaeological Historic Interest*

- 8.27 The application has been reviewed by the Greater London Archaeological Advisory Service (GLAAS) of Historic England. It is considered that there is a discernible archaeological interest at this site, and that this interest can be secured via condition. At this stage a full archaeological condition would be required for all parts of the site, as the submitted report is missing the 2020 archaeological evaluation that is understood to have already been undertaken on part of the site.

### **Impact on Neighbouring Properties Living Conditions**

#### *Daylight and Sunlight Impacts*

- 8.28 The applicant has submitted a sunlight and daylight study that tests the scheme against guidance contained with BRE's 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' End Edition, 2011'. See Appendix 1 for BRE sunlight and daylight definitions.
- 8.29 The Mayor of London's Housing SPG states the following:

*“Policy 7.6Bd requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings... An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.*

*The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”*

- 8.30 The submitted sunlight and daylight report demonstrates that properties in Wandle Apartments, Green Dragon House, Stoneham House, Boulevard Point and Centre View would comply with BRE Vertical Sky Component (VSC) test, with the worst performing window being at lower ground floor level of Stoneham House, which would achieve a VSC reduction of 0.93, comfortably exceeding the 0.8 BRE VSC target standard. The testing done does not appear to account for layouts of units (for example around ground floor windows and corresponding ground layout within Stoneham House), and NSC tests have not been done. However, the report, in combination with officer judgement, given scale and separation distances, is sufficient to establish that the development would not have an unacceptable impact on neighbouring properties' light.

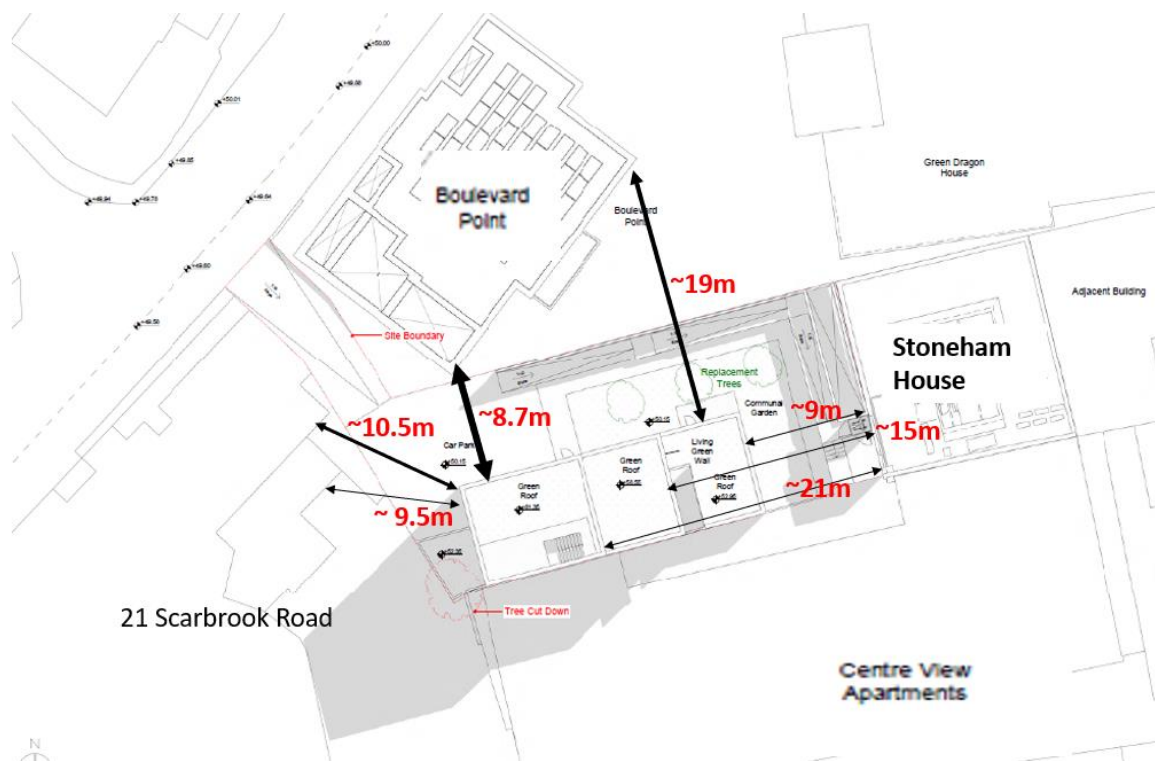


Figure 4: Proposed site plan indicating separation distances to surrounding neighbours.

