

PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: 22/05360/FUL
 Location: Land to the rear of 15-35 Birchanger Road, South Norwood, SE25 5BA
 Ward: Woodside
 Description: Demolition of existing structures and buildings. Erection of 9 mews houses with associated landscaping, refuse storage and cycle parking.
 Drawing Nos: 797-EX-009-P1; 797-PL-011-P2; 797-PL-100-P2; 797-PL-101-P1; 797-PL-102-P1; 797-PL-103-P1; 797-PL-110-P1; 797-PL-201-P1; 797-PL-301-P1; 797-PL-302-P1; 797-PL-303-P1; 22.035-BOSK-XX-ZZ-DR-L-1000-P05
 Applicant: Alex Robinson – Northhill Properties Ltd
 Agent: Mr Max Plotnek – MJP Planning Ltd
 Case Officer: Wayne Spencer

Housing Mix					
	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (6 person)	4+ bed
Existing	0	0	0	0	0
Proposed (market housing)	0	0	0	9	0

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 4	
Car Parking maximum standard	Proposed
6.75 spaces	0 spaces
Long Stay Cycle Storage minimum	Proposed
18 spaces	18 spaces
Short Stay Cycle Storage minimum	Proposed
2 spaces	2 spaces

- 1.1 This application is being reported to committee because:
- It has been referred to the Planning Committee for decision by Cllr Bonello on the grounds that the proposal seeks to provide too many units within the site and that the development is out of keeping with the surrounding area.

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) Precluding future residents of the development from obtaining parking permits
- b) £13,500 sustainable transport contribution (towards car clubs and EVCPs)
- c) Monitoring Fee
- d) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration

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

Conditions

- 1) Commencement time limit of 3 years
- 2) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 3) Prior to commencement, submission of Construction Logistics Plan (CLP)
- 4) Prior to commencement, submission of full Contaminated Land Assessment
- 5) Prior to works above ground level, samples of external materials, including balcony treatments and all external finishes with junction details, to be submitted
- 6) Prior to works above ground level, submission of a full hard and soft landscaping plan (including management plan for communal spaces, specifications of boundary treatments, planting schedule, external lighting, wayfinding, green roofs)
- 7) Prior to works above ground level, submission of site-specific sustainable drainage system (SuDS) details
- 8) Prior to works above ground level, submission of Biodiversity Enhancement Strategy for protected and Priority species
- 9) Prior to occupation, submission of location, capacity and appearance of refuse store details
- 10) Prior to occupation, submission of appearance of cycle store details
- 11) Prior to occupation, submission of precise gated access location and appearance
- 12) Prior to occupation, submission of Refuse Management Plan
- 13) Implementation in accordance with Ecological Appraisal recommendations
- 14) Implementation in accordance with Energy and Sustainability Statement
- 15) All units to be built to Building Regulations Part M4(2) standard
- 16) In accordance with the Fire Strategy
- 17) Compliance with water efficiency requirements.
- 18) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

INFORMATIVES

- 1) Community Infrastructure Levy
- 2) Highway/Crossover Works
- 3) Compliance with Building/Fire Regulations
- 4) S106
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.5 That, if by 06 July 2023, 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 The applicant seeks full planning permission for the following:
- Demolition of existing buildings and clearance of existing site
 - Erection of three separate three storey mews-type buildings comprising 9 x 3-bed, 6 person dwellings with private amenity areas.
 - Provision of new boundary treatments, waste and cycle stores, pathways and integrated hard and soft landscaping arrangements

Location Details

- 3.2 The site is located on the northern side of Birchanger Road and is a back land site currently in use as a car repair/breakers yard. The surrounding built form within Birchanger Road and Crowther Road consists of 2-storey residential dwellings which are of a similar character and appearance. There is a car repair centre directly to the south east accessed via Elborough Road. The site is not within a Conservation Area and none of the surrounding buildings in the immediate locality are nationally or locally listed. The site is within an area with a PTAL rating of 4 meaning that access to public transport is good and the site is within a Controlled Parking Zone (CPZ).

