

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 20/06319/FUL  
 Location: 1 Smitham Bottom Lane, Purley, CR8 3DE  
 Ward: Purley and Woodcote  
 Description: Demolition of existing two storey detached dwelling; construction of part three, four, and five storey building comprising a mix of 16 no. one, two and three bedroom flats; associated parking and hard and soft landscaping.  
 Drawing Nos: 0100 Rev 1, 0101 Rev 1, 0102 Rev 4, 0103 Rev 1, 0201 Rev 1, 0202 Rev 1, 0251 Rev 6, 0252 Rev 5, 0253 Rev 5, 0254 Rev 5, 0255 Rev 05, 0256 Rev 3, 0400 Rev 01, 0450 Rev 03, 0451 Rev 02, 0452 Rev 03. 0453 Rev 03.  
 Applicant: Mr Matthew Flack, MAC Developments (Cheam) Ltd.  
 Agent: Mr Oliver Bray, OB Architecture.  
 Case Officer: Barry Valentine

	<b>Market Housing</b>	<b>London Affordable Rent (LAR)</b>	<b>Intermediate Shared Ownership (SO)</b>	<b>TOTAL</b>
<b>Studio</b>	1	0	0	1
<b>One-bed</b>	0	0	0	0
<b>Two-bed</b>	2	1	0	3
<b>Three bed</b>	10	1	1	12
<b>TOTAL</b>	13	2	1	16

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
16 on site car parking spaces	36 on site cycle parking spaces

1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received, and following on from Ward Councillor representation and referral request (Cllr Quadir) in accordance with the Committee Consideration Criteria.

**2.0 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission subject to:

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

1. 19% Affordable Housing (by habitable room) with 63% at LAR and 37% SO, including early and late stage review
2. Local Employment and Training Strategy and Contribution – Construction Phase Contribution of £6,750

3. Carbon offset financial contribution (£26,790)
4. Air quality contribution (£1,600)
5. Highway works - resurfacing of highway, alterations/realignment of crossover, road drainage alterations.
6. Sustainable travel contribution (£24,000)
7. Retention of scheme architects
8. Monitoring fees
9. Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration.

2.2 That the Director of Planning and Sustainable Regeneration has delegated authority to negotiate the legal agreement indicated above.

2.3 That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. In accordance with the approved plans.
2. Development to be implemented within three years.

#### Pre-commencement

3. Construction Logistics Plan
4. Ecological Mitigation and Enhancement Scheme

#### Pre-commencement (save for demolition)

5. Sustainable Urban Drainage System
6. Land Contamination – Site Investigation and Remediation
7. Fire Strategy

#### Prior to above ground works

8. Samples and details (as appropriate) of materials including window frames and balustrades. Brick sample panel.
9. Detailed design drawings
10. Secure landscaping proposals including replacement trees, with additional details secured via condition on biodiversity mitigation measures, boundary treatments, child play space and communal areas. Secure minimum Urban Greening Factor of 0.5
11. Secure by Design

#### Prior to occupation

12. Secure Lighting Plan

#### Compliance

13. Provision of on-site car parking – prior to occupation and permanently retained thereafter. Electric vehicles charging point at 20% car parking spaces fitted with active provision, 80% car parking space with passive provision
14. Cycle Parking – Implementation

15. Secure Energy Assessment
16. Secure Air Quality Assessment
17. Secure Noise Report
18. Secure transport assessment, including travel cards and car club incentives
19. Refuse to be built and completed prior to occupation
20. Secure Arboricultural Method Statement
21. Secure Flood Risk Assessment
22. Noise from any plant and machinery
23. 90% of units to meet M4 (2) accessibility standard
24. 10% of units to meet M4 (3) accessibility standard
25. Water use target
26. Upper floor windows obscurely glazed and non-opening up to 1.7m from finished floor level
27. Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration.

### **Informatives**

1. Community Infrastructure Levy.
  2. Subject to legal agreement
  3. Thames Water Advice
  4. Pollution and Noise from Demolition and Construction Sites Guidance.
  5. Waste Informative
  6. Refuse Informative
  7. Removal of site notices
  8. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.
- 2.4 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Webb Estate and Upper Woodcote Village Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.5 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.6 That, if within 4 months of the planning committee meeting date, the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration has delegated authority to refuse planning permission.

### **3.0 PROPOSAL AND LOCATION DETAILS**

## Proposal

- 3.1 Planning permission is sought for demolition of existing two storey detached dwelling and detached double garage; construction of part three, four, and five storey building comprising a mix of 16 no. one, two and three bedroom flats; associated parking and hard and soft landscaping.



Fig A – CGI of Proposed Scheme

- 3.2 There have been three broad phases of revisions to the application during the course of determination. The first phase of revisions were submitted in March 2021. In summary the main changes were as follows:
- Reduction in the number of homes provided from 17 to 16.
  - Increase in the number of three beds being provided from 9 to 12.
  - Design development including introduction of banding to break up façade, and alterations roof level appearance.
  - More detailed landscaping proposals.
- 3.3 The second phase of revisions were received in May 2021. In summary the main changes were as follows:
- Further design development making minor changes to design and to improve home quality.
  - Documents to ensure compliance with London Plan (2021) that was adopted post submission including Fire Strategy Report, Energy and Sustainability Statement amendments, Urban Greening Factor Calculations.
  - Revisions to SUDS strategy to address LLFA concerns.
  - Supplementary Transport Information including to visibility splays, swept path analysis and bulky goods area.
  - Updated viability appraisal to account for change in unit numbers.
- 3.4 The third phase of revisions have been received since October 2021. In summary the main changes have been as follows:
- Clarification on bedroom sizes and lift overrun.
  - Revisions to Fire Strategy to ensure compliance to London Plan (2021) policy.
  - Further revision to SUDS strategy to address LLFA concerns.
  - Improvements to landscaping to improve Urban Greening Factor Score.
- 3.5 Throughout these revision there has been no significant changes to the overall bulk, mass, form or overall design approach. The changes that have been made are on the whole technical and have sought to address consultees and objectors concerns where relevant. These changes in the view of officers did not require formal re-consultation on the application.

