

1 APPLICATION DETAILS

Ref: 22/03825/FUL
 Location: 111 - 113 Brighton Road, South Croydon CR2 6EE
 Ward: South Croydon
 Description: Demolition of car dealership and erection of a part 3, part 4 storey building comprising 24 residential units with landscaping, public realm improvements, and associated works
 Drawing Nos: BRC-BPTW-05-00-DR-A-0101-C01; BRC-BPTW-07-00-DR-A-0112-C06; 2003-C06; 2004-C03; 1011-C08; 1012-C03; 1013-C04; 1014-C03; 1015-C03; 2031-C03; 2032-C06; 2033-C03; 2034-C03; 2221-C03; 2222-C03; 2223-C03; 2224-C03; NC21.673-P-200-F; NC21.673-P-201E
 Applicant: Mr Button, Cambria Property Investments Ltd
 Agent: Mr Leslie Short, Artisan PPS Ltd
 Case Officer: Yvette Ralston

	Housing Mix				
	1b2p	2b3p	3b4p	3b5p	TOTAL
Existing					0
Proposed (Market Housing)	7	5	6	2	20
Proposed (First Homes)	2	1	1	0	4
Totals	9	6	7	2	24

Vehicle and Cycle Parking (London Plan Standards)	
PTAL:	
Car Parking maximum standard	Proposed
0 (apart from blue badge)	1 blue badge bay; 1 car club bay
Long Stay Cycle Storage minimum	Proposed
43.5	46
Short Stay Cycle Storage minimum	Proposed
2	2

1.1 This application is being reported to committee because:

- Objections above the threshold in the Committee Consideration Criteria have been received
- Referral to committee by ward Councillor Denton

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 subject to:
- 2.3 The prior completion of a legal agreement to secure the following planning obligations:
 - a) Provision of 4 x First Homes on site and appropriate review mechanisms.
 - b) Provision of an on-site car club bay. Developer responsible for set-up costs and membership fees for residents.
 - c) Sustainable Transport contributions of £36,000 (£1,500 per unit).
 - d) Removal of parking permits for prospective residents if a CPZ is implemented in the future.
 - e) Submission, implementation and monitoring of a Travel Plan
 - f) Air Quality Contribution of £2,400
 - g) Carbon Offsetting Contribution of £22,372
 - h) 'Be Seen' post-occupancy reporting of energy performance to the GLA
 - i) Local employment and training (construction phase) contribution of £17,500 (£2,500 per £1m of estimated capital construction costs) plus Local Employment and Training Strategy
 - b) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.4 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
- 2.5 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings

Pre-commencement (including demolition)

- 3) Submission of Construction Management Plan including consideration of impacts on nearby Harris Park Academy
- 4) Submission of updated Fire Statement (reflecting the comments made by the Council's Building Control officer)
- 5) Submission of results of intrusive site investigation for contaminated land and a risk assessment and remediation strategy if required.
- 6) Submission of a Written Scheme of Investigation (WSI) for archaeology and a Stage 2 WSI if required.

Prior to above ground floor slab level

- 7) Submission of materials/details including external balustrades
- 8) Submission of Biodiversity Enhancement Strategy
- 9) Submission of final SUDS details including modelling for the green roof and rain garden and ownership of the SUDS
- 10) Submission of Piling Method Statement

Pre-occupation

- 11) Submission of a validation report related to land contamination
- 12) Submission of final cycle and refuse storage details
- 13) Submission of landscaping plan including details of the communal outside space and play space, soft landscaping including planting of suitable maturity, and a landscape management plan
- 14) Submission of details of Secure by Design accreditation
- 15) Submission of lighting details for biodiversity and to avoid nuisance to neighbours
- 16) Submission of final refuse and cycle parking details

Compliance

- 17) Compliance with a Delivery and Servicing Plan within Transport Assessment
- 18) In accordance with ecological appraisal recommendations
- 19) In accordance with the recommendations of the Noise Impact Assessment reports
- 20) Standard noise condition
- 21) Car parking and sightlines in accordance with plans, inclusion of EVCPs and no boundary treatments above 0.6m in sightlines
- 22) Delivery of 2 x M4(3) units and the remainder to be M4(2) accessible units.
- 23) Compliance with water efficiency requirements
- 24) Compliance with energy statement requirements
- 25) Compliance with recommendations of the Air Quality Assessment
- 26) Electric Vehicle Charging Point
- 27) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practice for Construction Sites
- 4) Highways informative in relation to s278 and s38 works required
- 5) Compliance with Building/Fire Regulations
- 6) Construction Logistics Informative
- 7) Thames Water Informatives
- 8) Bats informative
- 9) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

- 2.6 That the 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.
- 2.7 That if within 3 months of the committee meeting date, the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 Permission is sought for:

- Demolition of the building on the site (former car dealership) and erection of a part 3, part 4 storey building comprising 24 residential units including 4 First Homes.
- A car-free scheme is proposed, with the exception of 1 blue badge space and 1 on-site car club space.
- Communal amenity space is proposed within the site.
- Public realm improvements including a new pavement along Haling Road.

Amendments

3.2 The initial public consultation took place between 11 October 2022 and 3 November 2022.

3.3 The Council was not able to support the application as originally submitted and advised the applicant as such. Amended plans and supporting documents were prepared with a reduction in the height of the building from part 4, part 5 storeys to part 3, part 4 storeys, with a corresponding reduction in the number of units from 29 to 24.

3.4 Re-consultation on the revised plans took place between 10 May 2023 and 26 May 2023.

3.5 A late objection from the Environment Agency was received in November 2023 on the grounds that the site lies in Flood Zone 3a and a residential ('vulnerable') use is proposed at ground floor level. A precautionary approach is therefore required, with finished floor levels raised accordingly. Changes to the ground floor layout and elevations were made to address this concern, including a 0.5m increase in the height of the building.

3.6 A second re-consultation on revised plans took place between 27 March 2024 and 12 April 2024



Figure 1: Proposed CGI (Brighton Road)

Site and Surroundings

- 3.7 The application site is located on the east side of Brighton Road. The site currently comprises a single storey car dealership that has closed down and is surrounded by hoarding. The external area was previously used for parking cars for sale. There is a vehicle mechanic and an Esso garage adjacent to the north. Terraced residential dwellings are located to the south and east of the site. On the opposite side of Brighton Road to the west is the school playing fields of the Whitgift School. The wider area comprises a mix of uses including two storey residential properties and commercial uses. The topography of the site is relatively flat.
- 3.8 The site is not located in a town centre, a designated employment area or an intensification area. Brighton Road is part of the Strategic Road network. It has a PTAL of 5 which is very good. There is a bus stop opposite the site. The site located is in flood zone 3a and is at medium/high risk of surface water flooding. There are no trees on the site or nearby.



Figure 2: Site location plan

Planning Designations and Constraints

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

- PTAL: 5
- Brighton Road is a Borough Classified Road
- Flood Risk Zone: 3a
- Surface water flood risk: high
- Archaeological Priority Area (APA)

Planning History

3.10 There is no recent planning history on this site (within the last 10-15 years). There are various historic applications on this site for the display of signage / advertisements and elevational treatments to the car showroom which are not relevant to the current application and do not need to be listed here.

Pre-application history

3.11 20/04015/PRE: Demolition of existing building and construction of new mixed use development comprising retail and 32 residential units.

3.12 21/02150/PRE: Demolition of vacant car dealership and erection of a 4-6 storey block comprising 28 units plus 4 townhouses (32 dwellings total), 7 car parking spaces and communal amenity space.

3.13 22/00025/PRE: Demolition of former car dealership and petrol filling kiosk, and erection of a 3-5 storey block comprising 28 flats and a replacement petrol filling kiosk, with associated landscaping.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The existing buildings and use aren't protected from demolition by the Local Plan.
- The proposed development of 24 residential units in this sustainable and well-connected urban location on an arterial route is acceptable.
- 15% affordable housing is proposed on site in the form of 4 x First Homes for first time buyers.

- The proposed building is of an appropriate scale, mass and height and a high quality design that would offer an enhancement to the streetscene.
- Landscaping, greening and a new pavement would be an enhancement to the public realm.
- No detrimental impacts on nearby heritage assets are identified.
- The proposed site layout and quality of accommodation internally and externally would be acceptable.
- Amenity impacts on neighbouring properties are found to be acceptable on balance.
- A car-free scheme, with the exception of a 1 car club space and 1 blue badge space on site, is policy compliant.
- The development will be safe from flood risk and a suitable surface water drainage scheme is proposed that would reduce flood risk on the site and elsewhere compared to the existing situation.
- Suitable planning obligations and conditions are recommended.

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

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:

Spatial planning (design)

5.3 Discussion provided in the report below.

Strategic Transport

5.4 Strategic transport object to a car-free scheme in this location. This is discussed in the report.

Ecology

5.5 No objection subject to conditions. Further detail is provided below.

Pollution Control

5.6 Conditions/informatives are required in relation to the following:

- Control of pollution and noise from demolition and construction sites
- Submission of a Construction Logistics Plan
- Contaminated land condition – requiring an intrusive site investigation prior to commencement to clarify potential risks to the identified receptors, and assess the extent of made ground soils present at the site. Remedial works and a validation report must also be submitted.
- The Air Quality Assessment prepared by Redmore Environmental Ltd is satisfactory and the recommendations must be complied with.
- Noise Impact Assessments by KP Acoustics in relation to ambient noise levels and the domestic air source heat pump are satisfactory.