Planning Designations and Constraints

- 3.3 PTAL 4; Medium risk of surface water flooding

Planning history

- 3.4 22/03620/PRE – To demolish the existing structures on site and to erect nine mews houses with associated parking (six spaces), landscaping, refuse storage and cycle parking – Advice given.
- 3.5 20/00951/PRE – Proposed change of use to C3 residential with the erection of 9 two storey houses (9 x 3 bedrooms) and associated refuse and cycle storage – Advice given.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed development would result in back-land development on an existing employment site. However, the existing operations are not protected by Planning Policy and, given the benefits of providing all of the units as family sized accommodation, the development can be accepted in principle. The design and architectural expression is of a high quality with integrated hard and soft landscaping arrangements which are a positive aspect of the scheme. The development would not have a significantly detrimental impact upon neighbouring occupiers and would provide a good standard of accommodation for future occupiers. The development would encourage sustainable transport methods and refuse and fire access has been duly considered. The development would provide an urban greening improvement within the site and encourage biodiversity with the inclusion of sustainable drainage

measures. As such, the development would accord with the development plan and is recommended for approval.

5 LOCAL REPRESENTATION

5.1 A total of eight (8) neighbouring properties have commented on the proposal and their comments are as follows:

Objection	Officer comment
Loss of a necessary business	See Paragraphs 7.2 and 7.4
Overdevelopment of the site	See Paragraphs 7.5 to 7.12
Too tall/Out of keeping/Fails to respect the character of the area	See Paragraphs 7.5 to 7.12
Overlooking/loss of privacy	See Paragraphs 7.15 and 7.16
Noise, disturbance and pollution from construction works	See Paragraphs 7.15 and 7.16
Loss of light – Daylight and Sunlight Assessment inaccurate	See Paragraphs 7.15 and 7.16
Overbearing and visually intrusive development	See Paragraphs 7.15 and 7.16
Loss of and harm to existing trees – more mature replacement planting required to mitigate against surface water flood risk	See Paragraph 7.19
Large tree removed before application submission	OFFICER COMMENT: This is noted, however, if a tree is not in a conservation area, nor covered by a Tree Preservation Order, the Council has no jurisdiction to prevent the removal of such trees. Landscaping and planting across the site as a whole has been considered as part of the assessment of this planning application.
Lack of parking/ inability to achieve off street parking	See Paragraph 7.21
Insufficient visibility splays for pedestrian and cycle users	OFFICER COMMENT: The width of the dropped kerb access will be reduced to prevent vehicles accessing the site; the space between the site entrance and the public highway would be the same as existing. The closing of the vehicular access has been assessed to improve pedestrian safety
Increased traffic and parking stress to the area (particularly with the Healthy Schools Policy)	See Paragraphs 7.21 and 7.22
Lack of sufficient cycle parking	See Paragraph 7.22
Absence of Fire Statement and lack of consultation with London Fire Brigade – increased risk of fire spread to neighbours	OFFICER COMMENT: A Fire Strategy has been submitted and has been devised by a suitably

	qualified person – This has been considered in the assessment of the planning application and further details are provided in/ Paragraph 7.27
Insufficient access for emergency and delivery vehicles	See Paragraph 7.21 and 7.27
Car owners to be discouraged from buying properties	OFFICER COMMENT: This is not a material planning consideration as this is matter of choice for future occupiers
Loss of property value	OFFICER COMMENT: This is not a material planning consideration
Insufficient school places for future occupiers	OFFICER COMMENT: Given that the development would increase the density of the area with just nine additional households, it is not considered that this would have a significant impact upon existing school places to sufficiently warrant a reason for refusal. In addition, residential development such as this is required to pay the Community Infrastructure Levy, which goes towards funding education infrastructure in the borough.

