

PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: 22/03432/FUL
 Location: 55 Selcroft Road, Purley, CR8 1AJ
 Ward: Purley and Woodcote
 Description: Retrospective application for demolition of existing two storey detached property and garage, erection of a two storey plus basement and roof level building, creation of nine self-contained residential dwellings (C3) with terraces on side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores.
 Drawing Nos: 19/102/02C, 19/107/03C, 19/107/ 04A, 19/107/05A, 19/107/10B, 19/107/11B, 19/107/22D, 19/107/36B, 19/107/37, 19/107/38, Planting Plan, Landscaping Plan.
 Applicant: Mr Murkherjee
 Agent: Damian Howe, RB Designs Ltd
 Case Officer: Hayley Crabb and Gregg Chapman

Housing Mix						
	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (5 person)	4 bed (6 person)	TOTAL
Pre-Existing					1	1
Proposed (market housing)	4	2		3		9

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 0	
Car Parking maximum standard	Proposed
13.5	6
Long Stay Cycle Storage minimum	Proposed
16	16
Short Stay Cycle Storage minimum	Proposed
2	0

- 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 and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

- 1) Carried out in accordance with the approved drawings.
- 2) Rendering of walls within three months of the date of approval.
- 3) Additional tree to be planted within the rear garden.
- 4) Trees/plants that die within a ten-year period to be replaced.
- 5) Compliance with SUDS scheme (previously approved under condition 5 of application 18/05009/FUL) within three months of approval through the provision of the two water butts shown within the submission.
- 6) On-site car parking – permanently retained.
- 7) Installation (within three months) and retention of electric vehicle charging points.
- 8) Retention of obscure glazing and non-opening windows up to 1.7m high on south flank elevations at first floor level and above.

Approval of Details

- 9) Submission of alternative front boundary treatment details to replace/reduce the height of the frontage close boarded fencing (Purley Hill boundary) within three months of the date of approval. Installation of replacement boundary treatment within three months.
- 10) Notwithstanding the submitted details, details of replacement landscaping including details of soil troughs and associated drainage, and replacement trees, all to be submitted within three months of approval. Planting to be undertaken in the next planting season following approval.
- 11) Landscape maintenance/management schedule to be provided, including details of the responsible management organisation.
- 12) On-site cycle parking – final details of stands/security measures within three months of the date of approval. Installation within three months of approval of condition.
- 13) Submission of details of bollards to the car parking spaces adjacent to Purley Hill.
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration.

Informatives

- 1) Any informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 Retrospective planning permission is sought for the demolition of the existing two storey detached property and garage, and the erection of a two storey plus basement and roof level building, the creation of nine self-contained residential dwellings (C3) with terraces on the side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores.
- 3.2 The application follows the approval, and subsequent construction of the scheme under application 18/05009/FUL. A planning enforcement investigation, and refused condition discharge (21/06307/DISC), confirmed that the development was not

constructed entirely in compliance with the approved details. Material changes between the approved scheme and the “as-built” development exist, which means that some unauthorised works require retrospective planning consent; and further works are proposed to make the development acceptable.

3.3 The changes to the scheme since the previous application are:

Parking area:	Increase in parking spaces from five to six, and the use of permeable block paving instead of grasscrete.
Bin Store:	Change in dimensions and position, and improved hedge screening.
Landscaping	Approved trees to frontage have not been planted, and some of the landscaping has died (including boundary hedges). Landscaping scheme amended to compensate (with a condition recommending a 10-year maintenance plan). A new (blockwork) boundary wall has been constructed.
Cycle store	Moved location. 2x cycle stores proposed along the boundary with No.53 accommodating 14 bicycles, and a store for two bicycles in the garden to the ground floor flat.
Changes to levels	Alterations to the rear garden/play area (with additional re-grading proposed for safety). The parking area has also been re-graded to make it level.
External Access	External staircases proposed to allow (1) ground floor flats direct access to communal garden; (2) access from communal hallway to rear garden (without needing to go through the parking area).
Building Design	Omission of the second storey rear and side (north facing) dormers (now being windows instead of balconies). Omission of the balconies to the ground and first floor northern elevations, and eastern elevation, the omission of the chimney, and the omission of window headers and brick detailing (all as built, no further changes proposed)

3.4



Figure1: Proposed Front Elevation



Figure2: Approved Front Elevation from application 18/05009/FUL



Figure3: Photograph of site frontage from Selcroft Road



Figure4: Photograph of rear and side of site from Purley Hill

Amendments

- 3.5 A full set of amended plans was received on 25th June 2024 to take account of Officer comments regarding outside areas, to correct inconsistencies between plans, make sure that external areas (garden, cycle store, refuse store, parking area, and play space) are usable, and provide details of expected soil depth in planting areas. An amended Fire Safety Statement to reflect the changes was received on 5th July 2024. Corrected floor plans showing the proposed stair access from the side access door, and the stair access from rear lightwells were received on 8th July 2024.

Site and Surroundings

- 3.6 The application site is a detached two storey block of flats located on the west side of Selcroft Road, at its junction of Purley Hill and Oakwood Avenue. The property is in use as a flats. Selcroft Road slopes relatively steeply - dropping down south to north.
- 3.7 The surrounding area is predominately residential and suburban in character. Properties are generally detached (including blocks of flats) or semi-detached and are generally two storeys in height, some with additional accommodation within a pitched roof.



Figure5: Site Location Plan

Planning Designations and Constraints

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

- There are no site-specific policy constraints identified in the Croydon Local Plan (2018)
- The site is located in Flood Risk Zone 1 (low). The site itself is modelled as being at low risk (1 in 1000 years) from surface water flooding. The road in front of the property however is modelled as being at medium risk (1 in 30 years). The site is not deemed to be at risk from ground water flooding.
- The site has a Public Transport Accessibility Level (PTAL) of 0 (worst).

Planning History

3.9 The following planning decisions are relevant to the application

89/02616/P Erection of detached garage. **Approved** 15.10.89.

18/04580/PRE New residential apartments. **Response Issued** 01.10.18.

18/05009/FUL Demolition of existing two storey detached property and garage, erection of a two storey plus basement and roof level building, creation of nine self-contained residential dwellings (C3) with terraces on side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores. **Approved** 05.02.19.

19/04706/DISC Discharge of Conditions 3, 4 and 5.1 for application 18/05009/FUL decision dated 05/02/2019 for the: ' Demolition of existing two storey detached property and garage, erection of a two storey plus basement and roof level building, creation of nine self-contained residential dwellings (C3) with terraces on side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores at 55 Selcroft Road, Purley, CR8 1AJ.'. **Part Approved (submitted details). Part Not Approved (implementation required).** 09.09.20.