- Standard noise standards condition for living rooms and bedrooms to be attached.
- Noise from mechanical plants or other external fixed machinery should be 10dB below existing background noise levels
- External lighting should comply with Guidance Notes for the Reduction of Obtrusive Light GN01:2011 to avoid causing nuisance to local residents.
- Ultra-low NOx boiler must be installed (*Officer note: a gas boiler is not proposed*)
- Sound insulation within the floors or ceilings should as a minimum, meet the standard specified in The Building Regulations 2003 Approved Document E: Resistance to the Passage of Sound. (*Officer note: this is a building regs matter and will not be listed as a planning condition*).
- Delivery and Servicing Plan to be submitted by condition.

Lead Local Flood Authority (LLFA)

5.7 Following the submission of additional information, no objection to the drainage strategy subject to the inclusion of an appropriate condition including the following details:

- Design and final modelling of the SUDS dimensions including green roofs and rain gardens, with supporting hydraulic calculations
- Details on ownership of the SuDS scheme

Environment Agency (EA)

- Following submission of revised plans showing finished floor levels at 51.93m above Ordnance Datum (AOD), the EA has no objection to the scheme.
- A condition should be attached ensuring compliance with the finished floor levels specified.

Thames Water

- No objection subject to following the sequential approach for the disposal of surface water.
- Submission of a piling method statement as the proposed development is within 15m of a strategic sewer.
- Informative regarding minimising groundwater discharged to the public sewer to be included on any permission.
- Recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities to avoid oil-polluted discharges entering local watercourses.
- No objection in relation to the waste water network and sewage treatment works.
- There are water mains crossing or close to the site. If development is within 3m of a water mains, must check with Thames Water that the development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way.
- No objection in relation to water network and water treatment infrastructure capacity. Standard informative regarding water pressure to be attached.

Transport for London (TfL)

- The introduction of a green buffer and new footway along the eastern and southern site frontages is welcomed in line with London plan policies T2 (Healthy Streets) and D8 (Public realm).
- The Active Travel Zone (ATZ) Assessment is welcomed. The Council is encouraged to secure improvements towards local walking / cycling infrastructure via the appropriate legal agreement, which would support the Healthy Streets approach and the Mayor's Vision Zero agenda.
(Officer note: this will be secured through the Council's Sustainable Transport contribution required by way of S106 Agreement)
- The level of cycle parking is policy compliant but the number of doors required to access the cycle stores exceeds the LCDS recommendation
(Officer note: there are 3 internal doors to access each cycle store. The LCDS states that there should be no more than 2 doors, however this is guidance rather than a policy requirement and if the doors are power-assisted (opened by fobs or keypads) then the number of doors is less important because they will not be awkward to pass through with a bike. Power-assisted can be required by condition.)
- Car-free scheme welcomed. Only 1 disabled bay should be provided on site from the outset.
(Officer note: this has been amended. The second space will be used for the car-club bay).
- Welcomes that all residents (except blue badge holders) will be ineligible to apply for parking permits for any future residents'-controlled parking zone. TfL would encourage the borough to implement a CPZ in this location.
- Deliveries can take place from Haling Road or Brighton Road outside of restricted times. Concern that the servicing trip generation has been underestimated.
(Officer note: clarification has been provided by the applicant. Trip generation is based on a survey for a nearby development that was occupied in 2020. The survey was undertaken during COVID when home deliveries were higher so it is likely that the 2-3 deliveries per day quoted in the report would be lower in reality. Also couriers work on an efficient basis and aim to deliver multiple parcels to the same building at the same time which reduces repeat deliveries to the same building).
- Deliveries may need to be timed outside of peak hours and outside of school pick up/drop off times given the sites proximity to Harris Park Academy.
(Officer note: typical delivery time is 10 minutes and the peak time for deliveries is between 10am-2pm and after 7pm. Therefore, it is likely that the vast majority of deliveries will occur outside the school pick up and drop off hours. There are loading restrictions on Brighton Road as outlined in the report, and the development would only generate 2-3 trips per day. Therefore it is not considered necessary to place specific delivery restrictions on Haling Park road during school pick up/drop-off times.)
- Draft Travel Plan welcomed. Funding for implementation and monitoring of the Travel plan should be secured by S106.

Historic England – Greater London Archaeological Advisory Service (GLAAS)

- 5.8 The development could cause harm to archaeological remains and field evaluation is required to determine appropriate mitigation. A condition requiring submission of a Written Scheme of Investigation (WSI) is required. An associated informative is required.

Designing out Crime

5.9 The scheme is suitable to achieve Secure by Design accreditation and this should be conditioned. Further information is required regarding:

- Whether there is an alleyway on the northern boundary where the proposed building abuts the petrol station.
- Clarification as to whether it will be possible for a person to climb onto the flat roof of the petrol station shop to gain access to the flats or amenity spaces on the north.
- The northern elevation could become a magnet for graffiti; measures should be taken to avoid this.
- There are some windows at ground floor level with no defensible space (railings or planting) around them so people could loiter. (*Officer note: this comment refers to the 29-unit scheme and in the current scheme there is defensible planting in front of all ground floor windows*).
- The decorative screen by the courtyard should either be robust enough to be a security measure or open enough for natural surveillance.
- Key fobs should be used to avoid tailgating at the main entrance lobby.
- Push pads cannot be used for the cycle store. Key fobs should be used.
- Visitor cycle parking should be at the front door rather than the courtyard.

Building control (Fire Safety)

No in principle objection to the Fire Statement subject to some points of clarification by way of a pre-commencement condition regarding:

- The lobby on core 2 giving access to the roof terrace is via another ancillary lobby space. This lobby space may need to be ventilated in accordance with BS9991 7.5c.
- Clarification required regarding who will operate the fire evacuation lift to ensure dignified escape for all.
- Further details required regarding the proposed construction of the external walls to control external fire spread.

Waste and Recycling

- No objection to collection via the ramp on Brighton or via Haling Road.
- Bin requirements for 24 units are 4 x 1100ltr landfill bins; 3 x 1280ltr recycling comingled recycling bins; 2 x 240ltr food waste bin

6 LOCAL REPRESENTATION

6.1 A total of 16 neighbouring properties were initially notified about the application and invited to comment. The application was advertised in the Croydon Guardian (October 2022) and a site notice was displayed outside the site.

6.2 Following the first set of amendments (reduction of 1 storey), the application was advertised again in the Croydon Guardian (May 2023) and another site notice was displayed outside the site. During the re-consultation, 35 neighbouring properties (all

those who were originally notified plus anyone who had commented previously) were notified about the amended plans and invited to comment.

6.3 Following the second set of amendments (to address flood risk), 39 neighbouring properties (all those who were originally notified plus anyone who had commented previously) were notified about the amended plans and invited to comment.

6.4 Cllr Denton has objected to the scheme (November 2022) and referred it to committee on the following grounds:

- The proposed development would be detrimental by reason of scale, height, massing and density, it would be dominant in appearance and significantly alter the street scene and therefore conflict with policy DM10 of the Croydon Local Plan (2018)
- The scheme is likely to have a significant, detrimental impact on vehicular parking in the immediate roads. There is insufficient provision for off street parking within the proposed scheme which is contrary to policy DM30 of the Croydon Local Plan (2018)

6.5 The number of representations received from neighbours, local groups etc. in response to 3 rounds of public consultation were as follows:

No of individual responses: 26 Objecting: 25 Supporting: 1 Neutral: 0

6.6 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
Scale and massing	
<ul style="list-style-type: none"> • Despite the reduction in size, the building will still tower above neighbouring houses • Removal of 1 storey does not go far enough • Too big, too tall, not in keeping • Will change the character of the area and the design is not sensitive to the predominantly Victorian suburban housing • The third-floor parapet is high • The site is not large enough for 24 flats with associated amenity space etc • The latest increase in height by 0.5m exacerbates previous objections. 	<ul style="list-style-type: none"> • Addressed in the report
Impacts on neighbouring amenity	
<ul style="list-style-type: none"> • Loss of daylight and overlooking into neighbouring properties (16 & 20 Haling Road) 	<ul style="list-style-type: none"> • Addressed in the report

<ul style="list-style-type: none"> • Overlooking to school and properties on Haling Park Road • Loss of light to 2 Helder Street, falling short of BRE guidance • Too close to petrol station and commercial premises • Would prejudice development of adjacent commercial/industrial site on Hayling Road due to the position of windows on the north and western elevations and open windows for ventilation would generate complaints about noise and prejudice the long-term viability of the business. • Air pollution and noise pollution 	
Transport and highways impacts	
<ul style="list-style-type: none"> • There should be on site car parking • Will exacerbate parking difficulties, congestion and crashes around Haling Road • Haling Road and Helder Road are already busy and are used as a cut through to the school and drivers park irresponsibly • Unless people moving in are banned from owning cars, there will be nowhere to park • The parking survey says that the development would generate 16 cars but that there are only 10 spaces in the vicinity • There is a School Street scheme in operation at the Harris Academy and an increase in vehicles will have negative impacts on air quality, noise and safety at the school • Insufficient evaluation of the traffic situation during school drop-off and pick up times (7:30-8:30 and 15:30 onwards) when there is congestion and cars park where the new pavement is proposed. • Proximity of the school is a concern. Is there a planned CTMP and Staff Travel Plan for the construction period to understand how it will impact on the pupils? 	<ul style="list-style-type: none"> • Car parking is addressed in this report • The updated TA says 12 cars would be generated. An on-site car-club space is proposed in lieu of 10 parking spaces, in addition to 1 blue badge parking space, resulting in likely demand for one additional on-street car parking space. • A Construction Traffic Management Plan will be required as part of the CLP by condition and this will need to consider the School Street. • The development is outside the school street, therefore new residents would not be automatically eligible for permits to enter the school street during restricted hours, and will not result in increased traffic/parking outside the school. The parking survey was done overnight when most residents are at home.