6 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

6.1 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

- GG1 Building Strong and Inclusive Communities
- GG2 Making the Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Home London Needs
- GG6 Increasing Efficiency and Resilience
- D1 London's Form Character and Capacity for Growth
- D2 Infrastructure Requirement's for Sustainable Densities
- D3 Optimising Site Capacity Through the Design-Led Approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards

- D7 Accessible Housing
- D11 Safety, Security, and Resilience to Emergency
- D12 Fire Safety
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small Sites
- H8 Loss of Existing Housing
- H10 Housing Size Mix
- HC1 Heritage conservation and growth
- G1 Green Infrastructure
- G4 Open Space
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodland
- SI 1 Improving Air Quality
- SI 2 Minimising Greenhouse Emissions
- SI 4 Managing Heat Risk
- SI 5 Water Infrastructure
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T1 Strategic Approach to Transport
- T2 Healthy Streets
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, Servicing and Construction
- DF1 Planning Obligations

Croydon Local Plan 2018

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 regarding character
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking
- DM1: Housing choice for sustainable communities
- DM10: Design and character
- DM13: Refuse and recycling
- DM16: Promoting Healthy Communities
- DM23: Development and construction
- DM25: Sustainable Drainage Systems and Reducing Flood Risk

- DM29: Promoting sustainable travel and reducing congestion
- DM30: Car and cycle parking in new development
- DM47: South Norwood and Woodside

6.2 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)

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

- 1) Delivering a Sufficient Supply of Homes
- 2) Promoting Sustainable Transport
- 3) Achieving well designed places

SPDs and SPGs

6.4 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:

- 1) London Housing SPG (March 2016)
- 2) London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- 3) Technical Housing Standards: Nationally Described Space Standard (2015)
- 4) National Design Guide (2021)

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the Planning Committee must consider are:

- 1) Principle of the development
- 2) Design and impact on character of the area
- 3) Quality of residential accommodation
- 4) Impact on neighbouring residential amenity
- 5) Contamination
- 6) Trees, landscaping and biodiversity
- 7) Access, parking and highway impacts
- 8) Flood risk
- 9) Energy efficiency
- 10) Fire Risk
- 11) Conclusions

Principle of the development

7.2 The NPPF (2021) places a presumption in favour of sustainable development. Policy SP2.1 of the Croydon Local Plan 2018 applies a presumption in favour of development of new homes and is seeking to deliver 10,060 new homes on windfall sites by 2036. The site is currently used as a vehicle repair and salvage yard which would fall within a Tier 4 – Scattered Employment Site as defined by Croydon Local Plan Policy SP3. However, the existing use in question would fall within a Sui Generis Use and Table 5.1 of Policy SP3 states that ‘*Protection for industrial and warehousing activities*’ would be afforded in this location. The policy does not refer to the protection of employment generating Sui Generis Uses and, on that basis, the Council could accept the loss of an employment generating Sui Generis use (such as that which currently exists on the land rear of 15-35 Birchanger Road) without the need for an 18-month marketing exercise to be undertaken. Whilst it is regrettable that no employment generating use is being proposed within the site to replace the existing commercial use, there are no policy grounds for the Council to reject this proposal on that basis.

7.3 The site is not within any other statutory designation which would prevent residential accommodation on this site. Therefore, any residential development on this site would need to respect and reflect the character and appearance of the area in order to be considered acceptable. The site is a back-land site however there are other back-land sites in the locality which have been developed for residential purposes (most notably land to the rear of 1-9 Birchanger Road under application 18/03989/FUL). Developments for residential intensification on back-land sites in the locality do make a contribution to the prevailing character of the area.

Application reference: 18/03989/FUL
 Approval date: 7th December 2018
 Location: Land to the back of 1-9 Birchanger Road



01 - Land At The Rear Of 1-9 Birchanger Road
 02 - Land At The Rear Of 35 Birchanger Road



7.4 Policy SP2.7 of the Local Plan sets a strategic target for 30% of all new homes up to 2036 to have 3 or more bedrooms and it is expected that all developments within the Borough contribute towards this. The proposal seeks to provide 9 x 3-bed, 6 person dwellings and, as such, the resulting provision of family accommodation would exceed the strategic policy requirement of 30% provision of 3 bed units (resulting in 100% in terms of unit numbers). As such, the development would conform to the provisions of Croydon Local Plan Policy SP2.7. As a result of the above assessment, the

redevelopment of this site for residential purposes in this location would be acceptable in principle, subject to all other material planning considerations being considered acceptable.