21/06307/DISC Discharge of condition 4 (landscaping) attached to planning permission 18/05009/FUL for Demolition of existing two storey detached property and garage, erection of a two storey plus basement and roof level building, creation of nine self-contained residential dwellings (C3) with terraces on side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores. **Not approved** 08.03.22.

Officer Note: The details for 21/06307/DISC were not approved as a discharge of condition as they included material differences from the approved scheme, which required a new application, and resulted in the submission of the current application.

22/00474/DISC Discharge of condition 11 (carbon dioxide emissions) and 13 (dropped kerb) attached to planning permission 18/05009/FUL for Demolition of existing two storey detached property and garage,

erection of a two storey plus basement and roof level building, creation of nine self-contained residential dwellings (C3) with terraces on side and rear elevations, and associated alterations including landscaping, car parking, bicycle and refuse stores.
Approved 26.05.22.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed alterations to the building are not significant, do not alter its dimensions, and do not change the character, or the acceptability of the development within the street scene. The development still delivers increased housing delivery, including 3 family sized homes, and subject to the recommended conditions would be compliant with the development plan.
- 4.2 The additional parking space created is considered to be acceptable, not exceeding the maximum parking standards.
- 4.3 The bespoke cycle solution within the rear garden allows for cycle storage and cycle manoeuvres.
- 4.4 Whilst a paved “play area” was shown on the previously approved scheme, the children’s play space that would be created is a minor material benefit to the scheme.
- 4.5 Paragraph 55 of the NPPF states that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions The following matters are to be resolved through planning conditions:
 - Retaining walls are proposed to be rendered as part of the submitted scheme.
 - The close boarded fence to the frontage is to be required to be removed through condition, as it is not necessary for safeguarding the amenity of residents and creates a tall dominant feature in the street.
 - Landscaping is proposed to be replaced as part of the proposal. A condition is to be included requiring that trees that die are replaced for a ten-year period (the previous consent was for a five-year period). Landscaping details are to be required to be submitted detailing drainage and soil depth, and management and maintenance arrangements, with an appropriate schedule. This was not previously secured. Such details can be enforced against.
 - Level changes within the rear garden, the creation of side-stepped access, and the installation of stairs within the rear lightwells, which are all considered to be acceptable and would be of benefit to residents.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 The following were consulted regarding the application:
- 5.3 **Tree Team** – Replacement Yew Trees are proposed for the ones that have died. No objection.

5.4 **Thames Water** – Generic comments regarding the carrying out of development.

5.5 **Transport Team** – No objection, subject to conditions.

6 LOCAL REPRESENTATION

6.1 A total of 30 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. 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: 21 Objecting: 20 Supporting: 1

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

Objection	Officer comment
Character and design	
Overdevelopment. Obtrusive.	Noted. Considered at sections 8.10 – 8.11.
No objection to building. External area is the issue.	Noted. Considered at sections 8.32 – 8.38.
Three quarters of planted shrubs have died as insufficient soil. Will not therefore obscure the retaining wall. Wall should be rendered.	Noted. Considered at sections 8.32 – 8.38.
Car park was originally at ground level. But was built up a metre. Enforcement action required a wall and hedge which were delivered to a poor standard. Should be remedied, or car park lowered.	
Walls to Purley Hill should be constructed with heritage brick/stone and staggered with multiple walls to match character of area.	
Fence atop Purley Hill above the retaining wall is 2.8m tall from the pavement. This should be railings to lessen the impact.	
Bin store is now visible to neighbours. It is missing planting.	
Grey paving is used for parking bays instead of grasscrete which has a greater visual impact.	
No maintenance has occurred of landscaping to date.	
Design is missing trees.	
Neighbouring amenity	
Raised ground on Purley Hill provides views to adjacent neighbour's windows from the car park and wrongly placed refuse store.	Noted. Considered at sections 8.27 – 8.30.
Quality of Accommodation/Facilities	
Bin store is not sufficient for the large container and access and does not lock. Plans for bin store show only one large bin, but there are two. Rubbish overflows.	Noted. Considered at sections 8.25.

No provision for bulky waste.	Noted. Considered at section 8.26.
Plans have removed benches for residents	Benches are shown within the rear garden – see figure 7 adjacent to the children’s play area.
Need family homes, not flats.	Noted. 3x family sized homes are included. Considered at sections 8.9 and 8.12.
Transport and Highways impacts	
Vehicle headlights from raised levels will shine over the complex junction of Purley Hill/Selcroft/Oakwood.	Noted. Considered at section 8.42.
Parking bays are larger than required.	Noted. Considered at section 8.44.
Water runoff into Selcroft Road is dangerous.	Noted. Considered at sections 8.41 and 8.50 – 8.51
No level access to cycle stores	Noted. Considered at sections 8.46 – 8.49.
Road is dangerous as it is uphill.	Noted. Considered at sections 8.43.
Insufficient on road parking in area with new developments.	Noted. Considered at section 8.43.
Drainage	
The water butts are missing.	Noted. Considered at section 8.51 and addressed through condition 8.
Additional matters	
Developer has often breached their original planning permission. Car park was at ground level, but now built up.	Past performance, or allegations of poor past performance are not material to the assessment of the merits of the application. If work is not carried out, or is not in accordance with plans, this can either be sought to be regularised, or if unacceptable, and not regularised, this would be a matter for Enforcement. It is not a matter that can be given weight in the determination of the application.
Wall is a weak structure that will fail.	The structural integrity of development is a matter for Building Regulations.
Profit ahead of amenity.	The reasons for an application being made are not a material planning consideration.
No comparison documents or notes of changes.	This is not a requirement of planning validation.
Proposed plans do not show the 1.5m retaining walls at Purley Hill which are not painted or rendered/all retaining walls.	This is shown at figure 9.
Alternative proposal for parking area should be made, moving spaces back and including planting to reduce overlooking.	The application must be determined on its own merits based on what has been submitted.
Pavement damaged by past construction.	This is a matter that would be addressed through the Highways Acts, by the Highway Authority, subject to there being sufficient evidence.

Support	Officer comment
As a resident I welcome changes to the building.	Noted

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012). 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 Best Use of Land
- GG4 Delivering Homes Londoners Need
- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D10 Basement Development
- D12 Fire Safety
- G1 Green Infrastructure
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- H1 Increasing Housing Supply
- H2 Small Sites
- H8 Loss of Existing Housing and Estate Redevelopment
- H10 Housing Size Mix
- SI7 Reducing Waste and Supporting the Circular Economy
- SI8 Waste Capacity and Net Waste Self-Sufficiency
- SI12 Flood Risk Management
- SI13 Sustainable Drainage
- R5 Recycling
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking

Croydon Local Plan (2018)

- SP2: Homes.
 - SP2.1 Choice of homes.
 - SP2.2 Quantities and locations.
 - SP2.7 Mix of homes by size.
 - SP2.8 Quality and standards.
- DM1: Housing Choice for Sustainable Communities.
 - DM1.2 Net loss of 3 bed or homes less than 130 sqm.
- SP4: Urban Design and Local Character.
 - SP4.1 High quality development that responds to local character.
- DM10: Design and Character.
 - DM10.1 High quality developments, presumption for 3 storeys.
 - DM10.2 Appropriate parking and cycle parking design.