<ul style="list-style-type: none"> • A daytime parking survey should also be provided. 	
Quality of accommodation	
<ul style="list-style-type: none"> • Noise from petrol station • Access to cycle store difficult • Access to some balconies via bedrooms only 	<ul style="list-style-type: none"> • Noise assessment has been carried out. • Access to balconies is via living rooms
Other matters	
<ul style="list-style-type: none"> • Noise, disruption and dust from demolition and construction • Insufficient local amenities to support new residents. Demand on local doctors, dentists, school and sewers • Suggest retail/commercial for ground floor • The river Bourne is in a culvert running under or near to Brighton Road and is coming under more pressure so flow levels should be monitored • Need houses for families, not flats 	<ul style="list-style-type: none"> • To be addressed by the CLP condition. • A CIL contribution towards local infrastructure would be required in addition to a sustainable transport contribution. • The site is not in a town centre so commercial/retail is not required on the GF. • The LLFA & Thames have raised no objection to the proposed drainage strategy. • 9 homes would be family sized with 3 bedrooms.

Support

- Dove House is an eye sore and no longer financially viable as a car dealership so is in need of regeneration.
- The height is appropriate and in keeping with the surrounding area with top floor appropriately recessed
- Applicant will contribute affordable housing plus CIL and S106
- If the scheme is not approved the site will be left vacant

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 (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- 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
- D12 Fire Safety
- H1 Increasing housing supply
- H2 Small sites
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T4 Assessing and mitigating transport impacts
- T5 cycling
- T6 car parking
- T6.1 Residential parking

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- SP8 Transport and communications
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- Policy DM18: Heritage assets and conservation
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and cycle parking in new development
- DM40 Kenley and Old Coulsdon

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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

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 (March 2016)
 - Technical Housing Standards: Nationally Described Space Standard (2015)
 - National Design Guide (2021)
 - Housing Design Standards LPG (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. Housing tenure and size mix
 3. Design and impact on the character of the area
 4. Quality of residential accommodation
 5. Impact on neighbouring residential amenity
 6. Trees, landscaping and biodiversity
 7. Access, parking and highway impacts
 8. Flood risk
 9. Archaeology
 10. Sustainability
 11. Fire safety
 12. Conclusions

Principle of development

Existing Use

- 8.2 The existing use on the site is a car dealership which is classified as a sui generis use. There is no policy protection for the car dealership and the site is not located within a town centre, so there is no requirement for re-provision of any commercial space on the site.

New Homes

- 8.3 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 alongside a “presumption in favour” of new housing. 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. The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year) and London Plan Policy H2 has a higher “small sites” target of 641 homes per year.

- 8.4 London Plan Policy H1 explains that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. This applies especially to small sites (up to 0.25ha) including sites of PTAL 3-6 or within 800m of a train station or town centre boundary. The site is labelled on the application form as 0.17ha and has a PTAL of 5 and is 800m walk to South Croydon station. The site is well connected and therefore falls within a location where residential intensification is encouraged in accordance with London Plan policy H1.

Housing tenure and size mix

Tenure

- 8.5 London Plan policy H4 and Local Plan policy SP2.4 set a strategic target for 50% of homes delivered across London and across Croydon to be genuinely affordable, subject to viability. The fast-track approach outlined in London Plan policy H5 applies where schemes provide 35% affordable housing on site and means that viability assessment is not required. If this is not achieved then the Viability Tested Route must be followed. In this application, the viability tested route has been followed in accordance with London Plan policy H5.
- 8.6 The applicant's viability assessment dated September 2022 assesses the viability of providing affordable housing on site for the 29-unit scheme as originally submitted. The viability appraisal tests provision of either 1) 31% affordable housing on site comprising 6 x London Affordable Rent (LAR) and 3 x London Living Rent (LLR) units (NB. 31% has been tested because the fast track route is not being followed and Local Plan policy SP2.5 states that 30% is the minimum subject to viability); or 2) a fully market scheme. The findings are that both proposals would result in a deficit.
- 8.7 The applicant concludes that the 100% private scheme would result in a £3.63m deficit and the 31% affordable scheme would result in a £4.75m deficit. The Council also commissioned an independent review of the scheme's viability. By comparison, the Council's appraisal of the viability assessment finds a lower £2.27m deficit for the 100% private scheme and a £2.97m deficit for the 31% affordable scheme. The differences are due to the Council's consultant concluding slightly lower build costs and applying a reduced developers profit and a reduced finance rate, resulting in a marginally lower benchmark land value for the site. The overarching finding from both the applicant's consultant and Council's independent appraisal is that it is not viable to provide a policy compliant level of affordable housing on site.
- 8.8 When the scheme was reduced from 29 units to 24 units by the removal of 1 storey, the applicant was advised that it was not necessary to re-submit the viability assessment given that it had already been demonstrated that the larger scheme could not viably provide a policy compliant level of affordable housing and therefore the currently proposed smaller scheme would likely be even less viable.
- 8.9 Notwithstanding, Local Plan policy SP2.5 sets out a minimum of 15% affordable housing must be provided on site, along with a late stage review mechanism for additional affordable housing contributions up to 50% of overall provision. This requirement is not subject to viability. The applicant's Affordable Housing Statement outlines that, in order to achieve the 15% minimum requirement, provision of 11 habitable rooms (of a total 72) would need to be required as affordable housing. This would comprise 2 x 1-bed, 1 x 2-bed and 1 x 3-bed units.

- 8.10 The applicant has contacted 8 Registered Providers (RP) (para 4.8 of Local Plan policy SP2 states that a minimum of 3 must be contacted) offering the above 4 units. Responses from RPs outlined mainly that the scheme was too small or that they were seeking only grant funded opportunities. Following this, the applicant's preferred option was to provide a cash in lieu contribution instead of on-site affordable housing provision, however Officer outlined that this was only acceptable in exceptional circumstances and there were no such circumstances on this site.
- 8.11 The applicant therefore proposes 4 x First Homes on the ground floor of the scheme comprising 2 x 1-bed, 1 x 2-bed and 1 x 3-bed units (units 1, 3, 4 and 5). First Homes are discounted market sale homes that must be discounted by a minimum of 30% against the market value. They may only be sold to people who meet eligibility criteria including being a first time buyer and having a household income below a certain threshold (a combined annual household income not £90,000 in Greater London in the tax year immediately preceding the year of purchase), and the discount must be retained on the home in perpetuity. First Homes must have a first sale price no higher than £420K in Greater London. The Government's guidance states that First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. The benefit of First Homes on a development proposal such as this one is that no Registered Provider is required to manage them, which addresses the lack of take-up from RPs in this case.
- 8.12 Local Plan policy SP2.4 outlines that the Council seeks to achieve a 60:40 ratio between affordable rented homes and intermediate homes. The proposal for 4 x First Homes would represent a 100% intermediate tenure. This tenure split is, however 'sought' rather than 'required' by policy, and it has been demonstrated within the viability assessment and Affordable Housing Statement that a lower cost unit mix would not be viable. Further, London Plan policy H5 and Local Plan policy SP2.5 require early and late stage review mechanisms for viability tested schemes. The standard London Plan review mechanisms are not compatible with First Homes, however an additional contribution towards affordable housing can be sought by the Council through a commuted sum if certain conditions are met. This provision would be included within the S106 Agreement.
- 8.13 Given the findings of the viability assessment and the evidenced attempts made by the applicant to secure an RP for the site, the provision of 4 First Homes on the site, representing 15% provision, is considered acceptable in compliance with Local Plan Policy SP2 and London Plan Policies H4 and H5.

Unit size mix

- 8.14 Local Plan policy SP2.7 sets a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to ensure that the borough's need for family sized units is met. Policy DM1.1 requires that in urban areas of high PTAL (such as the application site) 40% of homes delivered on major sites have 3 or more bedrooms. The proposal is for 7 x 3b4p, 2 x 3b5p, 6 x 2b3p and 9 x 1b2p units which comprises 37.5% 3-bed units overall. This falls just short of the 40% target however is considered acceptable when balanced against other material planning considerations discussed throughout this report and when considered against London Plan policy H10 which encourages a mix of unit sizes and states that a higher proportion of 1- and 2-bed units are generally more appropriate in locations close to a town centre or with a high PTAL.

Design and impact on the character of the area

- 8.15 The existing building on the site is a vacant car dealership in a single storey, utilitarian warehouse-style building. It does not hold any specific architectural or historic merit and there is no objection to the demolition of the building and redevelopment of the site for an alternative use.
- 8.16 Policies SP4.1 and DM10.1 of the Local Plan 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. London Plan 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.
- 8.17 The proposal is for an H-shaped building which is predominantly 3 storeys (with the top floor being set back from 2-storey elevations), and a 4 storey element (again with the top floor set back) fronting Brighton Road.



