

**1 APPLICATION DETAILS**

Ref: 18/00891/FUL  
 Location: 28 Russell Hill, Purley, CR8 2JA  
 Ward: Purley and Woodcote  
 Description: Demolition of existing building. Erection of 1 x three/four storey building and 1 x two storey building comprising 5 x one bedroom, 5 x two bedroom and 3 x three bedroom flats. Provision of vehicular access and provision of parking spaces, refuse storage and landscaping.  
 Drawing Nos: 17-061-P001 D, 17-061-P002, 17-061-P003, 17-061-P005 B, 17-061-P006 B, 17-061-P007, 17-061-P008, 17-061-P009, 17-061-P010, 17-061-P011, 17-061-P012, 17-061-P013, 17-061-P014, 17-061-P015, Arbtech TCP 01, Viability Assessment with appendices, C1147.001, Energy Statement, FRA Rev1 14 February 2018, Tree Survey  
 Agent: Mr David Ciccone  
 Case Officer: Louise Tucker

|                         | <b>1 bed</b> | <b>2 bed</b> | <b>3 bed</b> | <b>Total</b> |
|-------------------------|--------------|--------------|--------------|--------------|
| <b>Private sale</b>     | 1            | 3            | 0            | 4            |
| <b>Shared ownership</b> | 4            | 2            | 3            | 9            |
|                         |              |              |              | 13           |

| <b>Number of car parking spaces</b> | <b>Number of cycle parking spaces</b> |
|-------------------------------------|---------------------------------------|
| 6 (including 2 disabled spaces)     | 19                                    |

1.1 This application is being reported to Committee because the Ward Councillor (Badsha Quadir) made representations in accordance with the Committee Consideration Criteria and requested committee consideration. Representations made on the application also exceeded thresholds for committee consideration.

**2 RECOMMENDATION**

- 2.1 That the Planning Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following
- a) Affordable housing – on-site 70% shared ownership units
  - b) Local Employment and Training contributions
  - c) Financial contribution to air quality
  - d) Provision of a car club space
  - e) Carbon offsetting contribution
  - f) Monitoring fee
  - g) And any other planning obligations considered necessary

- 2.2 That the Director of Planning is delegated authority to negotiate the legal agreement indicated above.
- 2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

- 1) The development shall be carried out wholly in accordance with the approved plans
- 2) Details of materials to be submitted and approved (including samples)
- 3) No windows other than as shown and those shown in the following elevations at/above first floor level in should be obscure glazed and fixed shut up to 1.7m above floor level:  
North elevation for Block B and east and west elevations for Block A
- 4) Balcony screens as specified on the plans
- 5) Landscaping scheme including boundary treatments, retaining walls and maintenance strategy to be submitted and approved
- 6) Submission of the following to be approved: Finished floor levels, visibility splays, access ramp gradient, EVCP (including spec and passive provision), security lighting
- 7) To be provided as specified prior to occupation: Parking spaces including disabled parking space, access road, vehicle turning space, refuse and cycle stores
- 8) Submission of Construction Logistics Plan/Method Statement
- 9) In accordance with submitted arboricultural survey and constraints plan including tree protection measures and replacement trees
- 10) Submission of a surface water drainage scheme
- 11) In accordance with ecological survey including recommended surveys
- 12) Sustainable development – zero carbon emissions
- 13) The development must achieve 110 litres water per head per day
- 14) In accordance with the submitted FRA
- 15) Air quality assessment to be submitted and approved
- 16) Reinstatement of raised kerbs and verge where necessary
- 17) Submission of green travel plan
- 18) Ground floor flats shall comply with requirements of Part M4(2) of The Building Regulations
- 19) Commence within 3 years of the date of the permission
- 20) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) Granted subject to a Section 106 Agreement
- 3) Community Infrastructure Levy - Granted
- 4) Code of Practice on the Control of Noise and Pollution from Construction Sites
- 5) Wildlife protection
- 6) Refuse bin requirements

7) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

2.4 That, if by 2<sup>nd</sup> November the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 The applicant seeks full planning permission for the demolition of the existing detached dwelling and the erection of 13 flats in two blocks, one fronting Russell Hill (Block A) and one to the rear (Block B). The development will consist of the following:

- Front four storey block (Block A) comprising of 3 x three bedroom units, 4 x two bedroom units and 3 x one bedroom units
- Rear two storey block (Block B) comprising 1 x two bedroom unit and 2 x one bedroom units
- Provision of 6 parking spaces including 1 disabled space and formation of access road off Russell Hill (one new crossover and utilisation of an existing crossover with alterations)
- The scheme would offer 9 units of affordable housing for shared ownership (equivalent of 69%) which is to be secured through a Section 106 agreement

#### **Site and Surroundings**

3.2 The application site lies on the northern side of Russell Hill and is currently occupied by a large detached property currently used as a single family dwellinghouse. There is an existing vehicular crossover to the front serving a garage and driveway.