- DM10.4 Private amenity space.
- DM10.5 Communal amenity space.
- DM10.6 Protection to neighbouring amenity.
- DM10.7 Architectural detailing, materials respond to context, services, appropriate roof form.
- DM10.8 Landscaping.
- DM13: Refuse and Recycling.
 - DM13.1 Design, quantum and layouts.
 - DM13.2 Ease of collection.
- SP6: Environment and Climate Change.
 - SP6.3 Sustainable design and construction. Water efficiency 110 litres.
 - SP6.4 Flooding and water management - c) SUDs.
 - SP6.6 Waste management.
- DM25: Sustainable drainage systems.
- DM27: Protecting and enhancing our biodiversity.
- DM28: Trees.
- SP8: Transport and Communication.
 - SP8.5 and SP8.6 Sustainable travel choice.
 - SP8.7 Cycle parking.
 - SP8.12 and SP8.13 Electric vehicles.
 - SP8.17 Parking standards in low PTAL areas.
- DM29: Promoting sustainable travel.
- DM30: Car and cycle parking.

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

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

- Chapter 2 - Achieving Sustainable Development
- Chapter 4 - Decision Making
- Chapter 5 - Promoting Sustainable Transport
- Chapter 8 - Promoting Healthy and Safe Communities
- Chapter 9 - Promoting Sustainable Development
- Chapter 11 - Making Effective Use of Land
- Chapter 12 - Achieving Well Designed Places
- Chapter 14 - Climate Change and Flooding
- Chapter 15 - Conserving and Enhancing the Natural Environment

SPDs and SPGs

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

- London Housing SPG (2016)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- Mayor of London's London Plan Guidance Housing Design Standards (2023).

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity
5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Flood Risk and Energy Efficiency
8. Other Planning Issues
9. Conclusions

Principle of development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher target of 2,079 homes per year.

8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small sites housing target of 641 per year.

8.4 Local Plan Policy DM1 seeks to enable housing choice by ensuring that redevelopment does not result in the loss of homes smaller than 130 sqm, or the net loss of 3-bedroom homes (as originally built). The original dwelling was a 4-bedroom detached house and it is, therefore, considered that the principle of development is acceptable when assessed against Policy DM1 of the Croydon Local Plan, as the demolition of the pre-existing dwelling did not result in the net loss of a three bedroom dwelling, as originally built.

8.5 London Plan Policy D3 and CLP policy SP2 encourage developments to ensure land is used efficiently.

8.6 LP Policy H2 states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares), recognising that local character will evolve over time, and will need to change in appropriate locations to accommodate additional housing on small sites

- 8.7 The site is less than 0.25 hectares, and therefore is a small site, where policy H2 of the LP states such sites should “*significantly increase the contribution of small sites to meeting London’s housing needs*”.
- 8.8 The principle of development at the site has previously been agreed (application 18/05009/FUL) and the development built out. These are both significant material considerations, particularly as the CLP has not changed, although the LP has (but the same conclusions remain in terms of acceptability). The proposed alterations are material amendments, but do not change the numbers, or types of accommodation, or the overall form or dimensions of the building. Given that the site complies with the aims and objectives of Local Plan Policy DM1 and also London Plan Policy H2, the principle of the redevelopment of the site for an intensified residential remains acceptable subject to complying with other development plan policies when assessed against the various material considerations.
- 8.9 The proposal has delivered a net increase of eight new homes, including three family (three bedroom) homes, which are significant material benefits of the scheme. The above conclusions in respect of the principle of development are consistent with the council previous decision for application 18/05009/FUL.

Design and impact on character of the area

- 8.10 Policies SP4.1 and DM10.1 of the CLP state that the Council will require development of a high quality, which respects and enhances Croydon’s varied local character and contributes positively to public realm, landscape and townscape. Proposals should respect the development pattern, layout and siting; the scale, height, massing, and density; and the appearance, existing materials and built and natural features of the surrounding area. It requires that proposals should seek to achieve a minimum height of 3 storeys. LP policy D3 states that a design-led approach should be pursued and that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 8.11 The development has been constructed following previous approval 18/05009/FUL. It was concluded therein that the development would be in keeping with properties in the area, being of a traditional appearance, two storeys in height, and echoing the neighbouring developments, with suitable spacing between buildings, and to the public realm. The design of the building itself, in terms of its overall scale and form (including dimensions), and materials remains as previously approved. There are minor alterations to the building from the previous approval, as described at section 3.3. These do not change the overall character of the building. The insertion of steps within the built envelope (lightwell) for ease of access would not be clear from the street in the context of the development. The development complies with Policy D3 of the LP and Policies SP4, or DM10, of the CLP in terms of the building itself. Matters of landscaping (soft and hard) and levels, which are raised by third parties as a concern are discussed below.

Mix and Quality of residential accommodation

Housing Mix

- 8.12 LP policy SP2.7 sets a strategic target for 30% of all new homes over the plan period to have three or more bedrooms to ensure that the borough’s need for family sized units is met. The proposal is for 4 x 1 bed and 2 x 2 and 3 x 3 bed flats, and therefore

exceeds this requirement (achieving 30%), which is a material benefit of the scheme, over and above the benefit associated with the supply of houses generally.

Space Standards

8.13 The National Design Guide states that well-designed homes should be functional, accessible and sustainable. LP policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments and requires that 75% of the GIA of each dwelling has a floor to ceiling height of over 2.5m.

8.14 For application 18/05009/FUL it was found that;

“The proposed development would provide good quality units that would make a positive contribution to the borough’s housing stock. All the proposed units would meet recommended minimum floorspace standards set out in both the London Plan (2016) and DCLG’s ‘Technical Housing Standards: National Described Space Standards’. All the bedrooms would meet the minimum floor areas set out in the DCLG’s ‘Technical Housing Standards: National Described Space Standards’. It is worth noting the basement level units are generously sized, with Flat 1 and 2 exceeding minimum floorspace standards by 9 sq.m.”

8.15 The proposed room sizes have not changed materially, with the top floor flat having a larger living room than previously approved (due to the approved balconies being replaced by dormers). The proposed units are considered to have acceptable internal and amenity, and the proposal complies with LP policies SP2.7 and D6 and CLP policy DM10.4 in this respect.