Proposed front site elevation (west) facing Brighton Road

- 8.18 The front elevation of the part of the building fronting Brighton Road would be approximately 2.5m higher than the ridge line of the neighbouring dwellings to the south (number 117) measured to the top of the parapet. The top storey is set in from the Haling Road boundary by 3m and from the Brighton Road boundary by 2m. These substantial setbacks mean that the increase in height would not appear overbearing to the street in either direction.



Proposed rear site elevation (east) facing Haling Road

- 8.19 The reduced height at the rear (3 storeys, set back behind 2-storey elevations) ensures that the mass of the building respects the smaller scale 2-storey Victorian terraced dwellings facing the site on Haling Road. The height of the building at the rear would be roughly the same height as the ridge line of the Haling Road houses (numbers 15 to 26) measured to the top of the second storey parapet. The top storey would be set in by approximately 2m on both sides to be avoid being overbearing. The entire building was reduced in height by 1 storey during the assessment of the application (and subject to the appropriate public re-consultation). The subsequent increase in height by 0.5m for reasons of flood risk is not considered to be significant in terms of overall townscape impacts. The proposed building heights are considered to be acceptable in townscape terms, responding to both the urban context of Brighton Road as an arterial route and the residential context of the terrace buildings to the south and east.
- 8.20 The footprint and layout of the building has been designed to respect the development pattern of the area. The overall footprint would be set back from the site boundary, allowing the introduction of a new public pavement along Haling Road (south and east) where currently there is not one. This constitutes a public benefit of the scheme. The proposed pavement would run along 1.4-1.9m wide, providing access along 2 sides of the building on Haling Road. The pavement would be entirely within the site, so it would not reduce the amount of carriageway, and would improve highway safety.
- 8.21 The ground floor of the building would sit 1.5m to 2.4 behind the pavement on the south and west elevations, and around 2.8-2.9m from the kerb of the new pavement on the east side, allowing defensible space for the new units and ensuring that the building mass is not overbearing to the pavement. The H-shaped building enables provision of ground floor amenity space for new residents and enables maximum provision of dual aspect dwellings, discussed later. The flat roof is appropriate given the urban nature of the location. This also enables biodiversity enhancements on the site by way of a green roof and provision of sustainable features such as solar panels and an air source heat pump on the flat roof.
- 8.22 The site is situated opposite the grounds of the Whitgift School where there are 2 x grade 2 listed structures (Haling Cottage and a War Memorial) and a locally listed building (80 Brighton Road which is a 19th century Villa). Local Plan policy DM18 states that development proposals that affect heritage assets will only be permitted if 1) their significance is preserved or enhanced; and 2) they enhance the setting or have no impact on the existing setting of the heritage asset. There would be no direct impact on any of the heritage assets. The Heritage Statement submitted assesses the impact of the proposed building on the setting and significance of the 2 listed buildings and the locally-listed building opposite. The designated heritage assets are located 230m (Haling Cottage) and 250m (War Memorial) away from the site and both are obscured from the development site by other similarly scaled buildings and/or well-established landscaping. It is concluded that no material visual impact on the heritage significance and special architectural or historic interest of either heritage asset.
- 8.23 The locally listed building at 80 Brighton Road is located 80m from the application site. It is concluded that the proposal would have no impact on this asset. The conclusions of the Heritage Statement are accepted by the Council's Conservation Officer. The proposed mass and scale of the building is considered to be acceptable in townscape terms and in heritage terms.

- 8.24 In terms of the wider site layout, the main entrance to the building would be on Brighton Road, maintaining an active frontage here. It has been discussed with the applicant that public art will be incorporated into this area in accordance with Local Plan policy DM14. A step-free side entrance would be available on Haling Road (south) adjacent to the amenity space. The amenity space would be screened from Haling Road by a decorative metal screen, allowing a visual link through to the communal courtyard and an improvement to the Haling Road streetscene, but also maintaining some privacy for residents. The design of this screen will be required to be approved by a planning condition to ensure it achieves secured by design objectives. Flat pedestrian paths are proposed within the site for residents. Ground floor flats would have their own front doors and defensive planting is proposed on the ground floor, predominantly around the Haling Road (south) frontage which, along with the new pavement, would be a visual enhancement to the street. Access to the 2 x car parking spaces on the site (discussed below) would be at the rear from Haling Road (west). Bin and bike stores are located at both the front and rear of the site.
- 8.25 In terms of materials, the proposal is for a mixture of darker red/brown/beige bricks at the ground floor with lighter brown/beige bricks for the upper floors. The entrance point would be emphasised as a focal point by use of red bricks. Feature bricks panels are proposed on the north elevation (facing the petrol filling station) and on the frontage to offer some interest to the facades. Soldier courses are proposed along parapets and above windows and balconies. Windows would be grey/beige aluminium and the balcony balustrades would be grey/beige metal. The balconies would be inset within the facades providing a good balance of privacy and openness and avoiding the need for retrofitted screens to the balustrades. The proposed materials are contextually appropriate in this mixed area and the building would sit appropriately within the streetscene. Final details of materials would be required by condition to ensure they are high quality.

Quality of residential accommodation

- 8.26 The National Design Guide states that well-designed homes should be functional, accessible and sustainable. London Plan 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. Local Plan policy DM10.4 and London Plan policy D6 set out the standards for external private amenity space which is for 5sqm per 1-2 person unit and an extra 1sqm per occupant thereafter.
- 8.27 The table below summarises the assessment of the internal and external spaces of the proposed new dwellings against London Plan policy D6.

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1 ^{*A}	3b4p	91	74	12	8	5.3	
2	1b2p	55.7	50	40	5	3.2	1.5
3 ^A	1b2p	58.3	50	33	5	3.5	1.5
4 ^{*A}	2b3p	67.2	61	12	6	6	2
5 ^A	1b2p	61.2	50	17	5	4.4	1.5
6	3b4p	78.3	74	7.2	7	3	2

7	2b3p	62.2	61	6.2	6	2.6	2
8	3b4p	77.7	74	7.1	7	3	2
9	1b2p	55.7	50	8.9	5	3.2	1.5
10	1b2p	61.7	50	8.4	5	2	1.5
11	2b3p	65.5	61	7.1	7	2.3	2
12	3b4p	82.5	74	7.4	7	2.8	2
13	1b2p	54.3	50	6.8	5	2.8	1.5
14	2b3p	67.3	61	7.2	6	2.6	2
15	3b4p	84.6	74	22.1	7	3.5	2
16	3b4p	84.6	74	33.7	7	7	2
17	1b2p	55.7	50	8.9	5	3.5	1.5
18	1b2p	61.7	50	8.4	5	2	1.5
19	2b3p	68	61	7.1	6	2.5	2
20	3b4p	82.5	74	7.4	7	3	2
21	1b2p	54.3	50	6.8	6	2.8	1.5
22	2b3p	67.3	61	7.4	7	2.4	2
23	3b5p	107.5	86	19.1	8	4.5	2.5
24	3b5p	126.1	86	52.2	8	6.2	2.5

Table 1: scheme considered against London Plan Policy D6 and Table 3.1

* These are the M4(3) units.

^A These are the First Homes

8.28 All of the units comply with the nationally described space standards and have sensible layouts including entrance hallways and a policy compliant amount of storage space. 2 of the First Homes would also be wheelchair accessible. Ground floor units have their own front doors, which is encouraged by the Housing Design Standards LPG as this increases activity in the street. Hedging is proposed as defensible space in front of ground floor windows along Haling Road. Upper floor units are accessed via 2 cores, each of which would have a lift. The cores would not have natural light but would only serve 4 or 5 flats per floor.

8.29 All proposed units would have a policy compliant level of private amenity space. The ground floor units would have terraces or gardens and the upper floor units would have inset balconies and the top floor flats would utilise the terraces created by the inset of the top storey.

Internal daylight and sunlight

8.30 21 of the 24 units would be dual aspect (88%) and 3 would be single aspect. The single aspect units are units 7 (2b3p) and 13 (1b2p) on the first floor and unit 21 (1b2p) on the second floor (which would each have a wide frontage and 4 windows/glazed doors for good sunlight/daylight). London Plan policy D6 states that single aspect dwellings should only be provided where it is considered an appropriate design solution to optimise site capacity and where it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating. The 3 single aspect units are either east or west facing so would be less likely to overheat or receive reduced daylight than if they were south or north facing.

8.31 An internal daylight report has been submitted which tests the natural daylight and sunlight levels in each of the habitable rooms of the flats. The illuminance method for daylight recommends that for at least 50% of the assessment points in the room for at least half of the daylight hours, bedrooms should receive median illuminance of 100 lux, living rooms should receive 150 lux and kitchens should receive 200 lux. With

regards to the aforementioned single aspect units, all 3 would meet the lux targets for internal daylight. It is worth noting that the 0.5m overall height increase for flood risk reasons has improved the internal daylight levels (as previously units 7 and 13 fell slightly short of the targets).