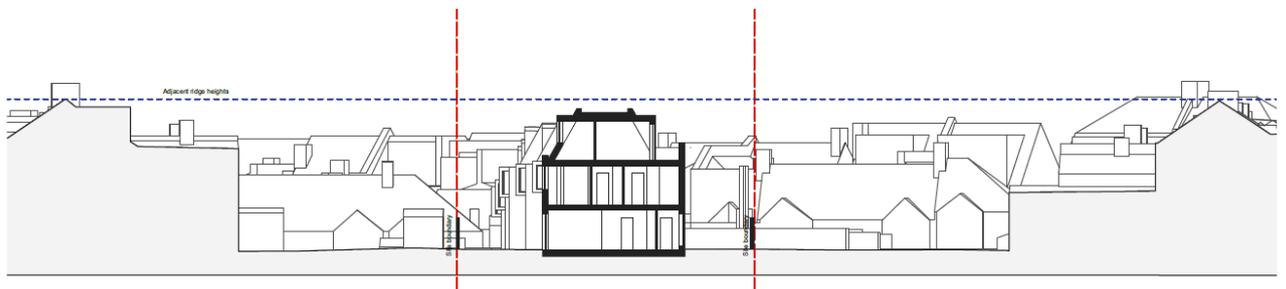
Design and impact on character of the area

- 7.5 The properties within the immediate adjacent streets (namely Birchanger Road and Crowther Road) vary between terraced, detached and semi-detached arrangements however they are predominantly in the arts and crafts style, entering into the Edwardian period. There are no immediate heritage designations noted within the locality of the proposal site. The development site is a back land site which is not easily visible from adjacent streets. As such, the rhythm of both the existing and proposed buildings within the site would not be readily experienced by the general public alongside the existing dwellings fronting Birchanger Road and Crowther Road. The proposed development seeks to provide three separate terraces of three dwellings (nine in total) which are of a staggered nature in order to respond to the site constraints. Given the juxtaposition of the site and the view of the site from public vantage points, such an arrangement would not detract from the character and historic context of the buildings which front Birchanger Road and Crowther Road.



- 7.6 The proposed buildings would positively influence the character and would be an appropriate design response to a former industrial site with a mews type arrangement

which is broken into three separate 3-storey forms. The proposal has been revised since the pre-application discussions with the Council and the applicant has worked to reduce the height of the buildings so that they appear more subservient to Birchanger Road and Crowther Road. The height of the proposed buildings would sit below the overall heights of the existing adjacent homes to the north and south and, in terms of height this is deemed acceptable in the context of adjacent existing, historic development. The top floor design which consists of a mansard roof with dormer windows would be set back to allow for balcony space and this has helped to reduce the overall perceived scale of the buildings and has helped to tie in with the roof lines of adjacent existing properties. Whilst the reduced height and overall scale is now deemed appropriate, any future increases in building depth or height would not be supported as this would erode the soft landscaping scheme and would potentially impact upon the surrounding neighbouring properties. Therefore, it would be prudent for the Council to reasonably restrict permitted development rights for future extension and outbuildings within each plot.



- 7.7 The dwellings would have good overall proportionality and the materiality and textured brick finishing would result in an architectural expression which is a well-considered, modern interpretation of the style and scale of housing that exists within the locality. The architectural expression is considered to be pleasant and considered and the fenestration arrangements give interest to the building resulting in a positive, contemporary interpretation. The textured finishing at ground floor breaks up the brick at eye level experience and the Council are of the view that the indicate climbing plants to the buildings are explored as a surface finish to complement the architectural palette. This would also achieve further softening of the built fabric and enhance the wellbeing of future occupants as well as improving ecology and building energy performance. Further clarity is required regarding material specifications to ensure they interact with the surrounding built form however these matters could be secured by condition.
- 7.8 The proposed removal of the vehicular access and parking is supported as this has helped to achieve a car-free scheme with a well worked cycle and pedestrian friendly access into the site. This has also helped to achieve an increase in the provision of soft landscaping, enhance urban greening and improve biodiversity within the site. The orientation of the shared landscape provides a planted outlook to all property frontages and opportunity for sociable space. Further detail is required regarding the boundary treatments and heights and further consideration of the areas in between houses where bins are proposed to be stored and, again, these matters could be secured as part of the landscaping condition.