3.3 Land levels on the site, as is common on this side of the road, slope steeply upwards from front to rear (south to north) and more gently upwards from west to east as the road curves round.

3.4 The surrounding area is largely residential in character. Russell Hill is generally made up of large detached properties within generous plots, although there are also a number of large flatted developments apparent in the streetscene. Oscar Close to the north of the site is a recent development made up of a number of two storey detached properties.

3.5 The site lies within a surface water critical drainage area, as identified by the Croydon Flood Maps.

#### **Planning History**

3.6 There is no relevant planning history associated with this site.

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

- There are no protected land use designations on the site and therefore the principle of development is acceptable.
- The proposal would contribute positively to borough-wide housing targets and would deliver 13 new units (including 7 family sized units) with 69% of these to be secured as affordable units under a shared ownership tenure.
- The scale and layout of proposed built form is considered to be appropriate for the site, and the traditional design and appearance of the buildings would be in keeping with the surrounding character of the area.
- The orientation and separation distances with the neighbouring properties on Russell Hill and those to the side/rear are sufficient to ensure no undue harm to the residential amenities of these neighbouring properties.
- The development would provide an acceptable standard of living for future residents of the development, with satisfactory internal layouts and amenity space.
- The number of parking spaces proposed is considered to be suitable given the PTAL rating and distance to Purley District Centre, and the Transport Statement provided concludes that the provision is appropriate taking into account on-street parking capacity in the area.
- Access and turning arrangements for vehicles would not impact on the safety or efficiency of the public highway.
- Other matters including flooding, sustainability, trees and landscaping can be appropriately managed through condition.

#### **5 CONSULTATION RESPONSE**

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

##### **Lead Local Flood Authority (LLFA) (Statutory Consultee)**

- 5.2 An objection to the development was initially received. Further information has now been received to address these concerns. The LLFA have now removed their objection and are satisfied that a detailed sustainable drainage scheme can be suitably secured through a condition (which is recommended).

#### **6 LOCAL REPRESENTATION**

- 6.1 The application has been publicised by way of letters sent to adjoining occupiers of the application site. Site notices were also erected in the vicinity of the site, and a press notice published. 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

No of petitions received: 0

6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

- Impact on residential amenity of adjoining occupiers – loss of privacy and light, noise and disturbance, obtrusive and overbearing
- Traffic congestion/Impact on highway safety/Inadequate access
- Inadequate parking provision
- Pressure on local health services/infrastructure
- Character of the area
- Noise and disturbance from construction works
- Inadequate garden space for future occupiers
- Impact on trees
- Too many flatted developments in the area
- Flood risk
- Overdevelopment and over-intensification of the site
- Loss of garden space

6.3 The following issues were raised in representations, but they are not material to the determination of the application:

- Crime rates have gone up since there have been more flats in the area [OFFICER COMMENT: The basis of this comment is unknown and in any case this is not a material planning consideration in this context]
- Devaluation of neighbouring properties [OFFICER COMMENT: This is not a material planning consideration]

6.4 Councillor Badsha Quadir has objected to the scheme, making the following representations:

- Inadequate parking provision
- Out of character
- Already a few blocks of flats in the neighbourhood
- Harm to residential amenities of adjoining occupiers – loss of privacy and light, noise and disturbance

## **7 RELEVANT PLANNING POLICIES AND GUIDANCE**

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

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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:

- Requiring good design.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

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

Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 on Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 on Parking
- 7.2 Designing out crime
- 7.4 on Local Character
- 7.6 on Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland

Croydon Local Plan 2018 (CLP 2018):

- SP2 on homes
- SP4 on urban design and local character
- SP6 on environment and climate change
- SP8 on transport and communications
- DM1 on housing choice for sustainable communities
- DM10 on design and character
- DM13 on refuse and recycling
- DM16 on promoting healthy communities
- DM19 on promoting and protecting healthy communities
- DM23 on development and construction
- DM24 on land contamination