- 8.32 In terms of the other units within the proposed development, a total of 78 out of 80 rooms tested (98%) would comply with the BRE lux guidance for internal daylighting. There are 2 north facing bedrooms at the ground floor (within units 2 and 3) that would fall short of the BRE guidance for internal daylighting. These are dual aspect 1b2p units positioned in the central part of the H-shaped footprint and both have large private gardens. On balance, despite the minor shortfalls in internal daylighting to 2 bedrooms, the quality of internal accommodation is otherwise high quality with sensible layouts, well-proportioned rooms, dual aspect, a small number of homes per core, and well-designed amenity spaces, and therefore considered to be acceptable.

Accessibility

- 8.33 London Plan policy D7 requires 10% of new-build housing to be M4(3) 'wheelchair user dwellings' and the remainder M4(2) 'accessible and adaptable'. The proposal includes 2 x M4(3) units comprising units 1 (3b4p) and 4 (1b3p) on the ground floor. These are marked on the plans and include appropriate features including wheelchair storage space. They each have private front entrances from the internal courtyard. Inclusive movement around the site has been carefully considered as part of the requirement to raise the ground floor of the building for reasons of flood risk safety. The M4(3) units would both be accessed in a step free manner from the entrance on Haling Road or directly from the on-site blue badge car parking space. Unit 1 has a long ramp up to its front door, and unit 4 would be accessed by crossing the communal space to the front door.
- 8.34 In order to achieve M4(2) standards for the remainder of the units, step-free access is also necessary. Following the raising of the ground floor level of the building, there are steps up to the main front entrance on Brighton Road, however access is step-free from Haling Road. Both cores can be accessed in a step-free manner via Haling Road; in order to access core 2 it is necessary to walk through the communal amenity space as there are 2 steps on the path. This is acceptable. Using this route, step-free access to both bin and bike stores and the courtyard communal amenity space can be achieved. The rooftop amenity space can be accessed via the lifts. Details are acceptable and a compliance condition would be attached to ensure that the 2 units are provided to M4(3) standards and all others to M4(2) standards.

Overheating

- 8.35 London Plan policy D6 requires that the design of developments avoids overheating. London Plan Policy SI4 states that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.
- 8.36 An Overheating Assessment has been submitted to assess the risk of overheating in the proposed flats. In accordance with the cooling hierarchy, heat entering the building will be minimised by use of highly insulated walls, solar control glazing and building design, such as balcony projections providing shade to the floors below. Surrounding buildings will also provide shade, particularly to lower floors. Internal heat generation would be minimised by use of highly efficient LED lighting and insulating pipes that

form part of the communal heating system. Passive ventilation will be provided internally by open-able windows. Mechanical ventilation will be available by use of a Mechanical Ventilation with Heat Recovery (MVHR) system to allow ventilation in rooms such as bathrooms or when windows are closed. No active cooling system is proposed.

- 8.37 The overheating assessment tests a selection of 13 units taken from across all floors which are most likely to overheat including south facing, single aspect and 3-bed units. 3 different scenarios are tested for different types of hot summers. Under the DSY1 scenario (moderately warm summer based on high emissions), which is the weather file recommended to be used, all units would pass the overheating test. Under the DSY2 and DSY3 scenarios (which represent more extreme heat), some units would fail to meet the requirements for night time temperatures inside, however this is common in London due to the urban heat island effect. The analysis explains that rare weather events, there will be some hours where internal temperatures are above 26 degrees at night (having heated up during the day), but that the majority of these will occur between 10pm and 12am, rather than between 12am and 7am, and therefore are unlikely to have a significant impact on sleep patterns. This is largely because the thermal mass of the building, which reduces the amount of heat entering the building, also means that it is slower to cool down at night time. In any case, the DSY2 and DSY3 scenarios are rare weather events that are not representative of a typical or common summer and are unlikely to occur regularly. Notably, the Overheating assessment has not included the use of blinds for shading, and has assumed that windows will only open 20 degrees; there is potential for improvements to these and other measures in future to relieve overheating during rare heatwaves. The noise assessment (see below) has confirmed that due to the proposed mechanical ventilation, opening windows would only be required occasionally and as a result an acceptable noise environment for residents would be achieved.
- 8.38 The report has been reviewed by the Council's Sustainability Officer who has raised no objection.

Noise

- 8.39 Acoustic reports have been submitted to establish the current ambient noise levels on the site and assess the suitability of the site for residential development. The impact of vibration originating from the nearby railway line has also been considered. It is concluded that internal noise levels for all residential areas of the development would fall within a range commensurate to BS8233. No further mitigation is required to protect the proposed habitable spaces from external noise intrusion. Levels of vibration from the railway are concluded to be below the threshold of human perception, in accordance with BS6472: 2008.
- 8.40 An assessment of the noise proposed to be generated by the Air Source Heat Pump on the roof of the building has also been undertaken to assess the impact it would have on the closest windows on the top floor of the proposed development. It is concluded that, provided a plant enclosure and anti-vibration mounts are provided around the ASHP on the rooftop, the noise emissions from the plant would comply with the most stringent recommendations of BS8233.
- 8.41 The documents have been reviewed by the Council's Environmental Health Officer who has found them to be satisfactory. A condition would be attached to ensure compliance with the recommendations of both Noise Impact reports.

Communal amenity space and play space

- 8.42 Local Plan policy DM10.5 requires provision of high quality communal outdoor amenity space within flatted schemes that is designed to be flexible, multifunctional, accessible, and inclusive. 2 areas of dedicated communal amenity space are proposed within the development including a 100sqm area on the ground floor, adjoining Haling Road but separated with a decorative panel and hedging, and a roof top space of 115sqm in the central part of the building accessed from core 2. Both spaces can be accessed by all residents. Both amenity spaces include planting, seating and play elements, the details of which would be finalised by condition.
- 8.43 London Plan policy S4 and Local Plan policy DM10.4d require provision of 10sqm of play space per child. The GLA population yield calculator estimates that provision of 24 units comprising a mix of private market and intermediate tenure (First Homes) in a PTAL 5 location would generate approximately 6.6 children and a requirement for 66sqm of children's play space. In this scheme, the play space is incorporated within the communal amenity space, which is considered to be the best use of the available space. The proposal includes a total of 215sqm of communal amenity space, which enables sufficient space for incorporation of 66sqm of children's play space.
- 8.44 A landscaping plan is provided which shows an indicative layout for the communal amenity space and play space but final details will be required by condition to ensure the quality of the planting, seating and play equipment is high.

Impact on neighbouring residential amenity

- 8.45 Policy DM10.6 of the Local Plan states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels. The closest neighbouring properties are 117 Brighton Road and 26 Haling Road to the south, and 15-22 Haling Road to the east. The daylight and sunlight assessment has been updated following the 0.5m increase in the height of the building.

117 Brighton Road

- 8.46 The property at 117 Brighton Road has been split into 3 flats (2 at ground floor and 1 at first floor). It has a deep rear extension that extends down Haling Road. There are habitable windows proposed on the south elevation of the proposed building, however the separation distance across Haling Road from the side elevation of the proposed building to the side elevation of number 117 is 11m across the public highway. Overlooking may be possible but this would be at a distance, across the public highway, which does not raise amenity concerns.
- 8.47 The Daylight and Sunlight Assessment assesses the impact of the development on the windows of 117 Brighton Road. The Vertical Sky Component (VSC) test has been undertaken, which measures the amount of direct daylight reaching the centre of the windows. Guidance states that impacts comply with BRE guidelines if either 27% VSC in the proposed condition is achieved, or 0.8 (-20%) times the existing values is demonstrated.
- 8.48 The rear ground floor flat (flat 2) would receive a reduction in daylight to its living room windows, but only marginally beyond the guidelines, retaining 75% and 77% of their

existing VSC against a target of 80%. The front ground floor flat (flat 3) would receive a marginal reduction in daylight to its dining room, retaining 69% of its existing VSC against a target of 80%. There are other windows which are shown within the Daylight and Sunlight Assessment to breach BRE guidance however having reviewed the plans for the flats, these openings are solid front doors rather than windows (e.g. W2/R1 and W6/R3) so impacts would not be noticeable. At first floor level, flat 1 would also receive marginal reductions in daylight to the back bedroom and kitchen which would both retain 71% to 76% of their existing VSC, and 1 window of the front bedroom would receive a marginal reduction (retaining 75%) but has 2 other windows that retains 100%. All 3 flats have alternative outlook either to the front or the back.

- 8.49 In addition, the daylight distribution (DD) test (or 'no skyline' test) was undertaken for the flats. This assesses the points within a room that cannot see the sky. If, as a result of the proposed development, the area of the room that cannot see the sky is reduced to less than 0.8 times its former value, this would be noticeable to occupants. The DD test find that 4 'rooms' (R2, R3, R4 and R5) on the ground floor would retain less than 0.8 times their former value in terms of sky visibility and would therefore breach the BRE guidelines for DD. However, based on the latest layout plans for 117 Brighton Road, R2, R3 and R4 are front doors or hallways and R5 is a dining room. These breaches are consistent with the findings of the VSC test described above and would not warrant refusal of the application.
- 8.50 In terms of sunlight impacts on 117 Brighton Road, the Annual Probable Sunlight Hours (APSH) test was undertaken in accordance with BRE guidelines. This measures habitable rooms facing within 90 degrees of due south and they should receive a minimum of 25% of the total available sunshine hours and 5% during the winter months. All windows tested would continue to comply with BRE guidelines for sunlight.
- 8.51 The daylight and sunlight impacts on 117 Brighton Road are concluded to be relatively minor overall and on balance acceptable.

