

**Agenda Item: 6.12**

**This is a Major Application for which the 13 week period expires on 27/10/2006.**

06/03132/P

28/07/2006

Coulsdon West

Application for outline planning permission

Agent:  
Planning Potential  
Palace House  
3 Cathedral Street  
London  
SE1 9DE

Applicant:  
Aldi Stores Ltd  
Sheepcotes  
Springfield Business Park  
Chelmsford  
CM2 5AS

Location: Red Lion Public House, 159 Brighton Road, Coulsdon, CR5 2NH

Description: Erection of two/three/four/five/six storey building with basement parking area comprising use for purposes within class A1 (retail) on ground floor, 43 two bedroom and 9 one bedroom flats on upper floors; formation of vehicular access and provision of surface parking

Drawing No(s): PP1; 7481/01C, 02C, 03C, 04C, 05E, 06C and 07 together with Planning Assessment, Design Statement, Sustainability Statement and Transport Assessment; artists impression

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The development would be an overdevelopment of the site; it would not provide a high standard of design and layout, it would not respect the visual character of the area and the appearance of the street scene and would be detrimental to the regeneration of Coulsdon including proposals for a "Town Square" and would thereby conflict with Policies UD2, UD3, UD12, UD13 and H10 of the Croydon Replacement Unitary Development Plan (the Croydon Plan) and with Supplementary Planning Guidance Note No 20: Coulsdon Area Regeneration Strategy
2. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of its size, siting and design resulting in visual intrusion, overshadowing and loss of privacy and would thereby conflict with Policies UD8 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
3. The residential element would result in a poor residential environment for the new occupiers due to its general layout and lack of amenity space and would thereby conflict with Policies UD8 and H10 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
4. The application does not include information on the provision of affordable housing and would therefore be contrary to Supplementary Planning Guidance Note No 6 on Affordable Housing and Policy H13 of the Croydon Replacement

Unitary Development Plan (The Croydon Plan)

5. It has not been demonstrated that the capacity of the proposed junction layout would be adequate for traffic using the network and the design and layout of the access, parking, cycle and pedestrian provisions would meet accepted standards; the development would thereby conflict with Policies UD12, UD13, T2, T3, T4, T8 and T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
6. This major development proposal would not make adequate provision for public art and would thereby be contrary to Policy UD16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
7. The proposal would not provide for the enhancement of nearby open space and would thereby conflict with Policy RO12 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

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**Ward: COULSDON WEST**  
**Lead Officer: Head of Planning Control**

**PLANNING COMMITTEE**  
**12<sup>th</sup> October 2006**

**APPLICATION NUMBER 06/3132/P – FORMER RED LION PUBLIC HOUSE, 159  
BRIGHTON ROAD, COULSDON**

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**1. SUMMARY**

- 1.1 The application is in outline with siting, external appearance, design and means of access to be determined at this stage and for landscaping to remain as a reserved matter. It is for the erection of a part two, three, four, five and six storey building with basement parking area comprising a Class A1 (retail) store on the ground floor, 43 two bedroom and 9 one bedroom flats on the upper floors, the formation of a vehicular access and basement and surface level parking.
- 1.2 In the event that the application were to be recommended it would be referable to the Greater London Authority (GLA).

**2. RECOMMENDATION**

- 2.1 Refuse planning permission for the reasons set out in the Agenda.
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**3. BACKGROUND**

**a) Site Description**

- 3.1 The site is situated within Coulsdon Town Centre on the south-eastern side of Brighton Road opposite the junction with Chipstead Valley Road. It has a site

area of approximately 0.36ha. The site was formerly occupied by The Red Lion Public House and a shop attached to the northern side of the Public House. A customer car park was situated to the front and rear of the building. The access to the car park was on the southern side of the site and a secondary access to serve other premises on the northern side. The buildings on the site have now been demolished and the site has been cleared.

- 3.2 To the front of the site is a small building comprising public toilets. The toilets, the land on which they are situated together with a strip of land across the frontage of the site are in the ownership of the Council. This land has been included in the application site.
- 3.3 The site forms part of a Secondary Retail Frontage within the town centre. To the north-east is numbers 149-155 Brighton Road, a terrace of 4 three storey buildings with retail units at ground floor. There is a single storey building used as a taxi business situated to the rear of number 155 Brighton Road. This is served by a pedestrian access only which abuts the north-eastern boundary of the site.
- 3.4 To the south-west is a relatively modern brick built three storey office building, built around 1990. On the opposite side of Brighton Road and Chipstead Valley Road is a mixture of two and three storey buildings with retail uses at ground floor level. Within this part of the town centre there is a mix of materials with brick and render in predominant use.
- 3.5 Behind the site, to the north-east and south-east are terraced residential properties in Edward Road and Victoria Road with gardens that back onto the former car park.