- DM25 on sustainable drainage systems and reducing flood risk
- DM27 on biodiversity
- DM28 on trees
- DM29 on promoting sustainable travel and reducing congestion
- DM30 on car and cycle parking in new development
- Applicable place-specific policies

7.4 The relevant Supplementary Planning Guidance is as follows:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- The Nationally Described Space Standards (October 2015)

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

- Principle of development;
- Affordable housing;
- Townscape and visual impact;
- Residential amenity;
- Living conditions of future occupiers;
- Parking and highway safety;
- Flood risk and sustainability;
- Trees and biodiversity;
- Other planning matters

### **Principle of development**

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the Borough. The scheme would provide 13 units including 7 which could be occupied by families (3 x three bedroom and 4 x two bed four person flats), which there is an identified shortage of within the Borough. The site sits within an established residential area and the current dwelling is not subject to any policy protection which would prevent its demolition. It is considered the principle of development is acceptable, subject to a consideration of the material impacts.

### **Affordable housing**

8.3 The CLP (2018) states that to deliver affordable housing in the Borough, on sites of ten or more dwellings, the Council will negotiate to achieve up to 50% affordable housing, subject to viability, and will seek a 60:40 ratio between affordable rents homes and intermediate (including shared ownership) homes, unless there is an agreement with a Registered Provider that a different tenure

split is justified. Through negotiations during the application, the scheme is now being offered as 70% affordable housing, when calculated on the number of habitable rooms within the development. The affordable units would all be provided as shared ownership.

- 8.4 Whilst the tenure proposed does not meet policy requirements, the contracted Registered Provider has provided evidence to justify this. They have stated that there are over 3000 applicants officially registered who live and work within the Borough, with Purley being an area of relatively higher demand. Demand can often be higher for shared ownership as many purchasers will only register as and when a scheme is built which they are interested in. This highlights the strong demand for shared ownership properties in this area, and it is therefore considered this can be supported in these circumstances. It is proposed to secure the 70% offered through the legal agreement.
- 8.5 The development would comply with policy requirements and provide the maximum reasonable amount of affordable housing on the site, to a tenure and unit mix agreed with the Registered Provider.

### **Townscape and Visual Impact**

- 8.6 Block A to the front of the site occupies a similar footprint to the existing dwelling, and although it is a four storey development, as the building is set into the ground to work with the topography of the site the overall height is actually lower. In this sense the built form reinforces the character of the streetscene, where buildings step down reflecting the land level change and creating an appropriate relationship with the form of neighbouring buildings. The massing of the building is broken up by staggering the façade which steps back towards the boundary with 30 Russell Hill, whilst respecting the predominant building line. There would be some excavation required to the front to accommodate the lower ground storey and access, however there is an existing lower ground front garage and is similar to the approach taken on some other flatted developments in the vicinity.
- 8.7 Block B is a smaller two storey building to the rear which would be subservient to Block A and surrounding development in Oscar Close given the height and land level changes. This would not be readily visible from the Russell Hill streetscene and would be set down from properties in Oscar Close. There would be an area of hardstanding for the parking area adjacent to the amenity space, but this would be softened with landscaping (full details to be secured by condition).
- 8.8 The design approach for both blocks seeks to respect the dominant character, appearing as large detached dwellings. There are a number of other similar flatted developments in close proximity to the site and in the wider area. The design and appearance is traditional, taking cues from the local area with appropriate features and materials including gables and dormers to remain in keeping. The principle of the materials proposed, including a mix of brick and render is considered appropriate with a condition requiring submission of samples prior to commencement to ensure their quality. The distance between the buildings would be substantial at approximately 18m, ensuring that



overdevelopment is avoided and the proposal sits comfortably within the plot with separation to all boundaries.

- 8.9 Overall, the application site is a generous plot within an established residential area which is capable of accommodating additional units to maximise its use. The proposal, including the scale and massing of the buildings, is generally in keeping with the overall pattern and layout of development in the area with an appropriate design approach. The development would comply with policy objectives in terms of respecting local character.

### **Impact on Neighbouring Residential Amenity**

- 8.10 The properties most affected by the development would be the immediate neighbours, 26 and 30 Russell Hill, and those adjoining towards the rear, 15 and 24 Oscar Close.