26 Haling Road

- 8.52 26 Haling Road is split into 2 flats. There is only 1 small side window facing the application site and some rear windows that are also in proximity and have been assessed for daylight and sunlight impacts. There are no breaches of BRE guidelines in terms of daylight (VSC and DD) or sunlight (APSH) on any of the windows tested and therefore no noticeable daylight or sunlight impacts on this property.
- 8.53 The rear garden of 26 Haling Road could in theory be overlooked by the proposed development, however the garden has been filled with an outbuilding/garage and a gazebo structure so no amenity issues are raised in this regard.

15-25 Haling Road

- 8.54 15-25 Haling Road is a row of 2-storey terraced properties to the east of the application site. Impacts on these houses in terms of amenity and character have been discussed throughout the pre-application and application process and the building on the application site has been reduced at the rear (east) to 2-storeys with a set back third to respect the scale of these properties. The elevation to elevation separation distance between the buildings would be approximately 15m across the public highway, which is broadly the same as the existing separation.

- 8.55 The daylight and sunlight assessment demonstrates that all windows facing the application site at ground and first floor level would retain between 86% and 100% of their existing VSC following the proposed development, demonstrating no breach of BRE guidelines. When the DD test is undertaken, there are 2 windows within the ground floor of 17 Haling Road (kitchen/dining room) and 2 bedrooms at first floor level of 17 Haling Road that would breach the BRE guidelines; the ground floor windows would retain 63% to 64% of their former sky visibility (against a target of 80%), and the bedrooms windows would each retain 73% of their former sky visibility. There is also 1 room within the ground floor of 18 Haling Road (living room) which would breach the BRE guidelines (retaining 68% of its former sky visibility). . These breaches of BRE guidelines for daylight distribution result in harm which weighs against the proposal within the overall planning balance, but in isolation would not warrant refusal of the application
- 8.56 In terms of sunlight, all windows would continue to comply with APSH requirements for sunlight hours, so there is no breach of BRE guidelines.
- 8.57 Observations have raised concern about overlooking to properties at 16-20 Haling Road to the east of the site. These dwellings are separated from the proposed building on the application site by 11m to 13m across a public highway. This is roughly the same as the separation between the existing building on the application site. The separation (existing and proposed) is less than the 18-21m that is quoted within Local Plan policy DM10 (paragraph 6.56) as a 'useful yardstick for visual privacy' however the policy document also outlines that 'adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city'. There would be an element of inter-overlooking between first floor windows of the proposed building and houses on Haling Road. The same situation exists currently as the existing commercial building on the site (now vacant) also has first floor windows facing properties on Haling Road.
- 8.58 There are additionally 2 balconies proposed at first floor level and 2 terraces at second floor level of the proposed development. The second floor terraces would be set back behind 1.1m high parapets which would reduce overlooking unless occupiers were standing right up against the wall. Views towards the front of properties at 16-20 Haling Road would be possible from the first floor balconies. It is relevant that the views are across a public highway and towards windows on the front elevation, which are publicly visible from the street. The rear elevations of these properties would be unaffected. Also, this part of Haling Road is narrow and it would not be reasonable to stick rigidly to the 18-21m yardstick quoted, for the reasons stated above (i.e. limiting the variety of urban spaces and housing types in the city). This degree of overlooking would not be sufficient justification to refuse this application.

Other nearby properties

- 8.59 The daylight and sunlight assessment has also tested daylight and sunlight impacts on other nearby properties including 1-6 Helder Street to the southeast of the application site. These properties are further from the site and the assessment shows no breach of BRE guidelines for daylight or sunlight.
- 8.60 At 80 Brighton Road, which is the locally listed building opposite the site within the grounds of the Whitgift School, the daylight and sunlight assessment demonstrates that all windows facing the application site at ground and first floor level would retain between 90% and 100% of their existing VSC following the proposed development,

demonstrating no breach of BRE guidelines and no noticeable daylight impacts to this property.

- 8.61 The proposed building has been designed to avoid prejudicing future development on the site to the north which is currently occupied by a vehicle repair shop and petrol station. The north elevation of the proposed building does not have windows in proximity to the site boundary, but there are some north facing habitable windows at first and second floor level within the central part of the H-shaped building, but these are set back by 8m from the site boundary and the balconies are on the opposite side of the building. This is considered to be an acceptable balance between ensuring good quality accommodation on the site and avoiding prejudicing future development.

Summary

- 8.62 In assessing daylight impacts, 2 separate BRE tests have been undertaken: the Vertical Sky Component (VSC) and the Daylight Distribution (DD) tests. The overarching conclusion for daylight is that 93% of windows tested (113 of 121 windows in 25 properties) in proximity to the application would comply with the VSC test and 90% of rooms tested (65 of 72 rooms in 25 properties) in proximity to the application site would continue to comply with the DD test. The daylight impacts are within the side facing windows/rooms of 117 Brighton Road, but as outlined, some of these windows tested are in reality front doors, some rooms are non-habitable and other breaches are marginal; and to the front rooms of 17 and 18 Haling Road, however these breaches are relatively marginal and these windows/rooms only fail the DD test whilst still complying with the VSC test. There are no breaches of BRE guidelines in terms of sunlight.
- 8.63 The height of the building has been reduced by a storey during the assessment of the application. There would be an element of overlooking towards the front windows of properties to the east at 16-20 Haling Road however this is over a public highway so as the affected windows are already visible from the street this would not be unreasonable or unusual. The amenity impacts on neighbouring properties are considered to be acceptable when balanced against the need to make best use of the site and the benefits of the proposed scheme in terms of provision of new housing including affordable housing and other public benefits.

Trees, landscaping and biodiversity

Trees and landscaping

- 8.64 Local Plan policy DM28 and London Plan policy T7 seek to retain existing trees and vegetation. Local Plan policy DM10.8 requires incorporation of soft and hard landscaping within development proposals. London Plan policy G5 requires submission of an Urban Greening Factor (UGF) to demonstrate the amount of greening proposed as part of new major developments. The target score is 0.4 for residential schemes.
- 8.65 There are no trees or greenery on the application site currently. The applicant was encouraged to seek opportunities to enhance the greenery and biodiversity value of the site and to improve the public realm, and this advice has been taken on board. A Landscaping Plan has been submitted outlining the broad landscaping approach for the site. A green buffer within raised planters is proposed around the edge of the building on the south and east boundaries, behind the new pavement. A total of 10

new trees are proposed. This would provide an enhancement to the appearance of the site for all passers-by. A ground level external amenity space is proposed on the south side of the building comprising grass, a rain garden and a hard landscaped spiral formation, along with extensive green roofs on the west and east blocks, and an accessible decked roof in the centre of the building, with play equipment and seating space. Climbing ivy is proposed on fences. The scheme would achieve a UGF score of 0.4 which is policy compliant and there would be a net increase in green cover and trees across the site. Final details would be secured by condition.

Ecology

- 8.66 Local Plan policy DM27 and London Plan policy G6 seeks to protect and enhance biodiversity in the borough. A Preliminary Ecological Assessment (PEA) has been submitted. No evidence of bats was identified so the building was classified as having negligible potential for roosting bats. A single pigeon nest was identified in the roof soffit of the building so it is advised that demolition of the building must take place outside of bird nesting season (to be required by condition by compliance with the PEA). The site was not considered suitable for other protected species including badgers, dormice, great crested newts, barn owls, water voles, otters and hedgehogs. The proposed development is not considered likely to cause any adverse impacts on local designated sites or priority habitats.
- 8.67 The above assessment is based on surveys carried out on 11 August 2021. There have been some delays in determining this application and best practice guidance by CIEEM says that ecology reports should be written within 18 months of the determination. The Council's ecology advisor has re-reviewed the PEA and observes that the site is small, with very limited potential for ecology in general. The only risk is that the building may have deteriorated which may now have provided bat roosting potential – it was originally classed as having 'negligible potential'. All bat species are European Protected Species (EPS), protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and it is a criminal offence to kill, harm, disturb, capture, possess or sell (alive or dead) an EPS, or to destroy/damage/obstruct access to any of the breeding or resting places of an EPS. The most reasonable approach is to attach an informative to the decision informing the applicant of this fact. No further assessment is required at this time.
- 8.68 This scheme was submitted prior to the Government's statutory requirement for all major schemes to achieve Biodiversity Net Gain. However, London Plan policy G6 requires developments to secure a net biodiversity gain. Ecological enhancements are proposed within this scheme including bat boxes, use of native species within areas of new planting, nest boxes for birds, green roofs and walls for habitat opportunities. It is also advised that any lighting scheme will need to consider bats in the area; a condition will be attached requiring submission of a bat-sensitive lighting scheme.
- 8.69 The PEA has been reviewed by the Council's Ecology Consultant who has raised no objection subject to conditions requiring compliance with the recommendations of the PEA, submission of a Biodiversity Enhancement Strategy and a Wildlife Sensitive Lighting Design Scheme.

Access, parking and highway

- 8.70 The site has a Public Transport Accessibility Level (PTAL) of 5 which indicates very good access to public transport. The site is on a major road and is well connected to

public transport. There are bus stops directly opposite the site (northbound) and approximately 140m to the south (southbound) served by the 60, 166 and 312 buses which are frequent services. South Croydon railway station is approximately 800m walking distance to the northeast.