### Privacy

- 8.31 As this is an outline application for consideration of scale only, details reserved for appearance such as windows/openings and terrace locations are not set, but to achieve an acceptable standard of accommodation clearly both would be required. The location of windows/terraces would be constrained to three of the four building faces i.e. north, east and west.
- 8.32 The north elevation would be the most likely location for windows/terraces due to it being the primary and longest elevation. To the north of this elevation is the recently constructed Boulevard Point. This property has large habitable windows and terrace areas beginning at a height of approximately 5m to 6m, above the existing car park level of Stoneham House. Boulevard Point is angled away from the application site. At the narrowest point on its western side there would be a separation distance between the development and openings within Boulevard Point of approximately 8.7m, increasing to 19m at its eastern end.
- 8.33 As set out in the Croydon Local Plan (2018) para 6.81 a useful yardstick is setting a distance of 18m to 21m between habitable windows, but it does caveat that it should not be used rigidly. With the angle of the Boulevard Point to the proposed development, and the established degree of overlooking between properties given the more urban environment, there is justification for not strictly according with this yardstick. However, it is clear that the western half of the north facing façade, if containing either unobscured non high level windows or terrace areas has the potential to cause harm to neighbouring privacy due to the limited separation distance. It is noted that these type of windows/terrace areas would not necessarily need to be placed on this part of the elevation, as there is the option of placing windows/terrace areas on the western elevation (as outlined below). Indicative plans show angled window, presumably in an attempt to help mitigate privacy impacts, however these are objected from a design perspective and they are not considered to be a sufficiently effective privacy measure in any event.

- 8.34 The western elevation of the development at its closest point is approximately 9.5m away from 21 Scarbrook Road. Although in this instance, the orientation between the proposed block and neighbour, as well as opening sizes, creates a less sensitive relationship, and therefore a solution could be foreseen that include windows on the western elevation. Some care would be needed on the final location and design of any terrace, as these have wider range of views than windows, particularly on the north western corner of the development. The terrace is likely to need to be located at the south western corner of the scheme to limit any potential privacy issues.
- 8.35 The eastern elevation of the development at first and second floor level would be 15m away from the donor property (Stoneham House), and 21m at third floor level. At ground floor level, it would only be 9m away, but direct views into neighbouring windows would be extremely limited due to land level changes, and in any event comparable to the current scenario where the area is used as a car park. The edge of the indicative terraces are approximately 13m away from Stoneham and shown with privacy screens. Giving regard to the context, the privacy levels of residential properties in Stoneham House would not be compromised to an extent to justify refusal, with these matters fully resolved at reserved matters stage, once layout and appearance information is submitted and considered. A condition is also recommended to ensure that any privacy screens are installed prior to occupation.