## Site and Surroundings

- 3.6 The application site is a two storey detached property with separate double garage located on Smitham Bottom Lane at the junction with both Foxley Lane to the northeast, and Woodcote Park Avenue to the west. There is a small land level change across the site with the site sloping from east down to the west.
- 3.7 The site has a Public Transport Accessibility Level (PTAL) of 1b. The site and/or its immediate surrounding area are at low risk (between 1 in 100 and 1 in 1000 year risk) from surface water flooding. The site is located within Flood Zone 1, as defined by the Environmental Agency.



Fig B – Birds Eye View of the Site with site roughly outlined in red

- 3.8 The site is not within a conservation area and there are no heritage assets on the site. The Webb Estate and Upper Woodcote Village Conservation Area is immediately adjacent to the south eastern boundary of the site.

### Relevant Planning History

- 3.9 The council provided pre-application advice under references (19/01751/PRE, 19/04468/PRE and 20/01584/PRE) in connection with this site.
- 3.10 Planning permission reference 84/00429/P was granted on the 04/05/1984 for the 'Erection of detached house with integral garage.'
- 3.11 Planning permission reference 86/00576/P was granted on the 04/07/1986 for the 'Erection of two, five bedroom houses with double garages and formation of vehicular access.'

## 4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The provision of 16 residential units would make a contribution to housing delivery in a well-connected location. 75% of these units would be 3 bed or larger, and would positively contribute to family housing provision.
- 4.2 The proposed development would provide 19% affordable housing by habitable room, which amounts to 3 units, at a 63 to 37 split between London affordable rented homes and intermediate homes. This offer has been independently scrutinised and is the maximum reasonable affordable housing policy compliant provision.
- 4.3 The scale of the development is an appropriate response to the site's location and neighbouring properties, with a high quality design and detailing, with further details on materials recommended to be secured via condition. A high quality landscaping scheme is proposed.
- 4.4 The proposed development would not have an unacceptable impact on neighbouring properties' living conditions.
- 4.5 The standard of residential accommodation would be acceptable, as all units would meet the Nationally Described Space Standards (NDSS), would have sufficient private amenity space and access to sufficient communal amenity and child play space. All units would have an acceptable level of access to light and outlook.
- 4.6 The proposed development provides appropriate level of car parking on site, and would not cause significant parking stress on surrounding streets. The proposed development promotes sustainable modes of transport including cycle parking provision and car club incentives.
- 4.7 Suitable planning obligations and conditions have been recommended in order to ensure that the proposed development does not have an adverse impact upon either air quality or the risk of flooding.

## **5.0 LOCAL REPRESENTATION**

- 5.1 A total of 10 neighbouring properties were notified about the application and invited to comment by the way of letter, three site notices were erected and a notice published in the press. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

Individual responses: 155, Objections: 155, Support: 0

- 5.2 The following issues were raised in representations that are material to the determination of the application, which are addressed in substance in the next section of this report

<b>Summary of Objectors Concerns</b>	<b>Officer's Response</b>
Overdevelopment, that unacceptably harms the character and appearance of the street scene and blight wider views	The proposed development represents a high quality contemporary contextual design that responds appropriately to the site and its restraints. The proposed development would not cause harm to the appearance of the site, street or wider area, and does not represent overdevelopment of the site.
Loss of family homes	The proposed development would significantly increase the number of three bed homes. These homes by virtue of their size, layout and design meet the definition of 'family housing' within the London Plan (2021).
Impact on green appearance and biodiversity	The proposed development has a high quality landscape design that would achieve an appropriate contextually sensitive green appearance, and which comfortably exceeds the Urban Greening Factor standard set out in the London Plan (2021). Conditions are recommended to ensure that the development takes appropriate steps to achieve a net gain in biodiversity.
Loss of privacy from windows and balcony	The proposed balconies would not cause direct overlooking of neighbouring properties. Windows within the development largely do not look directly into neighbouring windows. Conditions are recommended to prevent window located on the side elevation to be obscurely glazed and non-opening up to height of 1.7m to ensure appropriate neighbourly relationships.
Overshadowing and loss of sunlight	The proposed development with its appropriate front and rear building lines, would not cause unacceptable loss of light to neighbouring properties or their garden areas.
Noise from intensification of use	Given that the proposed homes would be in residential use, they would not generate significant levels of noise disturbance such to justify refusal of planning permission.
The site is not identified for intensification within the Local Plan	The site is not allocated, nor is it located in an area of focused intensification. However, the current Local Plan does not preclude appropriate development outside of these areas, as long as they comply with the development plan as a whole. The proposed development would make a contribution to the council achieving its housing target, including the provision of much needed affordable housing. The proposed development as set out in the report complies with the development plan as a whole.
The development fails to provide good quality of accommodation	The proposed homes are very high quality, meeting floor space standards, appropriate floor to ceiling heights, private amenity space, dual aspect with key habitable rooms likely to receive good levels of light and aspect.
Not enough parking	The proposed development at ratio of 1 parking space per home strikes the appropriate balance between providing parking and the promotion of sustainable modes of transport. In any event there is significant