Car parking

- 8.71 London Plan policy T6.1 states that in all areas of PTAL 5, schemes should be car free. This is the approach that has been taken on the application site, with the exception of 1 blue badge parking space and 1 car club bay (2 spaces in total) and is a policy-compliant approach. TfL support the car-free nature of the scheme however the Council's Strategic Transport Team has raised an objection because there is known to be high parking stress in the area and there is no Controlled Parking Zone (CPZ) in place meaning that the Council cannot stop people parking.
- 8.72 Car ownership data in the area has been analysed. The analysis is based on the 2011 census so is fairly out of date however offers a useful starting point. In the LSOA area, car ownership for flats is 0.52 cars per dwelling and for affordable dwellings it is 0.5 cars per dwelling. Further assessment is undertaken within the Transport Statement however in summary, based on these averages, it is assumed that car ownership would be approximately 0.5 cars per dwelling, equating to 12 cars overall.
- 8.73 The applicant has undertaken a parking stress survey in accordance with the Lambeth Methodology. The Council's Strategic Transport Officer has raised some concerns with some elements of the submitted parking surveys, however any amendments to the reporting would not alter the overarching findings or the on-balance assessment made in this section of this report. The surveys were carried out on Wednesday 28 April and Thursday 29 April 2021 between 12:30am and 05:30am within 200m of the site on areas of unrestricted road, when most residents are assumed to be at home and cars parked. Average parking stress within local roads was found to be 84% which is high. Practical capacity (which is when the street is considered almost "fully parked") is generally considered to be 85%. A total of 10 unoccupied spaces were identified until 'full capacity' (100%) is reached. This means there is very limited space for overspill car parking in the area. There is also no CPZ in the area. It is for this reason that the Council's Strategic Transport Officer objects to the provision of a car free scheme in this location. A recent consultation amongst residents was undertaken and residents voted against a CPZ in this area. This means that there is very low likelihood of introducing a CPZ soon (as residents have been consulted and chosen to accept the existing high level of parking stress instead of introducing controls to reduce parking stress).
- 8.74 However, London Plan policy T6C is clear that *'An absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets'*. Therefore, the absence of a CPZ should not weigh against the provision of a policy-compliant car free scheme on this site. Accordingly, TfL have encouraged the Council in their consultation response to implement a CPZ here. A s.106 clause precluding residents of the new building from applying for future parking permits is recommended. This would mean that if existing residents were to vote in favour of a CPZ in the future, parking permits would not be allocated to new residents and as this restriction would be written into the S106 it would therefore be legally binding. Furthermore, it is worth pointing out that new residents would be aware prior to purchasing or renting a property within the block that there is

no car parking available to them; the area is very well connected by public transport (and the census data shows many local residents are car-free); if car parking were an important search criteria they could reasonably choose not to live here.

- 8.75 Local plan policy DM30 requires provision of a minimum of 1 car club space to be provided on site with major residential applications. A car club space is proposed on-site. A car club space can generally be expected to replace demand for 10 on-site car parking spaces. If the proposal is to generate approximately 12 cars, then this would potentially reduce the number of cars owned to 2 in total, 1 of which may be parked in the blue badge bay, resulting in overspill parking of just 1 remaining car. This would still take parking stress in the vicinity to the practical capacity level of 85% but this is not materially different to the existing level of 84% stress. Overspill parking of 1 car is not considered sufficiently harmful to refuse the application. The car club would be available for use by the proposed residents and existing residents in the surrounding area. The applicant has engaged in positive discussions with a local car club provider. The car club bay would be secured through the S106 Agreement and the Agreement would include a clause requiring all prospective residents to receive a 3-year membership, to be funded by the developer. Given the lack of parking spaces in the vicinity or on site, which is a strong deterrent to car ownership for prospective residents, the free car club membership would be a useful resource for residents who require only occasional car use. The car-club would also be available to existing local residents outside of the site.
- 8.76 To further encourage sustainable methods of transport, implementation and monitoring of a Travel Plan would be secured by S106 Agreement, and a draft has been submitted alongside the application. The Travel Plan is a long-term management strategy for the delivery of sustainable transport objectives that seeks to increase the share of journeys made by sustainable means, to reduce single occupancy vehicles associated with the development, to support healthy lifestyles and improve awareness amongst residents of the different travel options and facilities available. Cycle parking is proposed on site (discussed below).
- 8.77 London Plan policy T6.1(G) requires provision of 3% disabled parking spaces plus identifying potential provision of a further 7%. 1 blue badge space is proposed on site, accessed from the rear on Haling Road (east), via a new proposed crossover (which is shown to be 5m wide with 0.5m ramps either side which is acceptable). The layout of the blue badge space is acceptable, with the required hatched transfer area around 3 sides of the space, and the car club bay is positioned next to it. If an additional blue badge bay is required for the development, this could either go on the road outside the site, or the car club bay could be moved to the road and the space on-site given to another blue badge holder. EVCPs would be provided in accordance with building regulations. Pedestrian visibility splays are shown on plan and swept path manoeuvres into and out of the parking spaces are shown (both within the Transport Statement). No garage door to the parking spaces is proposed to ensure there would be no waiting by vehicles on Haling Road and that the car club space is easily accessible by all.
- 8.78 A S106 contribution would also be sought towards sustainable transport initiatives and improvements to local walking and cycling infrastructure in the locality in accordance with Local Plan policy SP8. This also supports the GLA's Healthy Streets Approach in accordance with London Plan policy T2. A S278 Agreement would be agreed for all changes to the public highway including the new crossover on Haling Road.

Deliveries and servicing

- 8.79 London Plan policy T7 part G sets out that provision of adequate space for servicing, storage and deliveries should be made off street, with on-street loading bays only used where this is not possible. It is not possible to provide on-site servicing due to the site constraints, therefore it is proposed that delivery would be undertaken from either Haling Road or Brighton Road. There are no loading bays in the vicinity so delivery vehicles would have to stop on the road on the yellow lines. There are single yellow lines on Haling Road and Brighton Road, however there is also a cycle lane on Brighton Road and a bus stop outside the site. Deliveries may take place on either Haling Road or Brighton Road (with vehicles avoiding the bus stop). Loading is permitted on single yellow lines for a maximum of 40 minutes for commercial vehicles or 20 minutes for private vehicles as long as the vehicle does not cause an obstruction and abides by any other loading restrictions. Haling Road is subject to a 7.5t vehicle restriction (except access) and Brighton Road is subject to a loading restriction Monday-Friday between 7am-10am and 4pm-7pm. Deliveries would need to take place outside these restricted times.
- 8.80 Typical deliveries take up to 10 minutes and it is anticipated that the development could generate up to 3 delivery and service vehicle trips per day. Delivery vehicles are anticipated to range in size but would most commonly be a transit vehicle under 3.5t. A Delivery and Servicing Plan was included within the updated Transport Statement, and a condition is recommended to ensure compliance.

Refuse storage

- 8.81 Local Plan Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. Refuse storage would be located internally at ground floor level in 2 separate locations, 1 in each core. Residents can access the bin stores internally and Council operatives would collect the bins from the front of the building on Brighton Road and the rear of the building on Haling Road. The bin store at the front would be collected via the ramp on Brighton Road. This 2m wide ramp has been introduced as a result of the raised ground floor for reasons of flood risk. The door to the bin store is also 2m wide and the Council's Waste and Recycling team has confirmed that collection via the ramped access is acceptable. At the rear, collection from the second bin store would be via a new dropped kerb on Haling Road. The kerb would be agreed as part of the S278 Agreement for the site.
- 8.82 In addition, ground floor flats F01 and F05 have their own individual bin stores and the Council's Waste and Recycling team has confirmed that collection via Haling Road is acceptable.
- 8.83 In terms of bin capacity, the requirement is for 4 x 1100ltr landfill bins, 3 x 1280ltr recycling comingled recycling bins, and 2 x 240ltr food waste bins. The bin stores show the correct number of recycling and food waste bins but only 3 x landfill bins, however the bin stores are large, and an additional general waste bin could be added if necessary. Final details will be required by condition.
- 8.84 A space for the occasional collection of bulky waste is proposed within the bin store fronting Brighton Road in accordance with Local Plan policy DM13.1.

Cycle parking

- 8.85 London Plan policy T5 would require provision of a total of 43.5 (44) cycle parking spaces for the proposed unit mix. A total of 45 cycle parking spaces are proposed within 2 cycle stores: 1 at the rear within core 1 accommodating 16 bikes (5 double stacked stands and 3 Sheffield stands); and 1 at the front within core 2 accommodating 30 bikes (14 double stacked stands and 1 Sheffield stand). The Sheffield stands can accommodate larger, wider or adapted bikes, as required by London Plan policy T5B.
- 8.86 The Council's Transport Officer and TfL have both observed that there are more than the recommended number of doors to access the bike stores (London Cycle Design Standard suggests there should be 2 doors however as proposed 3 or 4 are required to access each bike store). The applicant has explained that the doors are required for reasons of fire safety however has confirmed that they would be power assisted to enable ease of access with a bicycle. A condition will be attached to require submission of final layouts of the cycle stores to demonstrate appropriate spacing between bike racks, inclusion of automatic doors, etc.
- 8.87 In addition, policy T5 requires provision of 2 visitor cycle parking spaces. 2 visitor cycle stands are proposed on Sheffield stands within the courtyard, on the path outside the communal amenity space. This is acceptable.