- 7.9 The proposal provides public amenity space which draws upon play trails and creative play immersed within the planting which is supported and there is an opportunity to extend this outside of the green buffer along the southern boundary. The surface markings and dotted balance beams, for example, could extend the playability of the space in place of more prescriptive/spatially demanding play units. The sociable space for resident interaction adjacent the planting beds is supported and these could, again, form part of the landscaping condition submission.
- 7.10 With regards to the hard landscaping, the Council would require construction details for the hardstanding areas and the areas which are to be built over the existing tree Root Protection Areas (RPAs). The food growing beds are supported by the Council however further information is required on the proposed management of this space and the process for buy-in from new residents using these spaces. Again, these could be secured as part of a planning condition.
- 7.11 The substantial uplift in green infrastructure is supported by the Council in principle however detailed landscape plans which include the location and quantum of habitat improvements, tree species and their benefits as well as the specification for the green roofs, rainwater harvesting, overflow pipes specifications to the planting beds, the inclusion of small depressions in planted areas for pooling of water for ecology purposes, external lighting and wayfinding can all be secured by planning condition.
- 7.12 It is the Council's preference for refuse and cycle stores to be incorporated into the building curtilage where possible. However, given the nature of the site, the external space available and the security that would be offered by the gated access, external refuse and cycle storage would be acceptable in this case subject to it being well integrated into the hard and soft landscaping strategy. As the location of the refuse and cycle stores have been shown and as they are to be set a significant distance away from the public highway, the appearance of the external stores and the implementation of green roofs to these could be reasonably secured by planning condition. As the refuse storage areas are over 30 metres from the collection point (which would exceed the Building Regulations distance for occupants to move their bins to on collection days), it would be essential for a Refuse Management Plan to be implemented. The applicant has provided details of the company expected to carry out the manoeuvring of the bins to and from the collection point on collection days and the submission of a Refuse Management Plan could be secured by condition to ensure that the

development would be acceptable from a refuse management perspective. Whilst this is not an ideal solution, it would ensure that the bins would be collated in a location that is at an acceptable distance from the highway to enable the Council's waste operatives to collect. Subject to the conditions referred to above, it is considered that the footprint, height, massing and design of the proposed building would be acceptable and would not have a significantly detrimental impact upon the character or appearance of the surrounding area.

Quality of accommodation

7.13 Policy SP2.8 of the Local Plan 2018 and Policy D6 of the London Plan 2021 require new homes to be of high quality and achieve the minimum standards set out in the Housing SPG and National Technical Standards (2015). The proposal seeks to provide 9 x 3-bed, 6 person units which would all measure 108sqm internally and these would meet the National Housing Space Standards for a unit of this size split over three floors. The ground floor has a fully accessible WC within all nine dwellings and would have the ability to meet Part M(4)2 of the Building Regulations given the fairly level access from Birchanger Road to all of the ground floor elements of the properties. All nine dwellings would have floor to ceiling heights of 2.5 metres overall three floors and they would all have north and south facing habitable room windows which would be of a suitable size to allow an appropriate outlook for the proposed dwellings. A Daylight and Sunlight Assessment has been provided with this application which demonstrates that the daylight and sunlight factors for all of the proposed dwellings would exceed the BRE guidance. The dwellings would all have access to ground floor private amenity spaces to the rear (north) which range in size between 25sqm and 84sqm (approximately) and each property would have small south facing balcony areas at first and second floor level which measure 3sqm and 4sqm respectively. The Daylight and Sunlight Assessment states that 7 of the 9 rear garden spaces, whilst two of the gardens would achieve less than 50% daylight and sunlight during the spring equinox, the levels achievable would not be significantly low. In addition, there will be a communal food growing area to the western end of the site which would be used by all residents and there is also communal outdoor space within the site. Given the presence of the south facing balcony areas and the communal green space, it is considered that the overall quality of accommodation, including the outlook and access to natural light, would be acceptable for all future occupants, on balance. As a result, it is considered that the standard of accommodation that would result from the development would be acceptable and would conform to the requirements of the development plan.