Light Level/Outlook

8.16 Policy D6 (c) London Plan 2021 states that *“Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating”*.

8.17 Policy D6 (d) London Plan 2021 states *“The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space”*. The levels of light were previously found to be of a good standard, as is set out below. The previous conclusions of application 18/05009/FUL are agreed and remain appropriate as there have been no significant changes to the layout or fenestration.

“The units would receive good levels of light, outlook and aspect. All the units would be dual aspect or single aspect, but not north facing. Key habitable rooms i.e. living rooms, kitchens and main bedrooms would be served by generously sized windows.

The units that are proposed to be located in the basement have been carefully designed and orientated to maximise light and outlook. The main living areas within the basement would have views into generously sized rear light-wells that double up as external amenity space. Additional light would enter into the basement units through pavement lights, located on flank elevations of the property, which in combination with windows located on the rear elevation would ensure the central kitchen areas would be adequately lit. The front light-well would be generously sized and would ensure that the bedrooms facing onto them would receive appropriate levels of light and outlook.”

8.18 The proposal is considered to comply with policy D6 of the LP and policy DM10 of the CLP.

Outdoor Amenity and Play Space

8.19 CLP policy DM10.4 and LP policy D6 set out the standards for external private amenity space which is for 5sqm per 1–2-person home and an extra 1sqm per occupant thereafter (with a minimum width of 1.5 metres). The shared rear garden area is approximately 45 metres in size. The lower ground floor flats retain their private courtyard areas, the ground floor flats retain private amenity areas/balconies, as does the rear facing first floor flat. The amended proposal has removed balconies for the other two one bedroom first floor flats and the second floor three-bedroom flat. These three (of the overall nine) units do not now benefit from any private amenity area, which weighs against the amended proposal. The proposal does not therefore comply with CLP policy DM10.4 and LP policy D6.

CLP Policy DM10.5 also requires communal outdoor amenity space for flatted development. It is evident that the space is sufficient for allowing small social gatherings, and play (in addition to the play space being provided).

8.20 Policy DM10.4d of the CLP seeks 10sqm of play space per child for all flatted development. For the development – from table 6.2 of the CLP this would be 0.03 children for the 1 bed flats, 0.12 children for each two-bedroom flat and 0.46 of a child for each three-bedroom flat, a total of 1.38 children – or 13.8 sqm. It is not anticipated that ten or more children would live within the development, the level at which the Mayor’s Housing SPG indicates play space should be provided from (Standard 5 and policy 3.6), and as recognised by the CLP at paragraph 6.54. A 23 sqm area of children’s play space (wooden log climbing area) is proposed with ancillary benches, rubber mulch and turf, which would be an improvement compared to the previously approved scheme. The provision is a benefit of the scheme, albeit given limited weight in the overall context.

Fire Safety

8.21 Policy D12 of London Plan 2021 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. The applicant has provided a Fire Safety Strategy which complies with Policy D12.

Accessible/Adaptable Dwellings

- 8.22 LP policy D7 states that dwellings should meet the Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings' which requires step free access to all units and the facilities of the site.
- 8.23 The Regulations set out that M4(2) will be met if reasonable provision is made for people to gain access to and use the dwelling and its facilities including for people with differing needs and older people, and that the dwellings allow adaption to meet changing needs. 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. For application 18/05009/FUL it was agreed that installing a lift to provide level access to upper and lower floors would not be appropriate due to the impact that this would have on service charges for new residents. A condition was included requiring the three units at ground floor level should comply with M4 (2). The development has now been carried out to this standard. The development therefore accords with the aims of policy D7 of the LP.
- 8.24 In addition to these requirements, the applicant proposes the installation of stairs within the footwells to increase accessibility to the lower ground floor flats, and stairs from the ground floor down to the garden area from hall within the property, which negates the need for occupiers to leave the property via the front to access the rear and allows children to access the play area without going through the parking area.

Refuse Storage

- 8.25 Policy DM13 of the CLP requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. The refuse store, as previously approved was to the front of the property but has now been moved to the front/side. The changed position is considered preferable, as it further away from the property frontage/public domain of Selcroft Road. It is though nearer to Purley Hill. The size of the refuse store has also been reduced from 9.6sqm to 6.5sqm. It does, however, contain the requisite number of bins, and has been observed by Officers on a number of occasions, with all bins being located within the store (with no spill over), and the store operating appropriately. The Transport Officer has no objection to the arrangement, although requests a condition to show the storage area in detail (number of bins and layout). This is not included as it is not enforceable, and therefore would fail the condition tests set within paragraph 55 of the NPPF. The refuse store is located sufficiently away from neighbouring windows that it is impact on neighbouring properties' amenity in terms of odour would not be significant. Third party concerns regarding overlooking from the refuse storage area are considered below. The proposal is considered to accord with policy DM13 of the CLP.
- 8.26 Policy DM13 of the CLP, and the Council Waste and Recycling (CWaR) (2018) document seek that space is provided within development for bulky waste, with the CWaR document seeking an area of 10sqm. This was not secured for application 18/05009/FUL and is not identified on the plans for the current application. It is, however, evident that space is available for the siting of bulky waste prior to collection, either in front of the lightwell to the front, to the side along Purley Hill (through the side gate), or temporarily within the rear garden, cumulatively significantly exceeding 10sqm. These areas are all within 20m of the highway but would need moving to the

highway on collection day. The proposal can therefore comply with policy DM13 of the CLP.

Impact on neighbouring residential amenity

- 8.27 Policy DM10 of the CLP specifies that proposals should protect the amenity of the occupiers of adjoining buildings and should not result in direct overlooking to habitable rooms, or private outdoor space within 10m perpendicular to the rear elevation of a dwelling. Furthermore, proposals should ensure that they do not result in significant loss of sunlight or daylight levels of adjoining occupiers. Policy SP4 of the CLP seeks to respect and enhance character to create sustainable communities and enhance social cohesion and well-being. It ensures that the amenity of the occupiers of adjoining buildings are protected.
- 8.28 The previous approved scheme found that the development would not have an unacceptable impact on neighbouring properties' living conditions as appropriate front and rear building lines and staggered massing limit the degree of impact on neighbouring amenity (light, outlook and enclosure) as well as limiting overshadowing of neighbouring properties' gardens. Distances of 15.5 metres to 1 Purley Hill (to the rear) and 17 metres to 57 Selcroft Road (across the road) are noted, and the relationship with windows between the neighbouring development at 53 Selcroft Road was found to be acceptable (due to offset and non-primary rooms). Objection letters do not raise objection to the building in terms of neighbour impact, but to the alterations to the external areas from overlooking.
- 8.29 The raised parking area/bin storage area is elevated from the pre-existing levels, and from the street towards its northern end in particular, so as to create a flat parking area, which drains into the site. This is by approximately 60cm in height at the corner of Purley Hill and Selcroft Road but increases along Purley Hill to a maximum of approximately 1.5m. This is part retaining wall and part free standing wall, which varies internally within the site. It is considered that the additional raised area at the frontage for the parking area and bin store are not so significantly raised that they result in harmful overlooking of neighbouring property, particularly where views are in any event not increased in distance (other than marginally for the refuse store) and are across roads/the public realm. Other (proposed) changes to levels within the site (see figures 8-11) to create a usable garden space/access to the cycle store are not considered to result in any harmful overlooking of neighbouring property, given the separation distance, and existing presence of a garden.
- 8.30 The proposal accords with policy DM10 of the CLP in that it does not result in any significant harm to neighbouring amenity, as has already been established through application 18/05009/FUL. The alterations to the scheme do not alter the overall assessment/conclusions.