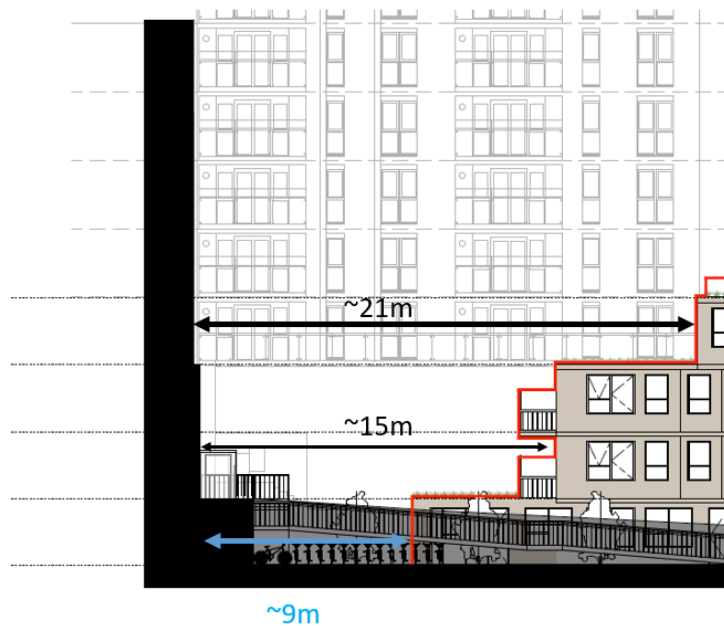


Figure 5: Development relationship to Stoneham House

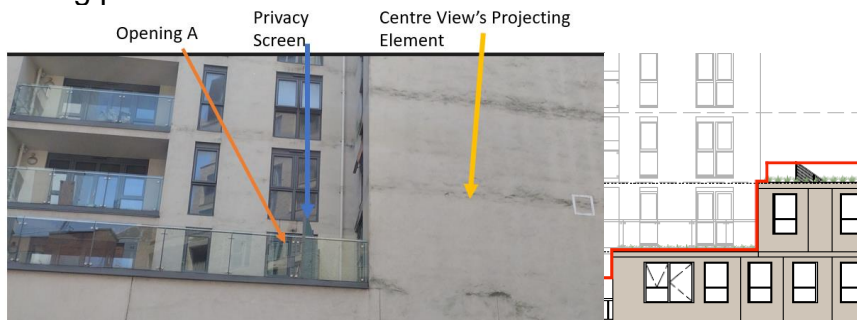
- 8.36 Whilst layout and appearance are reserved matters, the applicant has submitted indicative elevations and floorplans. As the appearance of the development is not acceptable, which include some unsupported design attempts to address privacy issues, they are of little benefit to the assessment of privacy impact.
- 8.37 On balance, given the sole matter for consideration is scale, there is sufficient extent of façade where main windows and terrace areas (including the option of integrated terraces) could be located, relative to the scale proposed and location of neighbouring properties, that as matter of principle, not to be able to substantiate an objection at this stage in regard to privacy. Matters can be sufficiently considered, and neighbouring

privacy safeguarded at the reserved matters stage and through condition, where unit type, number and design terrace/opening options can be explored. However, the applicant is advised of this significant challenge, including balancing the need to create an appropriately designed building, were the recommendation endorsed and at reserved matters stage.

#### *Outlook/Sense of Enclosure*

8.38 It is noted that planning permission reference 12/00868/P was dismissed at appeal, partly on the basis of the impact on the outlook to Stoneham House, and Centre View.

8.39 In regard to the impact on Centre View's outlook, the proposed development has largely overcome previous concerns raised in the dismissed appeal related to planning application 12/00868/P, due to the height and staggered form that allows the massing of the development to correlate with the location of the blank wall. The main impact of the development would be on windows adjacent to the projecting element of Centre View, as the side elevation of the development would align with the side elevation of Centre View's projecting element (pictured below in Figure 6). Currently the side flank wall projects 5m in front of the relevant Centre View window that is most impacted (opening A in photo below), with the development proposed to project a further 7.5m beyond that, thereby creating a 12.5m length of wall adjacent to the window. Despite this length of projection, it is noted that the relevant opening is already flanked by a privacy screen, thereby already creating some sense of enclosure to this opening. Given the height of the wall in comparison to the opening would only be single storey, the impact in terms of enclosure/outlook would not be significant enough to justify refusal of planning permission.



*Figure 6: Centre View site photo (left), proposed north elevation extract (right)*

8.40 In regard to Stoneham House, prior approval has been granted, implemented and occupied for flats at basement to first floor level (reference 15/01175/GPDO), since the appeal was dismissed for application reference 12/00868/P. These flats are single aspect with deep floorplates, especially to the main living areas. The quality of accommodation these homes provide are an unfortunate by-product of permitted development rights at that time, where quality of accommodation was not a consideration. Nevertheless, they still form people's homes, and maintaining any positive aspects of their amenity is of critical importance.