Impact on neighbouring residential amenity

- 7.14 In line with Policy DM10.6 new developments should avoid harm to neighbour amenity in regard to privacy, outlook, daylight, sunlight, and noise and disturbance. Site layouts and new buildings should be orientated and designed to minimise amenity impacts where possible, with residual impacts designed out.
- 7.15 The proposed buildings would be approximately 4 metres from the rear garden boundaries with the properties in Birchanger Road at their closest point however the window to window separation distances are shown to be between 20 and 26 metres between the existing and proposed dwellings on Birchanger Road. The proposed dwellings would be less than 4 metres from the boundaries with the rear gardens of the properties in Crowther Road at their closest point however the separation distances between the existing windows of these properties and those of the proposed dwellings

would be between 18 and 23 metres. It is considered that the resulting separation distances between the existing dwellings in Birchanger Road and Crowther Road and the windows of the proposed dwellings would be sufficient to prevent significant overlooking and loss of privacy to the detriment of the properties in Birchanger Road and Crowther Road. No windows would face north or south and therefore no other properties would be directly affected with regards to overlooking.

- 7.16 The height of the dwellings would be approximately 9 metres and they would be of a 3-storey nature with a flat roof. The applicant submission includes section drawings that show the overall height would be marginally less than the buildings fronting both Birchanger Road and Crowther Road. The proposed height at three storeys would be in accordance with Croydon Local Plan Policy DM10 which seeks to support development which is of a three-storey high nature. The application has also included a Daylight and Sunlight Assessment which shows that all of the existing dwellings, including their private amenity spaces, would achieve BRE requirements and it confirms that no significant loss of daylight or sunlight will be experienced by any neighbouring property as a result of the proposal and, given the separation distances and height of the proposal, the Council consider that the Daylight and Sunlight Assessment is sufficient and not wholly inaccurate. As a result, the development would not result in significant loss of light or overshadowing. The application submission includes a number of views within the Design and Access Statement which show that the development would be highly visible from the neighbouring properties however the separation distances and overall height would prevent significant visual intrusion, overbearing or overpowering impact upon the neighbouring properties in the surrounding area. The development would remove a noise generating commercial use from the site and would introduce additional residential uses in an existing residential area. The proposal seeks to provide a number of additional large trees to the site boundaries and the separation distances combined with the soft landscaping screening would prevent a significant increase in noise and disturbance to neighbouring properties based on the current operations within the site. As a result, the development would be acceptable from a neighbour impact perspective.

Contamination

- 7.17 Croydon Local Plan 2018 Policy DM24 states *'The Council will permit development proposals located on or near potentially contaminated sites, provided that detailed site investigation is undertaken prior to the start of construction in order to assess: a) The nature and extent of contamination; and b) The production of landfill gases and the potential risks to human health, adjacent land uses and the local environment.'* The site is identified as a potential contaminated land site due to the historic uses that have occurred within it. The application submission includes a Phase 1 Ground Contamination Desktop Study and the Contaminated Land Consultants consider that further information is required before the development can be considered acceptable with regards to site contamination. They recommend that permission can be granted subject to the standard contaminated land condition being attached to any planning permission granted, which would require additional detail to be submitted to the Council prior to any works taking place.

Trees, landscaping and biodiversity

- 7.18 Croydon Local Plan 2018 Policy DM27 of the Croydon Local Plan 2018 seeks to enhance biodiversity across the borough and improve access to nature and requires development proposals to incorporate biodiversity on development sites to enhance

local flora and fauna and aid pollination locally; incorporate biodiversity within and on buildings in the form of green roofs, green walls or equivalent measures; incorporate productive landscapes in the design and layout of buildings and landscaping of all major developments; and should ensure that developments have no adverse impact on land with biodiversity or geo-diversity value and no adverse impact on species of animal or plant or their habitat. Local Plan Policy DM28 requires developments to accord with the recommendations of BS5837 2012 (Trees in relation to design, demolition and construction) or equivalent and seeks to avoid the loss or the excessive pruning of preserved trees or retained trees where they make a contribution to the character of the area and avoid the loss or deterioration of irreplaceable habitats, including ancient woodland, hedgerows and veteran trees.