Trees, landscaping and biodiversity

Pre-Existing Trees

- 8.31 CLP policy DM28 and LP policy T7 seek to retain existing trees and vegetation. There are no trees within the site or in surrounding properties that are subject to a Tree Preservation Order (TPO). Trees that are located within neighbouring properties' gardens are set well away from the proposed built development. It was adjudged for application 18/05009/FUL that the development would not cause harm to existing street trees, and there is not evidence of this having occurred.

Landscaping

8.32 CLP policy DM10.8 requires the incorporation of soft and hard landscaping within development proposals.

8.33 A landscape scheme was submitted to discharge condition 4 of previous application 18/05009/FUL (discharge of condition reference 19/04706/DISC). This is shown below at figure 6. This has now been amended, following the construction of the built form on site, and changes to levels (see figure 7).

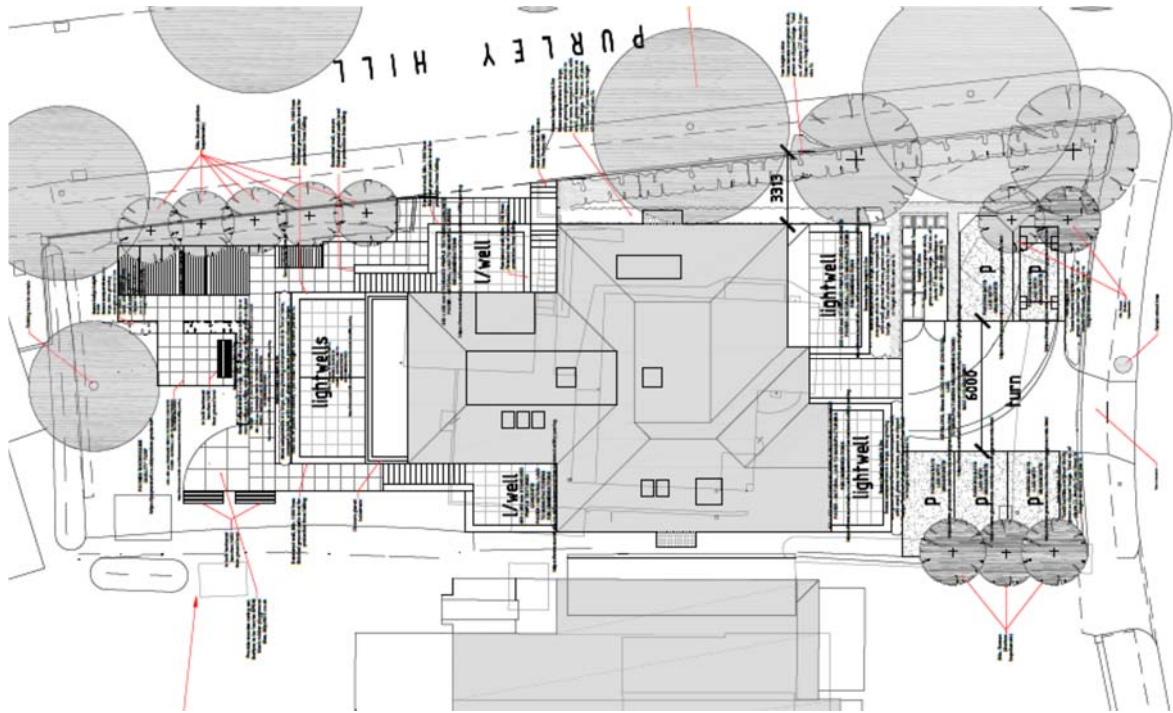


Figure6 – Landscaping scheme submitted for application 18/05009/FUL.

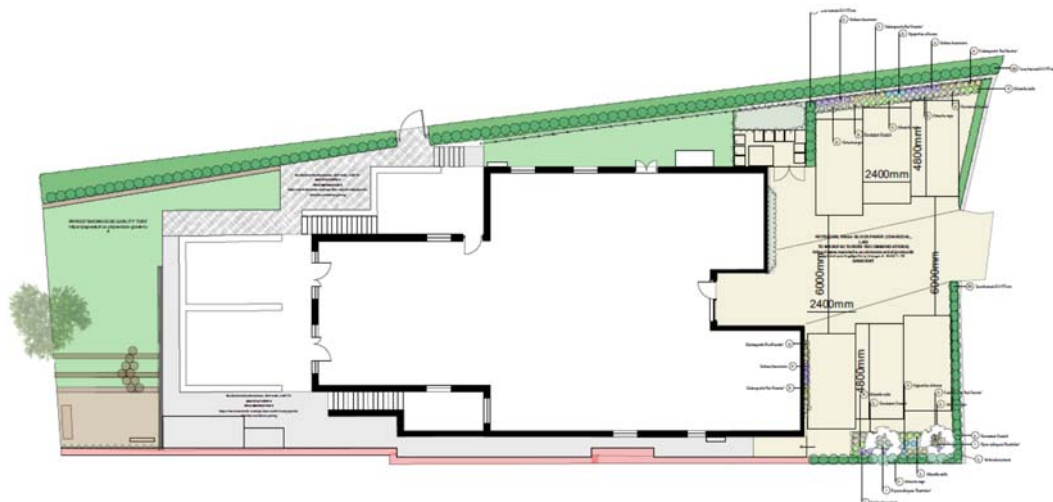


Figure7 – Amended landscaping scheme submitted with current application.

8.34 The main change between the landscape planting schemes is the reduction in new tree planting. Ten new trees were shown to be included previously, whereas only two new trees are now proposed (to the front parking area). It is evident that there is space within the rear garden for a further tree (which can be conditioned). It is evident that the extent of tree planting previously indicated did not leave significant space for the trees to mature. This was noted by the previous Officer Report.