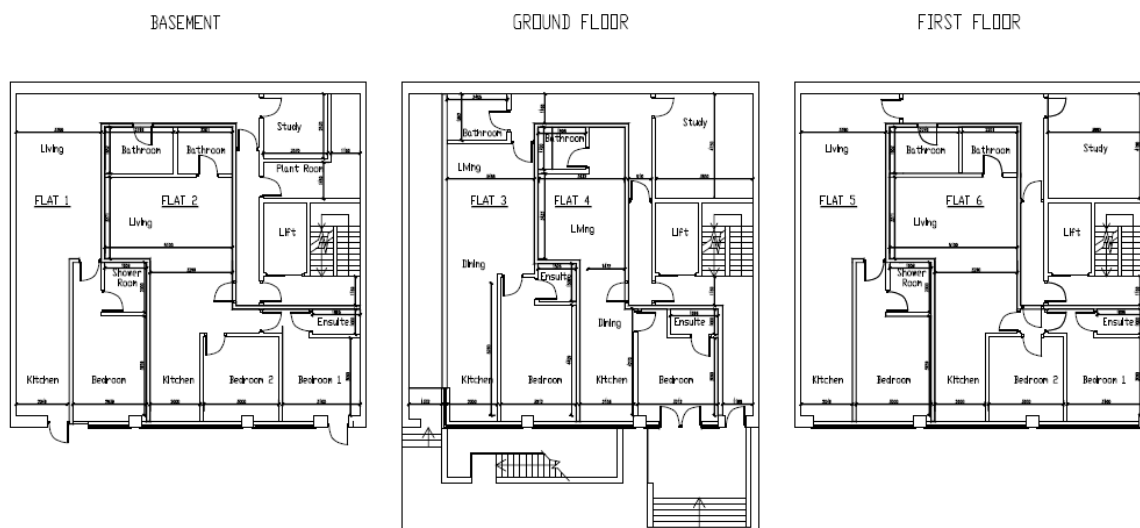


Figure 7: Extracts from Planning Application Submission 12/00868/P (note the application site is to the bottom of the plans)

- 8.41 In terms of the basement flats within Stoneham House, the bulk of the development itself would not cause significant loss of outlook, as these are located within a lightwell, which already limits their outlook. The indicative landscaping plans do appear to show a worsening of outlook associated with the creation of level access to Stoneham House, by making alterations to the lightwell wall height/size. However, whilst this is flagged for future reference, it can appropriately be resolved through the landscaping reserved matter.
- 8.42 The issue of outlook of flats at ground floor level, which was raised in the previous refusal (planning reference 23/00016/OUT), has been resolved by setting back the first floor level of the block, to create a 15m separation distance (up from 9m) between the flank wall of the development and the relevant impacted windows. Flats at first floor level outlook would not be unacceptably impacted as these windows would still have views over the third storey of the development, with the fourth storey sufficiently set back.
- 8.43 In regard to the impact on Boulevard Point, the impact on sense of enclosure and outlook is on balance acceptable. Whilst at its narrowest point the separation distance is just 7.8m, due to angled nature of Boulevard Point relative to the development, the impact on the view/experience would not be dominating. The design of the Boulevard Point units is also beneficial, with the unit in closest proximity being dual aspect, with main living/kitchen/dining room space and outside amenity not being impacted by the development as it located on the front street facing elevation.
- 8.44 In regard to the residential block at 21 Scarbrook Road, there is approximately a 10m separation distance. However, the development would not have an unacceptable impact on outlook/sense of enclosure given the angled nature/form and location of windows within 21 Scarbrook Road relative to the development mass.

#### *Noise Impact*

- 8.45 Given the proposed development is for residential units and set in an area with established background noise, the development would not generate significant noise, such to cause detriment to neighbouring amenity.

#### *Agent of Change*

8.46 There is some potential that creating residential units on this site could, if not appropriately managed, impact the long-term operation of surrounding commercial units (including plant areas) through noise complaints, or limit the potential of opportunity area generally. It must be noted there are a number of residential units already in this location, and such relevant commercial activities are located a substantial distance away. In this instance, this risk can be sufficiently mitigated via condition requiring appropriate acoustic assessment and mitigation measures if identified as being needed, at a later stage. It is also noted there is a vent on the side wall of Centre View, which the block would be constructed adjacent to. The applicant has stated that this vent has no active use and that the neighbouring building owners do not have consent in any event to vent over the applicant's land. As such no concern is raised in this regard.

## **Transport, parking and highways**

### *Parking*

8.47 The location has a PTAL level of 6b which indicates an excellent level of accessibility to public transport links. There are an array of local facilities and amenities available and accessible within walking distance, satisfying several day-to-day requirements including leisure, employment and shopping.

8.48 London Plan (2021) policy T6 states that car free developments (with exception of disabled parking provision) should be the starting point for all development proposal in places that well connected by public transport, and the absence of local on street parking controls should not be a barrier to new development.