	capacity on surrounding streets to accommodate any additional parking demand.
Highway safety from accessing the driveway especially given access is onto roundabout	The proposed development has appropriate and safe visibility splays that will allow safe access and exiting from the development.
Impact on traffic generation on already busy road	The proposed development would not generate significant levels of traffic to justify refusal of planning permission.
Impact on pollution, including air quality	The applicant has submitted an air quality assessment. The proposed heating and hot water strategy would ensure that the building does not generate any emissions. The impact from vehicular emissions would be negligible. The statement outlines how development would be constructed in an appropriate way such that any impact on air quality would not be significant.
Impact on trees	The proposed development would not result in the loss of any trees of visual amenity value. Six new trees would be planted to the front of the property.
Lack of affordable housing provision	The proposed development provides 3 affordable homes. The applicant's affordable housing offer has been independently tested, and found to be the maximum reasonable.
Impact on local services	The proposed development would be liable to CIL which will help ensure that the proposed development mitigates its impact on local services.
Impact on flooding	The application has been submitted with a detailed flood risk assessment and surface water drainage strategy. The proposed development would utilise appropriately sized soakaways that would ensure that the development does not have an adverse impact on flooding. The way that surface water is handled in the application would be an improvement over the existing situation.
Flats not appropriate due to COVID	There is no substantive evidence to support this claim.
Impacts during construction	Conditions are recommended where appropriate and reasonable, to ensure that the development's impact during the construction phase is appropriately mitigated.

5.3 The following comments were made in objections received, which are non-material to the determination of the application:

Only for profit	This is not material planning consideration, with exception of it being an input within a viability appraisal, where for the purposes of viability the applicant's profit level of 17.5% on market housing and 6% on affordable is considered reasonable.
Impact on house prices	This is not a material planning consideration
Development would be breach of existing covenant	This is not a material planning consideration and separate legal matter. It is understood that this has been raised with the developer directly by the objector.

5.4 The following Councillor made representations:

Councillor Badsha Quadir (objection)

1. This proposed development results in a loss of a family home.
2. This proposed development is an overdevelopment in the area along with inadequate amenity facilities for future occupiers.
3. The proposed building is out of character within the local area.
4. The development is overbearing and detrimental to the local neighbors through loss of privacy, noise and visual intrusion due to height of the buildings.
5. For the size of the development there is not enough car parking space for the tenants. They would also be coming onto a very busy roundabout which will cause a health and safety issue amongst pedestrians and vehicles.

Officer's response – The comments are similar to objectors, and have been addressed in the tables above and further covered in the report below.

## **6.0 CONSULTATION RESPONSE**

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

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

- 6.2 No objection subject to conditions. The submitted strategy demonstrates that a suitable drainage strategy can be delivered on site, however some further details are required to support the final design of the proposed strategy (Officer comment: conditions are recommended).

### **London Borough of Sutton**

- 6.3 No response

### **Thames Water**

- 6.4 No objection but have provided comments which have been forwarded onto the developer.

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

- 7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan and any other material considerations. Details of the relevant policies and guidance notes are attached in Appendix 1.

### National Guidance

- 7.2 The National Planning Policy Framework 2021 (NPPF) and online Planning Practice Guidance (PPG), as well as the National Design Guide (2019) are material considerations which set out the Government's priorities for planning and a presumption in favour of sustainable development.

- 7.3 The following NPPF key issues are in particular relevant to this case:

- Delivering a sufficient supply of homes
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change

### Development Plan

- 7.4 The Development Plan comprises the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012).
- 7.5 The relevant Development Plan policies are in Appendix 1.

### Supplementary Planning Document

- 7.6 The relevant SPGs and/or SPDs are listed in Appendix 1.

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

- 8.1 The main planning issues raised by the application that the Planning Committee are required to consider are:
1. Principle of development, affordable housing and quality of residential homes.
  2. Impact on the appearance of the site and surrounding area.
  3. Neighbouring properties' living conditions.
  4. Impact on parking and the highway conditions.
  5. Trees and landscaping.
  6. Flooding.
  7. Other planning issues.

### **Principle of development, affordable housing and quality of residential homes.**

#### Principle of Development

- 8.2 The London Plan (2021) sets a minimum ten year target for the borough of 20,790 new homes over the period of 2019-2029. The Croydon Local Plan (2018) sets a minimum twenty year target of 32,890 new homes over the period of 2016 to 2036, with 10,060 homes being delivered across the borough on windfall sites. The proposed development would create additional housing on a windfall site that would make a contribution to the borough achieving its housing targets as set out in the London Plan (2021) and Croydon Local Plan (2018).
- 8.3 Policy SP2.7 sets a strategic target of 30% of all new homes up to 2036 to have three beds or more. Policy DM1 of the Croydon Local Plan (2018) requires major developments in a suburban setting with a PTAL of 1 to have 70% of the homes

as three bedroom or larger. 75% of the homes are three beds, exceeding policy requirements.

- 8.4 Policy DM1.2 seeks to prevent the loss of small family homes by restricting the net loss of three bed homes and the loss of homes that have a floor area less than 130 sq.m. The existing property is a four bed and measures 205 sq.m. The proposed development would result in the creation of a net increase of three bed homes by 11.

#### Affordable Housing

- 8.5 The Croydon Local Plan (2018) requires the council to negotiate up to 50% affordable housing (subject to viability). For this site there is a minimum of 15% on a habitable room basis, where build costs are not in the upper quartile and subject to a review mechanism. The Croydon Local Plan (2018) requires this to be sought at a 60:40 split between affordable rented homes and intermediate homes. The London Plan (2021) sets a strategic target of 50%, but allows lower provision to be provided dependent on whether it meets/exceeds certain thresholds, or when it has been viability tested. When a scheme proceeds down the viability tested route, it requires schemes of a single phase to have both early and late stage viability reviews. Policy H6 of the London Plan (2021) requires developments to provide 30% as low cost rented homes, either as London Affordable Rent or Social rent, allocated according to need and for Londoners on low incomes, 30% as intermediate products which includes London Living Rent and London Shared Ownership, with the remaining 40% to be determined by the borough.
- 8.6 The proposed development would provide 19% affordable housing by habitable room, which amounts to 3 homes. The tenure splits would be 63% at London Affordable Rent to 37% shared ownership by habitable room, which translates to 2 London Affordable Rent units and 1 shared ownership units.
- 8.7 The applicant's affordable housing offer has been independently scrutinised by Adams Integra on behalf of the council. The results of the viability appraisal is that there would be a viability deficit and it would not be viable to provide an increased amount of affordable housing. The proposed level of affordable housing is the maximum reasonable, policy compliant (with early and late stage reviews secured through the legal agreement) and thus acceptable.