#### 26 Russell Hill

- 8.11 According to a search of the planning history, this building is separated into four flats. Block A would have a similar relationship to the existing house in terms of separation distance to 26, and whilst larger in mass would be set into the ground so the difference in height would not be significant in terms of any undue overbearing impact. There are flank windows to this neighbour facing towards the development which would be affected. A search of the planning history identifies these as serving a bathroom and a kitchen to one flat at ground floor and a bedroom (secondary window) at second floor to a duplex unit. As these would not be considered as sole habitable room windows, and considering the relationship with the existing building, it is not considered the impact on these windows from the size and siting of Block A would be so significant on light and outlook to justify refusing planning permission. There is an existing driveway within the application site leading to a parking area at the rear of a similar size, so it is not considered there would be any significant undue noise or disturbance as a result of the new road. The proposed parking area would be further from the building than existing. The only east facing windows within Block A would serve stairwells and could therefore reasonably be obscurely glazed, retaining current levels of privacy. The impact on the occupiers of 26 Russell Hill is considered acceptable.

#### 30 Russell Hill

- 8.12 A search of the planning history for this site indicates this is in use as a rehabilitation hostel. As above, Block A would have a similar relationship to the existing house in terms of separation distance and there would not be any additional projection in depth beyond the rear of this building. The proposed west facing flank windows above ground floor are all secondary and would be obscurely glazed, and there are numerous flank windows in the existing building creating a degree of mutual overlooking. The relationship with 30 Russell Hill is considered acceptable in residential amenity terms.

#### 24 Oscar Close

8.13 At the closest point, 24 Oscar Close would be 7.8m from the rear wall of Block B. This would be a 1.5 storey garage, which has one window facing towards the development which would not be considered as a habitable room window. The separation distance to the nearest front habitable room window would be approximately 16.5m, which is considered sufficient to ensure there would be no harm through loss of light or outlook to this dwelling. Notwithstanding this, Block B is a two storey building and 24 Oscar Close is on a higher land level so any visual impact would be limited. Although as stated the separation distance is considered to be acceptable, the only rear facing windows would serve bathrooms and so could reasonably be obscurely glazed to reduce any perception of overlooking. The impact on the residential amenity of the occupiers of 24 Oscar Close is considered acceptable.

#### 15 Oscar Close

8.14 15 Oscar Close is a single family dwellinghouse located to the north east of the site, lying adjacent to Block B. 15 Oscar Close has some ground and first floor flank windows on this elevation, which are secondary at ground floor level and bedrooms at first floor level. The flank separation distance would vary from 5-7.5m, and where the properties are splayed at an angle the distance between them increases towards the rear of 15 Oscar Close. This property is on a slightly higher land level and Block B is two storey in massing terms. There would be no projection in depth beyond the rear or front walls of this neighbour and there are no side facing windows facing in this direction. Access to light and outlook from the bedrooms would remain to the south past the proposed building. A condition can ensure that no additional windows, other than those shown, are inserted following construction. The impact on the residential amenities of these occupiers is considered acceptable.

8.15 Taking into account all factors, in addition to the submitted internal daylight study which concludes the impact on neighbouring windows would be acceptable, officers are satisfied that the relationship with all of the adjoining occupiers is acceptable.

#### **The standard of accommodation for future occupiers**

8.16 The proposal would comply with internal dimensions and minimum GIA required by the Nationally Described Space Standards. All units are dual aspects with adequate outlook. In terms of layout, each unit would benefit from an open plan living, kitchen and dining area.

8.17 Each unit would have access to an area of private amenity space in the form of a balcony or terrace, as well as a communal garden for all residents to the rear. This would meet the requirements set out in policy, including in the London Housing SPG.

8.8 In terms of accessibility, London Plan Policy 3.8 'Housing Choice' requires 90% of dwellings to meet M4(2) 'accessible and adaptable dwellings' Building Regulations requirement, with the remaining 10% required to meet M4(3) 'wheelchair user dwellings'. The key issue in ensuring that M4(2) can be achieved within a development is to ensure, at the planning application stage,

that the units can reasonably achieve level access. If level access cannot be reasonably achieved, then the units cannot be required to meet the M4(2) Building Regulations. The London Plan (2016) recognises that securing level access in buildings of four storeys or less can be difficult and that consideration should also be given to viability and impact on ongoing service charges for residents.