## **b) Planning History**

- 3.6 99/ 00803/P On September 13<sup>th</sup> 2000 planning permission was refused for the erection of a three storey 79 bedroom hotel; alterations to the vehicular access and the provision of 49 parking spaces for the following reasons:
  - (1) The proposal would result in the loss of shopping area uses within a Secondary Retail Frontage without adequate replacement and would prejudice the vitality and viability of the centre and conflict with Policy SH10 of the Unitary Development Plan.
  - (2) The development would be detrimental to the visual amenity of the street scene by reason of its design, appearance and inadequate landscape details and would thereby conflict with Policies SP1, BE1 and BE14 of the Unitary Development Plan.
  - (3) It has not been demonstrated that the development would not be detrimental to pedestrians and vehicular traffic using the access road and highway and would thereby conflict with Policies BE10, SP25, T1, T28 and T46 of the Unitary Development Plan
- 3.7 02/2513/P On August 20<sup>th</sup> 2003 an application was received for the erection of a three/ four storey 86 bedroom hotel with a ground floor café / bar area for public use and for the provision of a 48 space car park. The application has been entered in the register as 'not determined'.

3.8 05/0603/P In June 2005 outline permission was refused for the erection of a three storey building with basement parking area. It would have comprised an Aldi store and a small café area on the ground floor and 28 two bedroom flats and 10 one bedroom flats on the upper floors. A total of 92 car parking spaces would have been provided, 52 for the store and 40 for the residential units. The grounds for refusal were overdevelopment, the inadequacy of the 'town square' proposals, harm to neighbours and the poor environment for new occupiers, affordable housing, internal site and junction transportation arrangements, enhancement of open space and public art.

**c) Proposal**

3.9 The application is for outline permission for the erection of a part two, three four five and six storey building with basement parking area comprising a Class A1 (retail) store on the ground floor, 43 two bedroom and 9 one bedroom flats on the upper floors, the formation of a vehicular access and basement and surface level parking. Eighty-seven spaces would be provided of which 60 would be for the retail use and 27 for residential purposes. The Class A1 (retail) floorspace would be 1337 sq.m. The siting of the building, means of access to the site, external appearance and design are to be considered at this stage. Landscaping would be reserved for subsequent approval.

3.10 The building would occupy the width of the site with the vehicular access provided through the building to the surface and basement parking areas. This access would be sited adjacent to the northern site boundary. This would require the demolition of the existing toilets. The building would be sited generally between 8m and 12m from the back edge of the footway which is further forward than the position of the former buildings on the site.

3.11 The building would extend to the rear such that at its closest point it would be around 2m from the rear boundary of Edward Road and Victoria Road properties.

3.12 The planning application is accompanied by a Design Statement, Sustainability Statement, Planning Assessment and Transportation Assessment.

**4. PLANNING POLICIES**

4.1 The relevant policies of the Replacement Unitary Development Plan (the Croydon Plan) are SP1- SP3, UD1, UD2-UD8, UD11-UD16, SP7, RO12, SP9-11, SP13, EP2-4, EP6, EP10, EP13, EP15-16, SP14, T2-4, T8, T11, SP17-SP22, H2-4, H9-10, H13-14, SP23 and SH1-5.

4.2 The Coulsdon Area Regeneration Strategy (SPG 20) which was adopted on October 2004 is a material consideration. Supplementary Planning Guidance Note No 10, Designing for Accessibility, No. 12 on Landscape Design, No. 15 on Renewable Energy, No. 16 on Air Quality, , No. 17 on Surface Water Drainage, No. 18 on Sustainable Water Usage, No. 19 on Public Art (Draft) are also relevant.