#### Residential Quality

- 8.8 The proposed development would provide high quality residential homes. All the proposed homes would meet recommended minimum floor space standards set out in both the London Plan (2021) 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'.
- 8.9 All homes would receive good levels of daylight by virtue of being dual aspect and as key habitable rooms would be served by generously sized windows. There are some single bedrooms window that will need to be obscurely glazed and non-opening up to a height of 1.7m due to need to protect neighbouring

privacy and neighbourliness. However, given that this only impacts smaller bedrooms, where light is of less importance due to the nature of the rooms use, the impact on the overall quality of accommodation would be acceptable. All units would have floor to ceiling heights of 2.6m, which is excess of the 2.5m required under the London Plan (2021).

- 8.10 In regards to private amenity space, policy DM 10.4 (c) requires new residential developments to provide a minimum of 5sq.m per 1 to 2 person homes, with an additional 1 sq.m per extra occupant thereafter. All the proposed homes would have a private terrace or balcony that would comply with Council's policy standards.
- 8.11 All residential homes would have access to communal garden located to the rear of the property. A landscape strategy document has been submitted. Direct access would be provided to the communal garden from the central core. The rear communal garden is largely flat containing communal seating and bbq areas.



Fig C – CGI showing rear garden area from landscape strategy

- 8.12 Under Policy DM 10.5, the proposed development based on child yield is required to provide 91.4 sq.m of child's play space, and under London Plan the development would be required to provide 94.7 sq.m. Play space is provided throughout the 300 sq.m rear communal garden area in the form of jumping and balancing logs, and swinging bars. Although not necessarily for children, there is also an outdoor gym frame and dip bar. The garden is largely flat and therefore accessible. To ensure appropriate quantum of play space for children is provided, further conditions are recommended.
- 8.13 In regards to accessibility, London Plan Policy 3.8 'Housing Choice' requires 90% of dwellings to meet M4(2) 'accessible and adaptable dwellings' Building Regulations requirement, with the remaining 10% required to meet M4(3) 'wheelchair user dwellings'.
- 8.14 The applicant has confirmed that two homes (homes 1 and 2) would be to M4 (3) 'wheelchair user dwellings' standard, whilst all remaining homes would be M4 (2) 'accessible and adaptable dwellings'. A fire evacuation lift is provided within the

development ensuring safe and dignified emergency evacuation for all building users in line with Policy D5 of London Plan (2021). Two accessible parking bays have been included providing a space for each of the wheelchair used dwellings, which meets and exceeds London Plan (2021) standards.

- 8.15 London Plan (2021) Policy D12 Fire Safety requires all major developments to be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The applicant has submitted a Fire Strategy produced by BWC Fire Limited. The strategy has been signed off by a suitably qualified assessor for the scale of development.
- 8.16 Officers have reviewed the information alongside our Building Control colleagues and consider the report is generally reasonable. There are areas where further development of the Fire Strategy will be necessary to ensure that highest standard of fire safety are achieved, however these are solvable and can be appropriate controlled through condition.

**Impact on the Appearance of the Site and Surrounding Area.**

- 8.17 The existing property is not protected from demolition. As such, it could be demolished under existing permitted development rights through the prior approval process without planning permission. The demolition of the existing building is acceptable subject to conditions.
- 8.18 The application site occupies a prominent corner plot located at the junction of Smitham Bottom Lane and Foxley Lane. The Suburban Design Guide SPD states that proposals for corner plots should seek to accommodate additional height and depth as marker points within the townscape. It states that proposals should seek to include an additional storey to the three storeys recommended in Croydon Local Plan (2018) policy DM10.1, and that some corner plots may be able to accommodate further height provided the massing is responsive to neighbouring properties.
- 8.19 The proposed development is three storeys in height at its boundaries and reaches a maximum height of five storeys. The three storey height at its boundaries allows a gentle and appropriate transition in scale from the neighbouring two storey plus roof form detached properties that adjoin it. The five storey maximum height is achieved in a sensitive and architecturally co-ordinated responsive manner utilising a brick gabled elevation that echoes the gables, eaves and cat slide roof forms of properties found in the area. The appropriate scaling of the development, in co-ordination with its design, successfully allows it to form a townscape marker point, whilst also being responsive to neighbouring properties, as such meets the objectives of the Suburban Design Guide SPD.