- 8.18 There is level access to both buildings, with a two bedroom fully wheelchair accessible unit on the lower ground floor of Block A. Two disabled parking spaces would be included in the parking areas, closest to both blocks. The applicant has confirmed that the ground floor flats in both buildings would comply with Part M4(2) of the Building Regulations. A condition has been recommended to ensure this is implemented.
- 8.19 It is therefore considered that the proposals would result in a good standard of accommodation for future occupiers of the development.

### **Parking and highways**

- 8.20 The site has a PTAL rating of 3 which indicates moderate accessibility to public transport. However the site is in a sustainable location being within walking distance of Purley District Centre and Purley station.
- 8.21 Current transport policy generally seeks to reduce on-site parking in areas with good PTAL rating and encourage sustainable transport methods. 6 parking spaces are proposed, and the applicant has provided a Transport Statement justifying this provision taking into account travel distances and capacity in surrounding streets.
- 8.22 The submitted parking study measured car parking capacity on Russell Hill and surrounding roads within 200m of the site on a week night, which is generally when residential parking demand is highest. Of the 152 on-street parking spots available, 111 were available. This therefore suggests that there is substantial capacity on surrounding streets to accommodate any overspill from the development. Taking this into account, along with the unit mix, site location and cycle parking proposed, it is considered the number of spaces is adequate for this development and others approved in the locality. To support this a Travel Plan will be secured by condition to ensure sustainable travel modes are promoted to residents.
- 8.23 Visibility splays can be achieved from both of the access roads, and a plan showing this is to be secured by condition and will be retained for the lifetime of the development. Swept path diagrams have been provided demonstrating that vehicles can adequately turn within the site, ensuring cars can enter and exit the site in a forward gear and a passing place has been incorporated to prevent queuing on the highway. As discussed above, 6 spaces are proposed so it is not considered the number of vehicle movements, nor any impact on traffic generation, will be significant. With conditions, including reinstating partially disused dropped kerbs, the development is acceptable in terms of highway safety and efficiency.

- 8.24 The location of refuse and cycle storage is acceptable. The applicant has confirmed residents of Block B will be responsible for moving bins to the store within Block A on collection day, which is considered to be an acceptable arrangement. Emergency access could reasonably be gained from Russell Hill, the width of the access complies with standard highways requirements.
- 8.25 A Construction Logistics Plan and Method Statement will be required through condition to ensure that building work along this stretch of Russell Hill does not undermine the safety and efficiency of the highway.
- 8.26 Subject to conditions in relation to the above the development would be acceptable on highway grounds.

### **Trees and biodiversity**

- 8.27 There are a number of trees on site, although none are protected by a TPO. The applicant has submitted a Tree Report and Arboricultural Impact Assessment, confirming that whilst some trees are to be removed to facilitate development (none of these are considered to be of sufficient merit to warrant a TPO) there are a number being replanted to mitigate this. This is considered acceptable, and the development should be carried out in accordance with these documents to be secured by condition. A full hard/soft landscaping scheme, including details of retaining walls proposed, would also be secured by condition.
- 8.28 The applicant has provided an Ecological Appraisal, which indicates the potential for bats to be present on site recommending further surveys to determine this. A condition is recommended to ensure these are carried out, along with the other recommendations made in the appraisal including landscaping requirements etc. If protected species are identified on site during the course of construction any species and/or their habitat would be protected under the Wildlife and Countryside Act of 1981. An informative has been included to draw the applicant's attention to this.

### **Flood risk**

- 8.29 The application lies within a surface water critical drainage area. During the course of the application the applicant has submitted further drainage details, along with their Flood Risk Assessment, to overcome concerns initially raised by the Lead Local Flood Authority. The proposals are now acceptable in relation to flood risk, with an appropriately worded condition to obtain the detailed design information.

### **Other planning matters**

- 8.30 Conditions are recommended in relation to carbon emissions and water use targets for the development. If 'Zero Carbon' is not achievable on site a financial contribution would be secured through a legal agreement to off-set this.
- 8.31 The development would be CIL liable. This would contribute to meeting the need for physical and social infrastructure, including education and healthcare facilities.

8.32 An employment and training strategy and contribution would be secured through a legal agreement to ensure the employment of local residents during construction.

### **Conclusions**

8.33 Taking all of the above planning considerations into account, it is recommended that planning permission should be granted.

8.34 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted subject to a legal agreement for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.