8.49 Given the small number of units and its high PTAL location, no parking is required for the proposed development to be provided on site. As there is no policy requirement for wheelchair accessible housing due to the small number of units that could be built, there is no requirement for disabled parking provision. To align with London Plan (2021) parking policy, to ensure the promotion of sustainable modes of transport and not to have an adverse impact on parking stress (especially in the absence of a parking survey to demonstrate otherwise), the development needs to be car parking permit free secured through an appropriate legal agreement. A contribution of £1,500 per unit is also required to ensure that the development would contribute to the implementation of sustainable modes of transport. The applicant has indicated they agree to both of these in principle and intend to submit a unilateral agreement if they receive a resolution to grant planning permission.

8.50 The existing car park has 18 car parking spaces. There would be a loss of car parking spaces, with the indicative plans showing all lost except two parking spaces, one of which would be classed as a disabled persons parking space.

8.51 It is noted that the applicant has stated that none of the parking spaces on site are allocated for any of the existing 14 flats (consented under planning reference 13/01785/GPDO and 15/01175/GPDO)), and that there is no intention to provide parking for 6 new flats (consented under planning reference 14/02045/P)). The applicant's position on the 14 flats on prior approval is considered lawful and correct and would not cause a breach of the respective prior/planning permission approvals. However, the failure to provide any car parking for the 6 new flats would be a breach of the original planning approval (14/02045/P), conditions and associated discharge. It is noted that the design and access statement submitted in 2014 states that two

parking spaces would be provided and that “*the residential flats will have the use of 2 car parking spaces, including one disabled parking*”. A reasonable reading of the condition and associated officer’s report is that two car parking spaces must be provided for this development, one of which must be a disabled space to meet policy compliance. To avoid conflict with the previous planning permission (and in the absence of any other mitigation or solution put forward by the applicant), this would need to be shown on eventual access and landscaping plans and secured by condition. As this is a layout, landscaping and access reserved matter issue, and that two such spaces are shown on the indicative plans in any event (which the applicant has further committed to provide in writing), this is not a matter for refusal, but one that is recommended to be resolved at reserved matters stage and secured via condition.

8.52 It is understood that the car parking on site is currently being used/let to surrounding businesses and used for current construction work. The applicant has highlighted that there is good capacity within other car parks in the area, for these displaced cars from businesses to be parked in once the development has been implemented. No objection is raised in regard to the loss of these car parking spaces, given there is no condition that requires this car park to be used by surrounding business, and therefore current use is unsecured, given availability in the local area, and London Plan (2021) policy generally supports the lessening of car reliance. Given that the development would reduce car parking, the development would likely result in lower traffic generation, that has positive environmental outcomes.

8.53 The illustrative plans show a 49 space cycle store that would be sufficient to meet the needs of both existing, under construction and proposed units. The store shown would not comply with London Plan standards as the two tier stands are located under a pedestrian ramp, which make the cycles in some locations difficult to access and secure the cycle. There is also no wider/adapted bike provision shown. However, as this is only indicative layout/landscaping at this stage, and there is sufficient space for this to be overcome, this is a matter that could be resolved via layout and landscaping at reserved matters stage and via condition. As such, no objection is recommended to be raised.

8.54 In regard to deliveries and servicing, the applicant states that these occur from Scarbrook Road, and this would be unaltered by the proposal. Officers have no evidence to demonstrate that this is not the case (and appears to be in the rights of the applicant to prevent access in any regard, for example by closing the gate), and there is no requirements in previous planning permissions or prior approvals requiring servicing within the site. On balance, the creation of just four additional units would not significantly worsen the current status quo in regard to the existing on street servicing arrangement, such to have an unacceptable impact the operation of the highway to justify refusal of planning permission.

#### *Waste and recycling*

8.55 As the development would occupy an area of land that formed part of the waste/recycling provision of the wider Stoneham House development, any approval would need to meet both the requirements of the development itself and that of the existing properties in Stoneham House (as well as resolve any existing condition breaches). The applicant has highlighted an existing area in the southwest corner of site, where bins are currently stored, for the location of a new store. The applicant states that waste collections will continue to occur as they do now, which the applicant states occur from the street.

8.56 The back of the shown store, and location of the current bin store is around 28m from the street, which is over the 20m distance from which bin operatives state that they would collect from. The indicative location is not acceptable, however, there are opportunities for this to be moved closer. As such, this is matter than can be resolved at reserved matter layout stage and condition. The residents of the new units would not need to walk more than 30m to deposit refuse/recycling or drag their bins more than 25m, however residents in Stoneham House are likely to need to. However, this is not notably different from the existing and approved situation, so as such not a matter for refusal and ultimately could be resolved by waste being managed directly on site. Further details of both waste storage and collection strategy is recommended to be secured via condition.