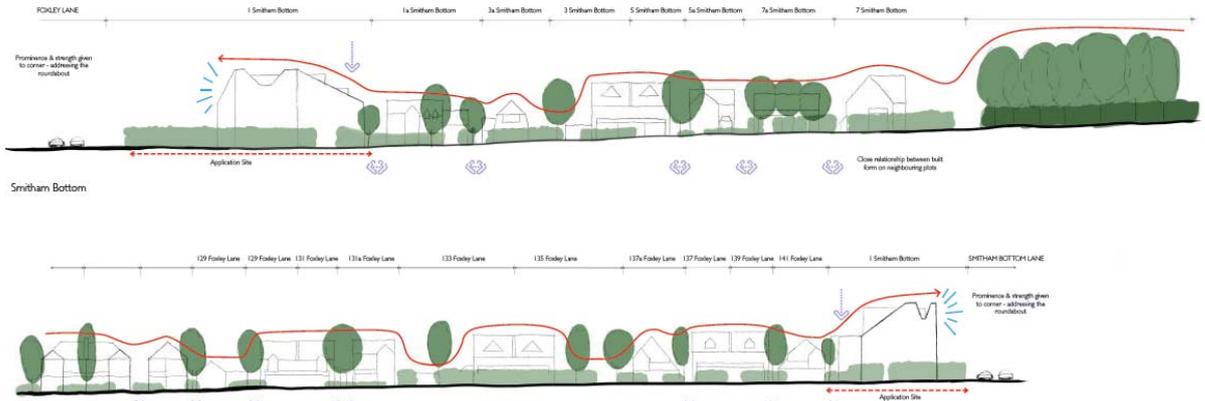
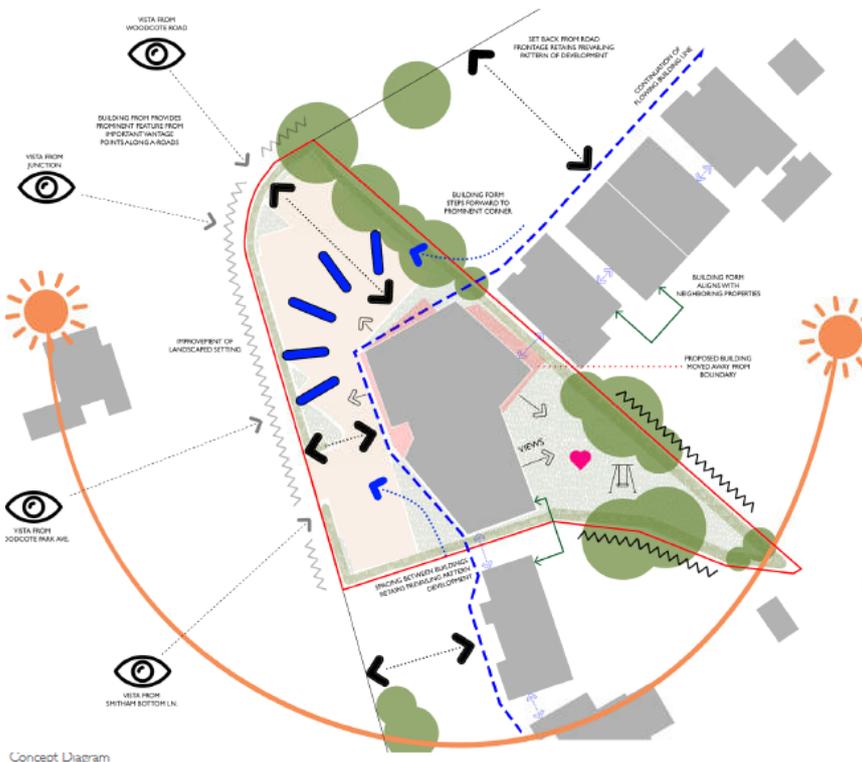


Fig D – Extract from design and access statement

8.20 The development is set in from the boundary with no.141 Foxley Lane by 3.5m and 2.4m with no. 1a Smitham Bottom Lane. This generous distance from the boundary, which is well in excess of the 1m recommended in the Suburban Design Guide, helps with the transition in scale from neighbouring properties, gives the development breathing space and helps prevent it being overbearing.

8.21 The rear building line of the development is set at two differing angles that responds to the corner nature of the site. The rear building line of the development adjacent to no.141 is set approximately 5m back from the neighbour's rear building line. In regards to no 1a Smitham Bottom Lane, the rear building line of the development projects approximately 3.2m further rearwards. This rearward extension of the rear building line is appropriate due to the significant separation distance of 6m between the two flank elevations, which ensures that the development comfortably complies with the 45 degree rule.



Concept Diagram

Fig E – Site Layout Approach

8.22 The front building line is set on three planes. On the Foxley Lane frontage the proposed front building line at the point closest to no.141 is set approximately 3m in front of the neighbours, and set at approximately a 20 degree angle. This projection of the building line forward is not problematic as it responds to the curvature of Foxley Lane, the site's location at corner where there is more inherent flexibility and due to this part of the elevation being set back 30m from Foxley Lane. On the Smitham Bottom Lane side the front building line corresponds directly to adjoining neighbour at the boundary, and then angles gently towards the corner before straightening. This allows for a gradual transition to the corner and still maintains a significant set back from the road of approximately 13m. There is also greater variance of the front building line along this section of Smitham Bottom Lane, and as such the projection of the front building line here would not be uncharacteristic. The fold in the Smitham Bottom Lane elevation helps to break down the length of this elevation, especially in views from Woodcote Park Avenue.



Fig F – CGI of Development

8.23 The proposed detailed design of the development has been informed by a character appraisal and contextual analysis that has looked at character and design features of properties in the area, and analysed the site. This analysis has then successfully been translated into the proposal. The building reimagines the flowing roof forms of the Arts and Crafts houses in the area with its undulating defined gabled roof form, with a setback timber floor. The gabled roof form helps create a contextually responsive building that successfully addresses the corner. Openings have deep reveals, which add depth and expression to the façade. The proposed material palette features white linear bricks, with recessed white mortar that is a high quality robust durable material choice that is central to achieving the high quality of design proposed. Darker brick would be used to give the building a solid base and add an element of contrast. The dark brick base/white brick top composition is commonly found in mock Tudor properties such as the neighbouring property no.141 Foxley Lane. Reconstituted concrete banding helps define the levels of the building and provide welcomed horizontal

emphasis. Window frames and balconies would be bronze colour helping to create a high quality contemporary appearance. Further details on materials is recommended to be secured via condition. To help ensure that the high quality design is delivered through to completion, a clause in the S106 is sought to ensure the retention of the scheme architect, as endorsed by London Plan D4.