8.35 It was previously found, for application 18/05009/FUL that,

“The landscaping of the front garden area would provide an appropriate balance between the need to increase parking provision on site, whilst being respectful of the green character of the area. Mature hedging would be located around the majority of the front garden and side boundary area that would help to create an effective green screen. Whilst additional trees are also proposed, their success will be influenced to a certain extent by their close proximity to car parking areas. Further details of landscaping is recommended to be secured via condition. The bin store has a simple timber boarded design that would be partially screened from view by mature hedging. The design of the cycle store is also acceptable given that it would not be widely visible from public viewpoints. A condition is recommended to ensure that the bin and cycle store is provided prior to occupation.”

8.36 The current proposal includes mature hedging around the majority of the front garden area and side boundary again. It is evident that this planting was carried out but has been unsuccessful as a number of plants have died. There is space available for the planting to be carried out successfully. It is not clear whether the plants have died because of a lack of soil depth, or a lack of drainage, or a lack of maintenance, or care when planting. Re-planting is necessary and is proposed. There are limited details of the soil depth, or drainage submitted with the application. This is therefore to be secured, as are details of maintenance/management arrangements including a schedule, and rather than a five-year period for re-planting if plants die, a ten-year period is to be secured, where the success is not yet evident. Subject to these stringent conditions, which go further than ordinarily for such a scheme (which is justified given existing performance), the proposal can achieve compliance with policy DM10 of the CLP in terms of soft landscaping.

8.37 The proposal also includes a number of retaining walls. These are commonplace within the area, with a variety of materials forming those walls (and buildings generally). The proposal is for these to be rendered, which is considered to be appropriate to the context. Examples of render are at 62A Oakwood Avenue, the entrance piers and entrance retaining walls at 60 Selcroft Road, the retaining wall at 66A Selcroft Avenue, the entrance to Pearson Close, and the parking area of 1 Purley Hill. A timeframe is required for the render to be carried out, to ensure that the work is carried out expeditiously. This is to be secured through condition. In addition to these retaining walls, boundary fencing is included. For rear gardens this is usual within the built-up area, including where rear gardens abut the public realm. This is the case for this area, including Selcroft Road. However, whilst there are examples of fencing to the frontage areas also on Selcroft Road, this is less prevalent, and not as tall. For the current scheme, fencing is included atop the retaining wall along the frontage where it is not necessary to provide screening for amenity purposes, which is materially different from the rear garden. Such fencing is an ancillary part of the overall scheme, and whilst it is specifically shown on the submitted plans, it is not listed as part of the application description and is not an integral part of it, not going to the heart of the scheme. It is, therefore, possible to introduce a ‘notwithstanding’ condition, which requires the removal of the fencing, ‘notwithstanding’ the submitted plans and the presence of the fencing. Whilst it would enable cars to be seen parked at the elevated level, these would be screened through planting. It is envisaged that replacement open railings could be erected, or the fence reduced to 1 metre in height (the detail is to be secured through condition). This would result in a significant improvement to Purley Hill. The proposal can, subject to this, achieve compliance with policy DM10 of the CLP in terms

of hard landscaping. This frontage also includes permeable block paving to the frontage, which is commonplace in the vicinity.

8.38 The proposed additional level changes from the as built development are shown in figures 8-11 below, they are internal to the scheme for the usability of the site and are not considered to result in any significant impact to the character of the area.

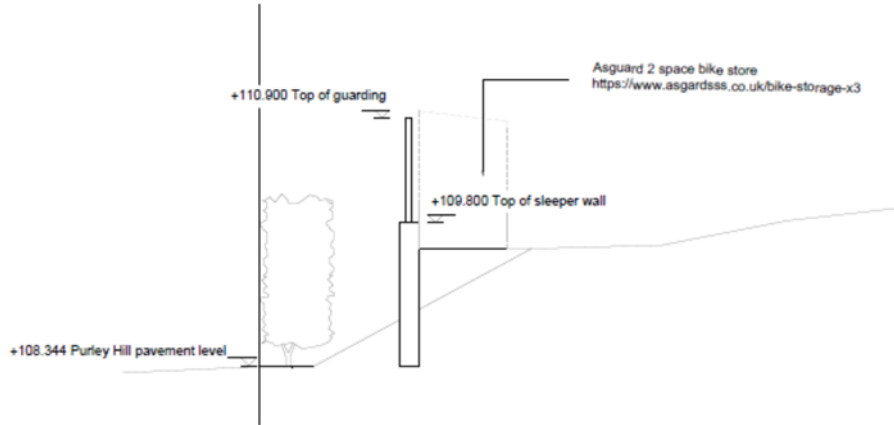


Figure8 – Section through Purley Hill to level the garden area for safety and accessibility including for the revised, bespoke, cycle provision.



Figure9 – Section adjacent to lightwells on side of Purley Hill

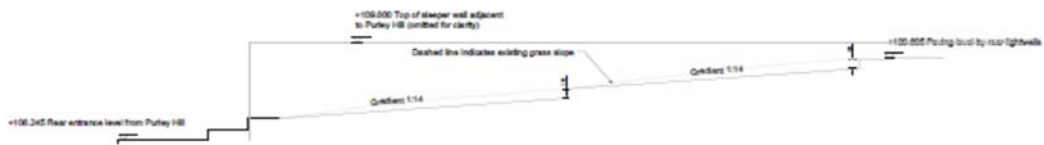


Figure10 – Section through paving from Purley Hill

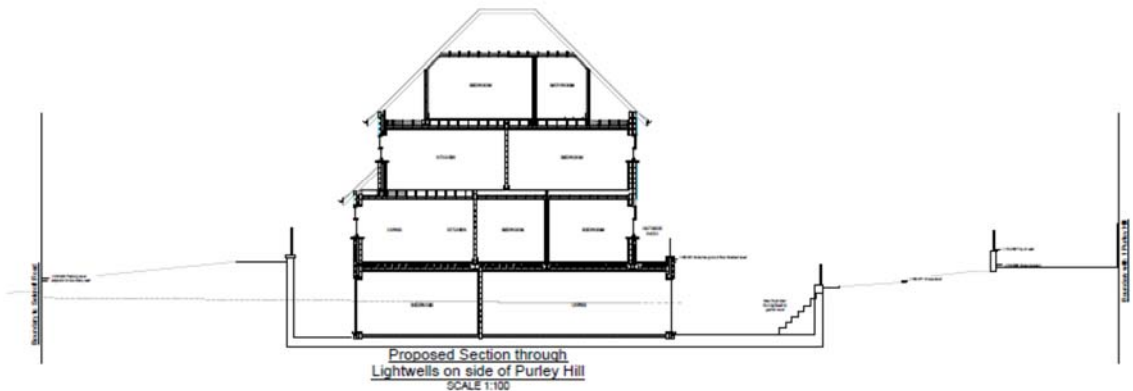


Figure 11 – Section through lightwells.