7.19 The site currently has a number of boundary trees and the proposal seeks to remove three trees from within the site. These trees have been assessed within the application submission as being 'Category C' Sycamore trees of good size (12-13m in height with approx. 10m diameter). They serve a key role in boundary screening and planted outlook for existing residents, particularly important with proposed development height over existing. It will take a number of years (likely 40yrs+) to re-sequester the quantum of carbon embodied in these trees through new planting, if new trees were to survive that long. To mitigate the loss of these trees, the proposal seeks to plant a total of 17 additional trees within the site as part of a comprehensive soft landscaping strategy which seeks to enhance the urban greening factor and biodiversity within the site. There are no details of species at this time, (this can be controlled by condition). However the uplift in trees would be expected to focus on a diverse and ecologically beneficial species. Trees will also have to ensure adequate screening for existing residents from the new development. The indicative landscape plan indicates a large uplift in tree cover however the specification/schedule and tree sizes have not yet been confirmed. Despite this, the uplift in soft landscaping within the site is considered to be a positive aspect of the proposal and the planting schedule and maintenance of the landscaping could be secured by planning condition to ensure they are appropriate in terms of size and species.

7.20 The proposal seeks to demolish a number of buildings which are of a low key, single storey appearance with many in a poor state of repair. The application has included a Biodiversity Net Gain Calculation and a Preliminary Ecological Assessment as well as other documents relating to the likely impacts of development on designated sites, protected and Priority species & habitats and has identified a number of appropriate mitigation measures. The Council's Ecology Consultants are satisfied that the likely impacts on all of the above would be acceptable subject to the mitigation measures identified in the Preliminary Ecological Assessment being secured by planning condition as this would conserve and enhance protected and Priority species. The proposal also seeks to enhance biodiversity and it is the Council's view that the development would be acceptable in this regard subject to the soft landscaping enhancements also being secured by planning condition.

Access, parking and highway impacts

7.21 The site is within a PTAL 4, which is considered to be 'good' and the site is within and is within a Controlled Parking Zone (CPZ) which is operational Monday-Saturday 9am-5pm. The site has an existing vehicular access from Birchanger Road however it is proposed that the development is car free given its CPZ location and the fact that the existing access road is very narrow and cannot sustain vehicles and pedestrians/cyclists passing each other safely. A car-free development would be

acceptable in this location and future occupants of the proposed dwellings would be prevented from applying for parking permits within the CPZ or Council run car parks by way of a Section 106 Agreement being entered into. This agreement would also secure a sustainable transport contribution and would involve a Section 278 Agreement to secure the highway works to reinstate the crossover kerb to the site whilst retaining a reduced access width to allow for a loading area for refuse collections. The access width would allow for refuse to be stored close to the site entrance without compromising cycle/pedestrian access to the site. Furthermore, there is sufficient space within Birchanger Road and the wider CPZ for larger vehicles to park and serve the development; particularly as they are unlikely to require parking for a long period of time. The submission of Construction Logistics Plan, which details how the development would be carried out given the parking restrictions that exist, would be secured by planning condition and would need to be agreed by the Council's Highways Engineer.

- 7.22 The cycle store is to be located against the rear garden boundary with the site and nos.31-35 Birchanger Road and would provide storage for 18 cycle spaces using Sheffield cycle stands. This would comply with the quantum of cycle parking required by Policy T5 of the London Plan 2021. The door widths are of sufficient size to allow access into and out of the store and would also make provision for a wider/adapted bike. There would be two visitor cycle spaces to the north west of the main cycle store and this provision would be compliant with the London Plan and Cambridge residential cycle guidance which is regarded as best practice. As a result, it is considered that the cycle parking provision would be acceptable in this case.
- 7.23 The refuse storage is proposed to be in a number of locations including between the three separate mew blocks, to the sides of the end of terrace properties and to the frontage of the mid terraced properties. The areas designated for refuse storage would be sufficient to provide suitable space for the number of bins required for this development. The proposed store would be in excess of 20 metres from the highway where the collection vehicle would be expected to park on Birchanger Road and the refuse storage areas would be over 30 metres from the collection point which would exceed the Building Regulations distance for occupants to move their bins to on collection days. Given the car-free nature of the development and the narrow access road, it would be essential for a Refuse Management Plan to be implemented. As stated earlier in this report, the applicant has provided details of the company expected to carry out the manoeuvring of the bins to and from the collection point on collection days and the submission of a Refuse Management Plan could be secured by condition to ensure that the development would be acceptable from a refuse management perspective.