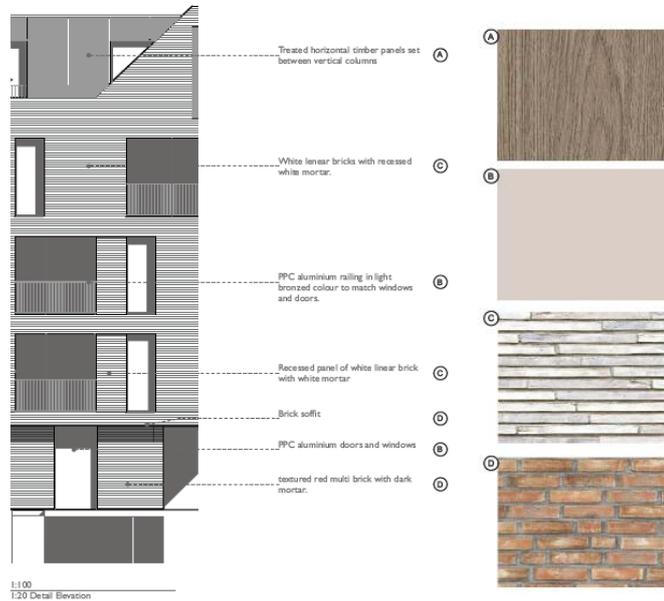


Fig G - Materials

8.24 The proposed landscaping strategy includes a new hedge along the front boundary that forms an appropriate soft buffer to the street that is in keeping with the suburban character of the site, whilst also effectively screening views of the car parking area and providing some privacy. Planters and trees that are proposed will break up the parking area and provide visual relief. The rear garden has been designed to form a communal amenity space, including barbecue areas and ample bench seating, as well as outdoor play and exercise equipment. Planting includes ferns, grasses and groundcover plants. The landscaping strategy document is recommended to be secured via condition.

#### *Impact on Heritage Assets*

8.25 The Planning (Listed Buildings and Conservation Areas) Act 1990 in regard to conservation areas (at section 72), requires special attention to be paid to the desirability of preserving or enhancing their character or appearance.

8.26 Policy DM18 of the Local Plan permits development affecting heritage assets where the significance of the asset is preserved or enhanced. Policy SP4 requires developments to respect and enhance heritage assets. London Plan Policy HC1 Heritage, Conservation and Growth states 'Development proposals affecting heritage assets, and their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

8.27 The site is not located in a Conservation Area. At the site's south eastern boundary corner lies the Webb Estate and Upper Woodcote Village Conservation Area. This boundary belongs to 2 Woodcote Lane, with the property itself due to the generous size of the garden located over 125m away from this boundary.

Number 2 Woodcote Lane's garden edge is defined by large trees and dense foliage, such that there is limited to no visibility between the two sites. The proposed development would therefore preserve the setting (including the character and appearance) of the adjacent Conservation Area.

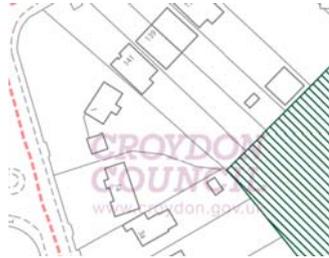


Fig H – Showing site in relationship to Webb Estate Conservation Area (green hatch)

### **Neighbouring Properties Living Conditions.**

- 8.28 The proposed development would not cause significant harm to light and outlook of windows located on the front and rear elevation of no.141 Foxley Lane or 1A Smitham Bottom Lane, due to the appropriate front and rear building lines, that comfortably comply with the BRE's 45 degree rule on plan.
- 8.29 There are no known windows on the side elevation of no. 1A Smitham Bottom Lane. In regards to no. 141 Foxley Lane, there are some unobscured windows at lower ground floor level on southern flank wall that appears to serve a habitable room. There are other windows on this flank elevation, however these based on planning records and site visit observations are obscurely glazed and serving non habitable rooms (bathrooms). All these windows are heavily screened by planting and boundary treatment, and are located at lower ground floor level, which significantly limits the amount of light and outlook that these windows receive. The proposed development would not have an unacceptable impact on the light and outlook of these windows.



Fig I- Showing the lower ground floor window on no 141 and boundary with no.141 taken from rear of development site.

- 8.30 The proposed development would not cause significant harm to neighbouring privacy. The windows and terraces on the front and rear elevation either due to their location or design, would primarily have views over the development's own garden area, and not directly into adjacent gardens or windows. Similarly these windows/terraces would not directly overlook the first 10m of neighbouring gardens, either due to the angle they face or due to the terrace/windows being

located over 10m away from the boundary. Upper floor windows located on the side elevation are recommended to be condition to be obscurely glazed and non-opening up to 1.7m from the finished floor level so that do not compromise neighbouring amenity or preclude the development of adjacent properties.

- 8.31 The proposed terrace areas would not cause significant noise disturbance to neighbouring properties as they are set a reasonable distance away from neighbouring windows and are modest in size. Generally intensification of the use would not cause unacceptable noise disturbance given the characteristic of the site and the generally low amount of noise generated by residential uses.