Flood risk

Sequential Test and Exception Test

- 8.88 The site is within flood zone 3a which means it has a high probability of flooding, and in any year has a 1% or more chance of flooding from rivers, or a 0.5% or more chance of flooding from the sea. It is at medium/high risk of surface water flooding and within a Critical Drainage Area. The NPPF seeks to direct development away from areas at highest risk of flooding by applying a sequential, risk-based approach to the location of development to avoid flood risk to people and property. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 8.89 The applicant has not considered alternative sites because they do not own other sites that are appropriate for development, and it has been outlined throughout this report that the site is a sustainable location suitable for residential development. There are numerous examples of ground floor residential development in this stretch of Brighton Road. As a result, the Sequential Test is passed.
- 8.90 Following the sequential test, if it is demonstrated that it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the Exception Test must also be applied. The Exception Test is applicable depending on the vulnerability classification of the proposed use. Residential uses are classified as a 'more vulnerable' use and therefore the Exception Test must be applied. To pass the Exception Test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 8.91 With regards to part A of the Exception Test, the proposed development would provide wider sustainability benefits to the community including the provision of new homes including 4 x affordable First Homes; public realm improvements including a new public pavement along Haling Road; improved greening and biodiversity across the site; and high quality architectural design that would enhance the streetscene.
- 8.92 With regards to part B of the Exception test, amendments have been made to the ground floor layout and finished floor levels (FFL) to ensure that the development would be safe for its lifetime. FFLs have been raised to 51.93m AOD with falls away from buildings to mitigate against the potential flood risks to future occupiers. This has resulted in changes to the access arrangements around the building and an overall height increase of c.0.5m, which has been subject to the appropriate public re-consultation and is discussed elsewhere in this report. These changes have been made working closely with the Environment Agency who have no objection to the proposed layout as shown.
- 8.93 Further, the proposed re-development of the site would reduce the overall percentage of impermeable area across the site by the introduction of green space at ground floor level and roof level and the use of permeable paving. This would in turn reduce the volume of surface water runoff generated by the site which would ensure flood risk is not increased elsewhere. Surface water runoff would be attenuated and discharged at a controlled rate, discussed below. The Exception Test is passed.

Surface Water Flooding

- 8.94 London Plan 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. Local Plan policies SP6 and DM25 require all developments to incorporate SUDS to reduce surface water runoff and provide water treatment on site. Currently, there is no surface water attenuation or flow control from the site so surface water discharged from the site is unrestricted. The proposal is to discharge surface water from the site to the existing surface water sewer in Brighton Road, but this would be at a much-reduced rate of run-off by use of a Hydro brake. Thames Water have approved a discharge rate of 14 l/s which provides significant betterment on the existing brownfield run-off rate of 35.9 l/s. In extreme rainfall events, an underground attenuation crate is proposed below the amenity space, along with permeable paving, to temporarily accommodate run-off.
- 8.95 The proposed SUDS features including green roofs, a rain garden in the ground floor amenity space and permeable paving, would reduce the amount of overall runoff.
- 8.96 Amendments to the SUDS Strategy have been made during the course of the application in response to comments from the Lead Local Flood Authority (LLFA). The LLFA now have no objection to the proposal subject to a condition requiring submission of final details and modelling of the green roofs and rain garden and clarity on the ownership of the SUDS scheme. In addition, Thames Water have confirmed that there is sufficient sewerage capacity to serve the development.

Archaeology

- 8.97 The site lies within a Tier 2 Archaeological Priority Area as it is in close proximity to the route of a Roman Road. There is moderate potential for prehistoric remains which would be likely to be of low significance and there is a moderate potential for Roman

remains which would be of at least medium significance. It is assumed that the proposed development could have a severe impact on any surviving archaeological remains, therefore further investigation is required by condition.

Sustainability

Energy efficiency

- 8.98 London Plan policy SI2 and Local Plan policy SP6 require major developments to be zero carbon by reducing greenhouse gas emissions in accordance with the energy hierarchy. An Energy Strategy has been submitted outlining that the scheme would be able to achieve a 69.12% improvement in CO2 emissions compared to a 2021 Building Regulations compliant scheme using passive design measures and energy efficient equipment in accordance the Energy Hierarchy (Be Lean, Be Clean, Be Green, Be Seen). The building fabric would be efficient therefore low air permeability rates would reduce heating and cooling energy demand by reducing the volume of air that can penetrate the building. The development proposes a communal heat system for space and water heating, powered by Air Source Heat Pumps (ASHP). In addition, Solar Photovoltaic (PV) panels are proposed on the flat roofs. These features are both shown on the proposed roof plan.
- 8.99 The remaining carbon would be offset by way of a financial contribution of £22,372 (7.85 tonnes x £95 x 30 years = £22,372) which would be secured as part of the S106 agreement. The carbon offsetting figure quoted in the Energy Statement is different due to an error in the calculation. The Council's Sustainable Development & Energy Officer has confirmed the correct offsetting contribution (quoted above) and confirmed that the Energy Strategy is compliant with London Plan requirements. The Be Seen requirement for post-occupancy reporting of energy performance to the GLA would also be secured through the S106 agreement.
- 8.100 A Mechanical, Electrical and Public Health Services report has been submitted providing more detail on the engineering services required within the proposed building.

Water efficiency

- 8.101 London Plan Policy SI5 and Local Plan policy SP6 requires that Internal water use is restricted to <105 litres/person/day (excluding 5 litres/person/day for eternal use) in accordance with Building Regulations Part G. A condition would be attached requiring the proposed development to meet this minimum water efficiency standard.

Fire safety

- 8.102 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety. Part B of the policy requires that all major schemes are accompanied by a Fire Statement produced by a suitably qualified Assessor. A Fire Statement prepared by a suitably qualified engineer at FDS Consult UK has been submitted. The Fire Engineer recommends constructing the external wall of the building in line with the combustibility requirements associated with larger developments. The design and construction methodology would follow a 'Stay Put' evacuation strategy within a residential building. This is supported by the Council's Building Control Officer but some minor amendments to the Fire Statement are

required to ensure consistency. It has been agreed that this would take place by way of a pre-commencement condition.

8.103 An evacuation lift is proposed in both cores which is supported in principle. The Council's Building Control Officer has, however, sought clarity over who will take responsibility for operating the evacuation lift in case of fire. This would also be confirmed as part of the pre-commencement condition.

8.104 Fire engines could access the site from Brighton Road or Haling Road. An existing hydrant is located within 90m from the parking location of the fire service access level. This is acceptable.

Air Quality

8.105 The whole borough is an Air Quality Management Area (AQMA) and Local Plan policy DM23 seeks to ensure that developments are air quality neutral and do not lead to further deterioration of existing poor air quality. An Air Quality Assessment has been submitted which outlines the baseline conditions at the site and assesses its suitability for a residential development and the potential air quality effects associated with the scheme.

8.106 During the construction phase, dust emissions could be controlled by suitable mitigation. During the operational phase, vehicle emissions from the highway network and vehicles travelling to and from the site are predicted to be below the relevant criteria at the proposed building façade. As such, the site is considered suitable for the proposed end-use from an air quality perspective. The scheme is car-free and the Energy Strategy for the building does not produce emissions to the atmosphere. The scheme is concluded to be Air Quality Neutral.

8.107 The report has been reviewed and deemed acceptable by the Council's Pollution Control Officer. A S106 contribution of £100 per dwelling would be secured in accordance with Local Plan policy DM23 to put into operation a Low Emission Strategy for the site or to contribute to the Council's air quality fund which funds actions in the Council's AQAP.

Contaminated Land

8.108 Local Plan policy DM24 requires an assessment of land contamination and permits development on or near to potentially contaminated sites as long as detailed site investigation is undertaken and remedial actions are proposed as necessary. A Preliminary Risk Assessment for the site has been undertaken but intrusive investigation has not yet been carried out. The desktop survey identifies potential sources of contamination from the previous car dealership, a historic tank and electrical substation on the site and nearby industrial uses such as the petrol filling station to the north and a previous timber yard to the north. There is potential for asbestos containing materials within the existing building and a separate Asbestos Re-inspection Survey has also been provided. Potential pollutant linkages are identified and a risk assessment is provided which ultimately indicates a moderate level of risk to receptors. The reports have been reviewed by the Council's Pollution Control Officer and appropriate conditions are recommended to further assess land contamination on the site.

Conclusions

- 8.109 The proposed provision of 24 homes in this sustainable and accessible location on Brighton road is supported in principle. The proposed 3-4 storey building is of an appropriate height and mass and a high quality design. Active and greened frontages are proposed as well as a new public pavement which would offer an enhancement to the streetscene and public realm. A policy compliant level of affordable housing is proposed in the form of 4 x First Homes. The car-free nature of the scheme is policy compliant and is considered to be acceptable given the high PTAL of the location, and the provision of an on-site car club space would help to reduce car ownership and also offer a public benefit to nearby residents. Amenity impacts on neighbouring properties are kept to a minimum. The proposed development would increase sustainable drainage and soft landscaping across the site, thereby reducing flood risk elsewhere, and the development itself would be safe from flood risk for its lifetime. High quality of accommodation for new occupiers would be achieved. Other material planning considerations have also been found to be acceptable.
- 8.110 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.
- 8.111 Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, including the benefits and the harm outlined within this report, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).