Biodiversity

- 8.39 CLP policy DM27 and LP policy G6 seeks to protect and enhance biodiversity. A requirement for 10% Biodiversity Net Gain (BNG) for minor new development was introduced for applications submitted after 2nd April 2024. As this application was submitted before that date, BNG does not apply. There were not previously (for application 18/05009/FUL) any wildlife or biodiversity constraints identified, as the site is not in a protected area, and there was no evidence of any protected flora or fauna on site. It was concluded that landscaping and bird boxes would be sufficient to ensure that the changes at the site were mitigated. Subject to an amended planting scheme and new planting being carried out, and the erection of a bird box, as approved through condition discharge, the development can accord with CLP policy DM27 and LP policy G6.

Access, parking and highway impacts

- 8.40 LP policies T4 and T6.1 (and Table 10.3) set out parking standards for proposed development. CLP policies SP8, DM29, and DM30 provide further guidance with respect to parking and state that development should not adversely impact upon the safety of the highway network.

Access

- 8.41 The access to the site was found to be acceptable under application 18/05009/FUL (including as vehicles could turn on site), with further detail approved through the discharge of condition 13 (22/00474/DISC). It has subsequently been delivered. This was through a s278 highway agreement, and carried out by an approved contractor, and included the widening/cross over. The change in material to the driveway from permeable grasscrete, to permeable paving, was accepted through the discharge of condition 4 of application 18/05009/FUL (19/04706/DISC) and would have been reviewed by Highway Officers in the discharge of the access condition.
- 8.42 A third party has raised concern that headlights from vehicles will shine towards the junction with Oakwood Avenue and Purley Hill, to the detriment of highway safety. It is evident that vehicles leaving the site do so in a downward motion directing headlines to the ground more swiftly than a flat surface, or an upward surface. The Transport Officer has reviewed the submission and has no objection. The proposal is considered to comply with CLP policies SP8, DM29, and DM30.

Accessibility/Parking

- 8.43 The Public Transport Access Level (PTAL) of the site is 0 (the worst), although it is noted that Purley Station is a 13-minute walk, all be it that the route is not flat. Table 10.3 of the LP allows a *maximum* of 1.5 spaces per dwelling in outer London boroughs where the PTAL is 0 (a maximum of 13.5 spaces for the development). This differs from the previous application 18/05009/FUL where the 2016 LP had a lower maximum standard for 1- and 2-bedroom properties which was only 1 space (a maximum standard of 10.5 for the development). For the previous application Officers considered that there would likely be nine cars from the development, and that there would be displacement of four cars. With the current proposal, this would reduce to three cars only, by virtue of the additional parking space. An assessment of parking stress was undertaken for the previous application, which included other recent developments in the area. This found parking stress of a maximum of 21%, although officers, considered that this would be 29%. Parking stress is considered to be high

when it reaches 85%. This led to the conclusion that, *“Given the amount of parking space availability on surrounding streets, there is insufficient evidence to suggest that residents from the development would park dangerously, to the detriment of highway or pedestrian safety, including that of children and those with disabilities. Moreover, given the relatively small number of units proposed, the scheme would not cause significantly levels of traffic generation.”* This conclusion remains appropriate.

- 8.44 All parking spaces are of an appropriate size. Parking spaces next to planting/walls do not have additional space, but it is evident on site that they function appropriately, as accepted by the Transport Officer. The proposed car parking provision and arrangements therefore comply with policies SP8.4, SP8.14, DM29 and DM30 of the Croydon Local Plan (2018) and policy T6 of the London Plan (2021). As an additional highway safety measure, given the elevated height of the parking area, it is considered necessary to require details of the erection of bollards to the rear of parking spaces that are adjacent to Selcroft Road, to prevent vehicles from leaving the raised area.
- 8.45 Policy SP8.12 (and table 10.1) of the CLP require the delivery of electric vehicle charging points for 20% of spaces. A planning condition (12) was imposed on application 18/05009/FUL requiring that one active and one passive electric vehicle charging point was installed. It is evident following site visits that this has not been installed and is not shown as proposed. This condition shall, therefore, be re-imposed, requiring installation within three months, and retention thereafter. This will ensure compliance with policy SP8.12 (and table 10.1) of the CLP.

Cycle Parking

- 8.46 CLP policy DM10 states that the Council will support proposals that incorporate cycle parking within the building envelope. Failing that, the council will require cycle parking to be located within safe, secure, well-lit, and conveniently located weather-proof shelters unobtrusively located within the setting of the building. Policies DM16 and DM29 of the CLP promote active travel including cycling. London Plan policy T5 (and table 10.2) promotes cycling and requires adequate cycle storage, in line with the London Cycling Design Guide. In this instance, 1.5 cycle spaces are required for each of the one-bedroom properties, and 2 cycle spaces are required for each of the other units, and one of those must be for a wider/adapted bike (with suitable space about it) to comply with the London Plan. The access width to the store should also be more than 1.2 metres.
- 8.47 The total requirement is for long stay storage for 16 cycles. This differs from the previous approval 18/05009/FUL, where the 2016 LP standards meant that space for 14 cycles was required. As a result of the levels of the site/garden, the original plan for two cycle sheds containing seven cycles each has not been possible to deliver. A bespoke cycle solution has had to be designed within the rear garden. The proposal is now for the provision of semi vertical cycle storage along the boundary with No.53 accommodating 12 bicycles. A further cycle store that can accommodate two bicycles adjacent to this store with Sheffield Stands, and a store that can store two bicycles in the garden to the ground floor flat affronting Purley Hill is proposed (see figure 12)