### **Impact on Parking and Highway Conditions.**

- 8.32 The proposed development has a PTAL rating of 1b (very low). There are however bus stops close to the site on both Smitham Bottom Lane and Foxley Lane that provides access to the 463 and 127 bus routes, with the latter providing a connection into Purley town centre and railway station.
- 8.33 16 car parking spaces are provided on site, amounting to 1 space per home, which does not conflict with the London Plan's maximum residential car parking standard of 1.5 spaces per dwelling for developments in outer London with a PTAL rating of 0 to 1. The level of parking provision given the reasonable connections to Purley and beyond, as well as the need to promote sustainable mode of transport, is sufficient to meet the needs of the development. In the instance that a greater number of cars were associated with the development, then there is a sufficient number of parking spaces available on Woodcote Park Avenue. This is based from both on site observations and from the applicant's overnight parking survey that was undertaken on the 3<sup>rd</sup> and 4<sup>th</sup> March 2020, which demonstrated only 3 of 44 car parking spaces on Woodcote Park Avenue between Elton Road and Smitham Bottom Lane were occupied. The proposed development would not cause an unacceptable level of parking stress. A range of initiatives to discourage car ownership are proposed in paragraph 3.6.2 of the applicant's transport assessment, including travel cards and car club incentives. These are recommended to be secured via condition. A condition is also recommended to ensure that electric vehicle charging points are installed in line with London Plan (2021) standards.
- 8.34 Two on-site disabled car parking spaces are proposed for use by blue badge holders. This exceeds policy T6.1 of the London Plan (2021) which requires one space per dwelling for three percent of the total dwellings, with it demonstrated how a further seven percent could be provided in the future.
- 8.35 In terms of trip generation, in the worst case scenario the development is forecasted to generate 8 car movements in the morning peak, 6 car movements in the evening peak hour, with an additional 26 during the day. The existing property is estimated to generate 7 trips during the whole day, with 1 occurring in morning peak and 2 in evening peak. The additional 33 trips a day would have a negligible impact on traffic generation and operation of the highway.

8.36 The existing property has approximately 4 parking spaces which are accessed via a drop kerb at the south western corner of the site on Smitham Bottom Lane. This existing exit has very poor visibility due to surrounding hedges and planting. The proposed development would be served by a new drop kerb located approximately 5m to the north. The new dropped kerb would have visibility splays that comply with guidance from the Suburban Design Guide SPD that from a point 2.4m back from the edge of the pavement would allow views of 34m to the north and 43m to the south. Tracking diagrams have been provided that demonstrate that large cars (4.8m length by 1.8m in width) would be able to enter and exit the site safely. The proposed development would not have an adverse impact on highway or pedestrian safety. Prior to the first occupation of the development the necessary works to the public highway (undertaken through S.278 of the Highways Act) will be secured via the S.106 agreement.



Fig J – Existing Driveway Entrance

8.37 In regards to cycle parking, the London Plan (2021) requires one long stay cycle space to be provided for every studio or 1 person home, and 1.5 spaces for every 1 bed home and 2 spaces for all other dwellings, and 2 short stay space for schemes between 5 and 40 homes, and then a further space for every 40 homes after. In total 31 long stay cycle parking spaces and 1 short stay parking space are required by policy. In total 36 cycle parking spaces which include 4 short stay cycle spaces would be provided exceeding policy requirements. There is also space provided for accessible bikes. The long stay cycle store is provided internally in a secure and convenient location. The short stay cycle is located in an appropriate and convenient location adjacent to the front entrance. Conditions are recommended to ensure that the cycling is provided in accordance with the plans submitted.

8.38 A draft construction logistics plan (CLP) was submitted with the application. To ensure that the impact of the development during construction does not have an undue impact on the operation of the highway, a full CLP is recommended to be secured via condition.

8.39 A refuse store is located internally and is within 20m of the highway, thus enabling convenient collection from Smitham Bottom Lane. The bin store

contains four 1,100 litre bins, 2 of which are of recycling. In addition 240 litres of bins for food recycling have been provided. A 10sq.m bulky waste collection point is also provided adjacent to the car park entrance. The level of provision is in line with council's guidance and recommended to be secured via condition.

- 8.40 A financial contribution of £24,000 will be secured through a Section 106 contribution that will go towards improvements to sustainable transport including but not limited to on street car clubs with EVCP's and/or highway changes such as on street restrictions or membership of car club for the units for 3 years. This is required to promote sustainable transport alternatives and because of the increased traffic generated from the increased number of units.

### Trees and Landscaping.

- 8.41 Croydon Local Plan (2018) policy DM28: Trees, states that the council will not permit "development that results in the avoidable loss or the excessive pruning of preserved trees or retained trees where they make a contribution to the character of the area". This is further expanded in G7 of the London Plan 2021.
- 8.42 There are no protected trees within the site, but there is a protected Oak (TPO order 34) located close to the southern rear boundary. The applicant has submitted an arboricultural statement outlining how this tree would be protected during construction. The proposed development would not have an adverse impact on visual amenity of protected trees.



Fig K – Picture of TPO Oak tree and plan showing trees location relative to development.

- 8.43 There is a group of trees adjacent to the entrance of the site that consists of approximately 25 trees of various species. All are grade C trees of low quality. These are being retained where possible, although will be trimmed back. Given the low quality of these trees this is acceptable. The hedge along the front would be removed, but this is of low quality and not worthy of protection, and therefore no objection is raised. Officers are aware that several trees, including Ash, Maple, Birch and Robinia were removed on the site prior to submission of the planning application. Whilst the removal of these trees is disappointing, they were understood to be of poor quality and as such not protected, so their removal did not require consent.

- 8.44 Six new trees of 12 to 14 cm girth are proposed to be planted with the front garden area, five of which would be located immediately adjacent to the street. Officers are satisfied that the proposed trees would form adequate compensation for the trees and hedges that would be removed by the development, as well as those recently removed.
- 8.45 Policy G5 of the London Plan (2021) states that major development proposal should contribute by including urban greening. The London Plan (2021) set out that borough's should develop their own urban greening factor, but in the interim suggest a target score of 0.4 for developments, which are predominantly residential. Policy G6 of the London Plan (2021) sets out proposals should manage their impacts on biodiversity and aim to secure net biodiversity gain.
- 8.46 The current Urban Greening Factor of the proposed development is 0.50, thus significantly exceeding London Plan's target. To ensure that the development seeks to achieve a net gain in biodiversity, an Ecological Mitigation and Enhancement scheme is recommended to be secured via condition.