Flood risk

- 7.24 Croydon Local Plan Policy DM25 requires all development to incorporate sustainable drainage measures (SuDS). The site has been identified as being located within an area at medium risk of surface water flooding and the application has include a Flood Risk Assessment. The site does not have any flood risk attenuation at present and the geology of the site is London Clay which would limit the options for sustainable drainage measures. The proposal seeks to enhance surface water permeability with intelligent planting and green roofs. Furthermore, due surface water would be collected in a water harvesting system which could then be reused within the private or communal soft landscaped areas. In addition, porous paths and paviors are to be used alongside the planting to the access road to allow for surface water run off to the

planted areas. The additional water flow from the houses after the harvesting will be attenuated prior to a controlled outflow to the mains system. Such measures, due to the flood risk on the site and the geology, would be considered acceptable in this case and could be secured by planning condition.

Energy efficiency

- 7.25 Croydon Local Plan Policy SP6.3 (Sustainable design and construction) requires all new build housing to achieve Code for Sustainable Homes Level 4 or equivalent. The applicant must ensure that water consumption does not exceed 110L per head per day. The Environmental Health Team have assessed the Energy and Sustainability Statement submitted with the application and consider this to be acceptable and the implementation of the proposed development in accordance with this statement could be secured by planning condition.

Fire Risk

- 7.26 Plan Policy D12 requires all development proposals to achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space. They should include an evacuation assembly point, appropriate features which reduce the risk to life and serious injury in the event of a fire; appropriate fire alarm systems and fire safety measures, must minimise the risk of fire spread, provide suitable and convenient means of escape and a robust strategy for evacuation as well as provision of suitable access and equipment for firefighting.
- 7.27 All dwellings are to be fitted with an automatic fire detection system to meet Grade D1 Category LD2. They will all have a protected hallway and stairway with minimum 30-minute fire resistance to doors, walls to the rooms and escape routes within the building and cavity barriers are to be provided between each dwelling. It is possible for residents to retreat safe distance from the main buildings either within the ground floor garden spaces, within the site frontage or on Birchanger Road. The access into the site is not sufficient for a fire appliance access however there is an existing fire hydrant located outside of the access to the site on Birchanger Road. Automatic suppression will be provided within each of the dwellings to support firefighting access and hose laying is to occur from the fire appliance to the furthest point within the residential dwellings. The development will be supported by a dry riser outlet which is to be located outside of plot 7 which will result a hose distance of approximately 62 metres between the dry riser outlet and the furthest point within House 1. The combined separation distance from the fire appliance and furthest dwelling would be approximately 114m and such a separation distance would exceed the requirements of BS9991. As such, the application submission includes a hydraulic calculation which states that the sum of pressure losses, based on the use of a vertical piping which would be used to firefight a tall building, would be less than that which would be experienced we firefighting a tall building. As such, despite the hose distance exceeding the requirements of BS9991, the pressure available would be sufficient for firefighting purposes and it is considered that the proposed provisions would conform to the requirements of Policy D12 of the London Plan 2021.

Conclusions

- 7.28 The proposal seeks to provide nine family sized units on a site which is not afforded statutory protection or protection by the employment related policies within the development plan. It is considered that the development would accord with the

development plan and it is therefore recommended that planning permission should be granted in this case; subject to a Section 106 Agreement being entered into and a number of planning conditions being secured.

- 7.29 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 2 (RECOMMENDATION).