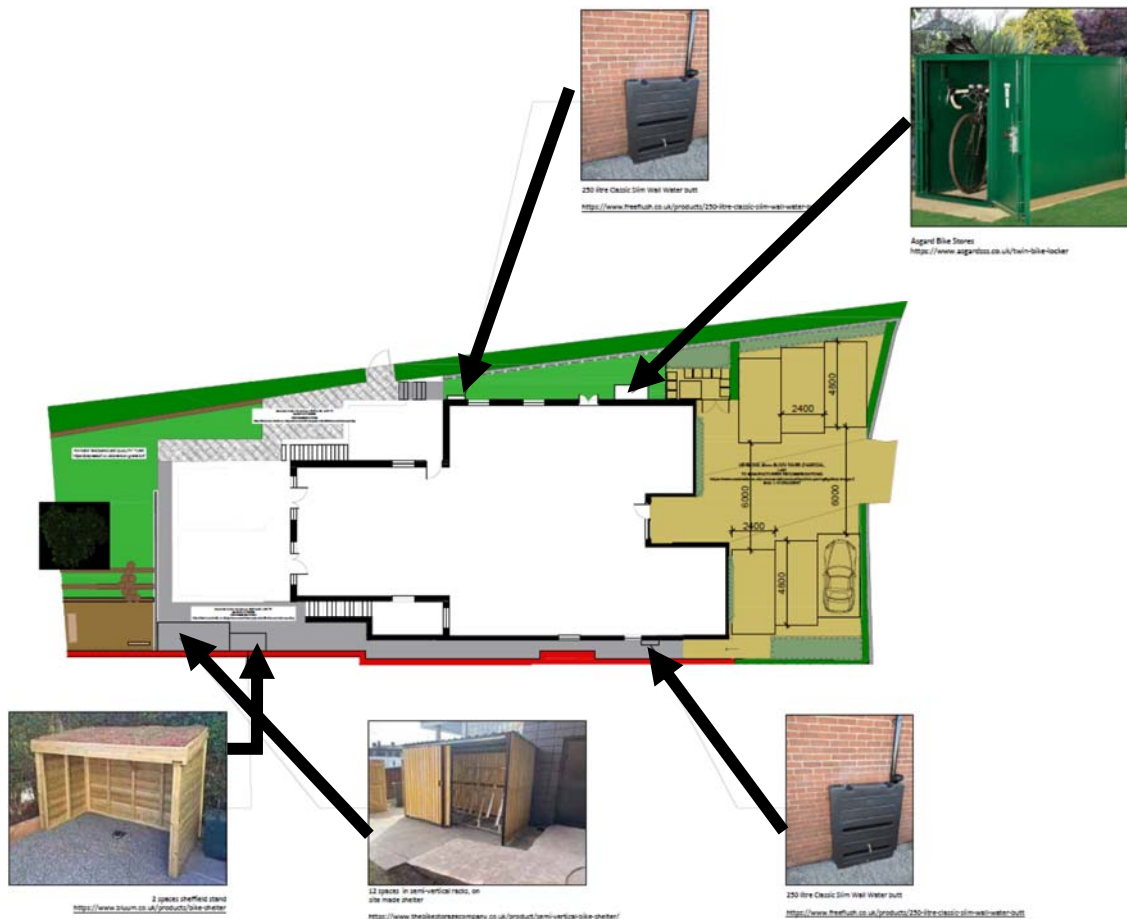


Figure 12 – Location of Cycle Storage

8.48 The proposal, together with the level changes allows for cycle storage and cycle manoeuvres. Whilst the access would not be 1.2m wide (being 82cm at the pinch point between the raised side area and boundary, and then 83 cm along the path between the garden and the lightwell), this would operate effectively for the site (subject to final details for internal layout and securing cycles). The proposal therefore complies with policy DM10, DM16 and DM29 of the CLP in this respect, providing for, and encouraging cycling, and LP policy T5, in terms of the quantum of provision, but not the layout. This is a minor compliance matter in the overall scope of the application, and the conflict with the policy is given limited weight, given the overall effectiveness of provision.

8.49 There is no formal provision for short stay cycles (two spaces should be provided), but this in itself is not so harmful as to warrant refusal, and cycles could be left securely in the rear garden.

Flood risk and energy efficiency

8.50 LP policy SI13 requires developments to achieve greenfield runoff rates and to manage surface water as close to source as possible by following the drainage hierarchy. CLP policies SP6 and DM25 require all developments to incorporate SUDS to reduce surface water runoff and provide water treatment on site.

8.51 The site is located in Flood Risk Zone 1 (low). The site itself is modelled as being at low risk (1 in 1000 years) from surface water flooding. The road in front of the property, however, is modelled at being at medium risk (1 in 100 years) from surface water

flooding. The applicant submitted a flood risk assessment (FRA) for application 18/05009/FUL that appropriately identified the extent of risk, and then submitted further details under 19/04706/DISC to discharge condition 5, which were subsequently agreed. A third party has noted that the water butts approved as part of the discharge of condition 5, which related to the Flood Risk Assessment, have not been installed. It is noted that water butts are now proposed as part of the current scheme, but as slimline water butts (see figure 12) at 250l each, whereas the submitted FRA recommended 2 x 150l water butts. A condition to require the installation is considered necessary to ensure installation of the now proposed water butts, and compliance with the details submitted under 19/04706/DISC, LP policy SI13 and CLP policies SP6 and DM25.

Other Planning Matters

- 8.52 The development was liable for both Mayoral Community Infrastructure Levy (CIL) and Croydon CIL. This was paid under application 18/05009/FUL. The collection of the levy contributes to the provision of infrastructure to support development including provisions, improvement, replacement, operation or maintenance of education facilities, health care facilities, public open space, public sports and leisure, and community facilities.

Conclusions

- 8.53 The principle of development is acceptable. The development has delivered a net increase of eight homes, including three family sized homes. This is a significant benefit. The application is retrospective, and the site is now occupied. The building has been erected under a previous planning permission, to the same dimensions, but with minor alterations that do not impact the character of the area. The outside space has been amended from the approved scheme in a material way that triggered the submission of the application.
- 8.54 An additional parking space has been created, which is a benefit of the scheme.
- 8.55 The bin storage area has been moved backwards, away from the site frontage, although it has been reduced in size. Despite the size reduction it remains usable. This weighs neutrally.
- 8.56 The frontage area has been raised towards the northern edge. Other level changes have occurred, and further internal level changes and steps are proposed. These are not considered to impact the character of the area or significantly impact neighbouring amenity. This weighs neutrally (subject to hard and soft landscaping matters below)
- 8.57 The close boarded fencing to the frontage is considered unnecessary as it provides no amenity value for residents and is to be conditioned to be removed given the overall height (with the retaining wall) and prominence within the street. As a result of the imposition of this condition, this does not weigh against the proposal.
- 8.58 The soft landscaping that was planted under the previous application has failed. Whilst acceptable in principle, its successful establishment is important to ensure integration with the character of the area. Stringent conditions are included to ensure that this is replaced and maintained. This is neutral in the decision-making process as it is a requirement to make the scheme acceptable.

- 8.59 The blockwork walls are visible to the front of the site, and through vegetation to the side (whether successfully established or not). These are to be rendered. This is neutral in the decision-making process as it is a requirement to make the scheme acceptable.
- 8.60 A bespoke approach to cycle storage is necessary, and will deliver an appropriate level of parking, although not to standard. The policy conflict is afforded limited weight in the determination of the application.
- 8.61 Play space is to be provided. This is a minor benefit of the scheme. Three of the nine flats do not have private amenity space, with balconies having been removed from the earlier scheme. Nevertheless, there is a quasi-private garden space (in that it is for the occupants of the development only), which can provide for a majority of the needs of occupants, although not in private. This therefore weights against the proposal in a limited way.
- 8.62 The significant benefit of the provision of a net increase of eight homes, including three family homes are considered to significantly and demonstrably outweigh the limited impacts identified. Permission, subject to conditions, is therefore recommended.
- 8.63 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).