### **Flooding.**

- 8.47 The site and/or its immediate surrounding area at low risk (between 1 in 100 and 1 in 1000 year risk) from surface water flooding. The site is located within Flood Zone 1, as defined by the Environmental Agency.
- 8.48 The applicant has submitted a Surface Water Flooding Strategy which has been reviewed by the LLFA, and considered subject to conditions, satisfactory. Infiltration testing has been undertaken which has informed the drainage system design, with surface water discharged through infiltration. Soak ways have been designed to accommodate a 1 in 100 year flooding event with additional 40% allowance for increased rainfall intensity as result of climate change. The development would result in close to greenfield runoff rates, which represents an improvement over the current situation. Rainwater harvesting butts will also be utilised.

### **Other Planning Issues.**

- 8.49 Policy SP6.2 requires new development to minimise carbon dioxide emissions, including that new dwellings (in major development proposals) must be Zero Carbon. As a minimum a 35% reduction in regulated carbon emissions over Part L 2013 is required, with the remaining CO<sub>2</sub> emissions to be offset through a financial contribution. The policy also requires major developments to be enabled for district energy connection unless demonstrated not to be feasible.
- 8.50 The proposed development would achieve a 39.5% reduction in regulated CO<sub>2</sub> emissions. The remaining regulated CO<sub>2</sub> emissions shortfall (59 tonnes) would be covered by a carbon offset payment which would need to be secured through a S.106 agreement. There is no district energy connection and one is not likely to be feasible/viable for this area and site.

- 8.51 A planning condition is recommended to secure compliance with the domestic water consumption target of 110 litre/person/day, to ensure sustainable use of resources.
- 8.52 Policy SL 1 Improving Air Quality of the London Plan (2021) states that development proposal should be at least 'air quality neutral'. Croydon Local Plan (2018) requires development to positively contribute to improving air, land, noise and water quality by minimising pollution. To address this the applicant has submitted an Air Quality Assessment. The proposed heating and hot water strategy would ensure that the building does not generate any emissions. The impact from vehicular emissions would be negligible. The statement outlines how development would be constructed in an appropriate way such that any impact on air quality would not be significant. In addition in order to be acceptable a financial contribution is required to be secured via S106 agreement.
- 8.53 In regards to land contamination, a phase 1 Environmental Risk Assessment and a Phase 2: Site Investigation report were submitted in support of the application. Both reports have been reviewed by the council's Land Contamination Officer whom has confirmed that the phase 1 report is satisfactory. However, due to contaminations encountered during the initial site investigations, further ground gas monitoring is required. These further investigations are recommended to be secured via condition, along with a Remediation Strategy.
- 8.54 In line with policy DM16 of the Croydon Local Plan (2018) a health impact assessment was submitted which identifies that the proposal will improve housing quality, has good access to health, social and retail facilities, open space, and would be environmentally sustainable. Planning obligations and conditions are recommended restricting car use to avoid unacceptable health impacts.
- 8.55 The development would be liable for both Mayoral Community Infrastructure Levy (CIL) and Croydon CIL. The collection of CIL would contribute to provision of infrastructure to support the development including provisions, improvement, replacement, operation or maintenance of education facilities, health care facilities, and opens space, public sports and leisure, and community facilities.

## **9 Conclusion**

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

## **Appendix 1: Planning Policies and Guidance**

The following lists set out the most relevant policies and guidance, although they are not exhaustive and the provisions of the whole Development Plan apply (in addition to further material considerations).

### **London Plan (2021)**

- GG1 Building Strong and Inclusive Communities
- GG2 Making Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Homes Londoners Need
- GG6 Increasing Efficiency and Resilience
- 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
- H5 Threshold Approach to Applications
- H6 Affordable Housing Tenure
- H7 Monitoring of Affordable Housing
- H10 Housing Size Mix
- S4 Play and Informal Recreation
- E11 Skills and opportunities for All
- HC1 Heritage Conservation and Growth
- G5 Urban Greening
- G6 Biodiversity and access to nature
- SI 1 Improving Air Quality
- SI 2 Minimising greenhouse gas 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
- T7 Deliveries, Servicing and Construction

## **Croydon Local Plan (2018)**

### Strategic Policies

- Policy SP1: The Places of Croydon
- Policy SP2: Homes
- Policy SP3: Employment
- Policy SP4: Urban Design and Local Character
- Policy SP6: Environment and Climate Change
- Policy SP8: Transport and Communication

### Development Management Policies

- Policy DM1: Housing choice for sustainable communities
- Policy DM10: Design and character
- Policy DM13: Refuse and recycling
- Policy DM16: Promoting Healthy Communities
- Policy DM18: Heritage assets and conservation
- Policy DM23: Development and construction
- Policy DM24: Land contamination
- Policy DM25: Sustainable Drainage Systems and Reducing Flood Risk
- Policy DM27: Protecting and enhancing our biodiversity
- Policy DM28: Trees
- Policy DM29: Promoting sustainable travel and reducing congestion
- Policy DM30: Car and cycle parking in new development

### **Supplementary Planning Guidance (SPG) / and Documents (SPD)**

#### London Plan

- Affordable Housing & Viability (August 2017)
- Crossrail Funding (March 2016)
- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Sustainable Design and Construction (April 2014)
- Play and Informal Recreation (September 2012)
- Planning for Equality and Diversity in London (October 2007)

#### Croydon Development Plan

- Suburban Design Guide 2019 SPD
- Designing for community safety SPD
- SPG 12: Landscape design