## **Sustainable design**

### *Trees and biodiversity*

8.57 There are two existing trees in the southwestern corner of the site that would in all likelihood be lost under the development. These trees are not of sufficient quality to justify protection (most likely category C trees). The applicant has committed to replacing them with new trees, which would be secured through the landscaping reserved matter and conditions. A condition is also recommended to ensure that the development seeks to achieve a net gain in biodiversity, in line with London Plan (2021) policy.

### *Carbon*

8.58 It is noted that recent updates to Building Regulations has exceeded policy requirement in relation to carbon emission reduction for minor developments. However, to comply with Building Regulations will now generally require the installation of plant/machinery. It is unclear how this will be incorporated into the envelope of the development proposed but may reduce liveable floor area of the development in due course. This matter, including ensuring that such machinery does not cause noise disturbance to neighbouring properties can be resolved via condition.

### *Water Use*

8.59 A planning condition would be recommended to secure compliance with the domestic water consumption target of 110 litre/person/day, to ensure sustainable use of resources. The applicant has also indicated that they will work towards a target of 95l/person/day.

## **Impact on surrounding environment**

### *Contamination*

8.60 It is considered that any impact or risk in terms of contamination could be mitigated via pre-commencement condition.

### *Flooding*

8.61 To ensure that the development achieves as close as reasonable to greenfield runoff rates, a condition would be recommended to secure an appropriate SUDs strategy.

8.62 The site is in an area at risk of groundwater flooding. A Groundwater Risk Assessment has been submitted, that outlines that groundwater monitoring should ideally be undertaken during the winter season to ensure the lowered ground floor can be



designed appropriately. Given the risk, such work is considered necessary by the LPA, and recommended to be secured by condition, along with any mitigation measures.

#### *Light Pollution*

- 8.63 No information has been submitted, however given the scale of the development, this is a matter that is considered can be resolved via condition.

#### **Other Planning Issues**

- 8.64 London Plan (2021) Policy D12 Fire Safety requires all major developments to be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The guidance also highlights at a minimum it should commit to meeting the highest standard of fire safety.
- 8.65 London Plan (2021) policy D12 A requires all development proposals to achieve the highest standards of fire safety. Paragraph 3.12.1 of the London Plan (2021) states that *“the fire safety of developments should be considered from the outset”*. London Plan Guidance entitled Fire Safety advises that a ‘Planning Fire Safety Strategy’ should be submitted. The guidance outlines that outline planning applications should be submitted with an outline fire statement. Although the table suggests that such a statement only applies to major development.
- 8.66 This development is unusual in that it is only a minor planning application, but by developing the only access route, it would potentially impact on 20 existing/emerging homes fire safety that have/are in the process of being built. The applicant has submitted a reasonable exception statement, suggesting matters of fire are not relevant as it is an outline application and (in the applicants view) this development will not compromise fire safety arrangements to the existing building. However, given that new residential units would be created and that the development would impact external spaces that support the evacuation strategy of both the development as well as units within Stoneham House, applying an exception to the development is not appropriate and would not accord with the London Plan (2021) policy aims for all development to meet the highest standards of fire safety. In the absence of clear London Plan (2021) guidance for an outline scheme of this nature and given that the most critical fire safety matters would be ascertained once layout is finalised at reserved matters stage, it is considered in this instance that the matter could be sufficiently managed and mitigated via condition.
- 8.67 The development would be liable for both Mayoral Community Infrastructure Levy (CIL) and Croydon CIL. The collection of CIL would contribute to provision of infrastructure to support the development including provisions, improvement, replacement, operation or maintenance of education facilities, health care facilities, and opens space, public sports and leisure, and community facilities. The CIL amount is not set at this point, given the application is at outline stage.

#### **Conclusions**

- 8.68 For the reasons set out above, and as summarised in section 4, outline planning permission is recommended to be granted, subject to conditions and appropriately worded legal agreement being entered into.
- 8.69 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. Given 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 terms subject to the detailed recommendation set out in section.

## **9.0 APPENDICES**

### **APPENDIX 1: BRE 2022 Guidance**

#### 9.1 Daylight to existing buildings

9.2 The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the vertical sky component (VSC) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as the “VSC test” or
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value known as the “NSL test” (no sky line).