## 5. CONSULTATIONS

- 5.1 The application has been advertised in the press as "a major application" in accordance with the provisions of the Town and Country Planning (General Development Procedure) Order 1995. A copy of the application has also been deposited in Coulsdon Library.
- 5.2 One hundred and thirty-one adjoining and nearby occupiers have been notified of the application. Letters and e-mails have been received from 15 adjoining and nearby occupiers commenting / objecting to the development as follows:
- (1) Building would be too high and its scale and design out of keeping with the character of the area;
  - (2) loss of light / over-shadowing;
  - (3) general noise and disturbance, noise from deliveries and pollution from dust and general disruption, including during construction;
  - (4) loss of privacy and visual intrusion;
  - (5) loss of trees;
  - (6) traffic generation and highway safety;
  - (7) concern about harm to fabric of adjoining building;
  - (8) magnet for anti-social behaviour;
  - (9) lack of a public square;
  - (10) insufficient parking leading to parking problems on surrounding roads;
  - (11) loss of business to smaller retailers;
  - (12) no need for another supermarket;
  - (13) does not comply with the Coulsdon Area Regeneration Strategy;
  - (14) café proposals not clear;
  - (15) loss of public toilets;
  - (16) social and leisure facilities would be a better use of the site and are needed by local people
- 5.3 The Croydon Society has objected on the grounds that the application fails to provide a focal point or open space as part of the development as proposed in the Coulsdon Area Regeneration Strategy, the height of the building, an increased floor area and the proposal would not be in accordance with Council policies.
- 5.4 Coulsdon New Millenium Projects has objected on the following grounds:
- (1) the proposal is contrary to the aims of the regeneration strategy;
  - (2) the development would not create a sense of place or focal point;
  - (3) there would be limited space from the back edge of the pavement;
  - (4) the building would be out of character with its surroundings;
  - (5) the style of the building would be alien to its surroundings;
  - (6) there is scant provision for public art;
  - (7) overdevelopment of residential provision;
  - (8) there is limited community provision and no café / restaurant;
  - (9) would attract cars to middle of Coulsdon Centre
  - (10) harm to local services
  - (11) insufficient "historic references"
- 5.5 The Greater London Authority have indicated that a decision on their part has not yet been formulated.

- 5.6 The Coulsdon West Residents' Association have objected to the application on the grounds that the proposal would be an overdevelopment, not comply with the regeneration strategy, would have a poor design and layout, harm residential amenity, impact on traffic and roads and have a substandard environment for new residents.
- 5.7 The Hartley and District Residents Association has objected to the development on the grounds that it would be out of character and the development would not accord with the regeneration strategy. There would be no public meeting place on the premises which is an integral part of the plans for the regeneration of Coulsdon.
- 5.8 Transport for London have commented that the Public Transport Accessibility Level (PTAL) is rated at level 3, car parking could be reduced and a management plan introduced, eligibility for on-street parking should be excluded and the travel plan extended. The cycle provision is unclear. The acceptability of the access arrangements has not been proven and manoeuvring space for vehicles would be unacceptable. Insufficient information has been submitted to allow determination of the effect of the development on this and nearby junctions. Insufficient assessment has been made of the linkages with public transport, pedestrian movement and cyclists.

## **6. CONSIDERATIONS**

6.1 The principal considerations are:

- (1) the acceptability of the uses in policy terms;
- (2) the effect of the development upon:
  - (i) the character of the area and the appearance of the street scene and aspirations for the regeneration of Coulsdon;
  - (ii) the amenities of adjoining and nearby occupiers;
  - (iii) highway safety, traffic generation and car parking provision;
  - (iv) air quality;
  - (v) noise
- (3) density and the quality of the living environment for the new occupiers;
- (4) the provision of affordable housing;
- (5) the provision of / contribution toward local open land;
- (6) the provision of public art;
- (7) safety and security considerations;
- (8) sustainability and renewable energy;

(9) accessibility

Proposed Uses

- 6.2 The site is situated within the defined retail area of Coulsdon Town Centre. The site is also identified in the Croydon Plan as suitable for a high quality high density development to include a supermarket. The Coulsdon Area Action Plan requires that uses such as retail with a café, bar or restaurant with residential above would be suitable on the site. Therefore, the proposed mixed use of the site would be appropriate, subject to the detailed design and layout of the development.

Design and Appearance

- 6.3 The site occupies an important position within the heart of the town centre and, as such, an exemplary design approach is required for the site. The proposed building would be stepped in height to six storeys and across the full width of the site. Despite changes to the design compared to the earlier refused scheme the design is still lacking.
- 6.4 The scheme does not relate to the surrounding context and does not respect the rhythm or scale of the existing shopping parades and other adjoining buildings. Its form would not, therefore, provide an appropriate response to the character and appearance of Coulsdon in this prominent location. The vehicular access to the rear and to the basement creates a large void in the street scene across a large part of the site's ground floor frontage which would have an unattractive appearance. Overall, the scheme does not have a landmark quality and, therefore, does not provide a sufficiently high quality of design.
- 6.5 Coulsdon is a focus of the Mayor's '100 Space' competition, for which a designer is currently being chosen in partnership by the GLA, TfL and the Council. It is envisaged that a distinct, well defined and well proportioned public space, set back from the pavement edge, is needed in this area to give the local people of Coulsdon a 'town square' where they can meet and gather. This is a clear aspiration of CARS. The Red Lion site provides the only real and viable opportunity to create such a town square.
- 6.6 The demolition of the w.c building to the front would open up the space to an extent and is welcome. However, the position of the new building would provide limited meaningful space in front. The area would function instead as an entrance forecourt to the supermarket. Whereas previously a café was proposed and would have encouraged some ground floor activity, this has now been omitted. The applicant has asked that landscaping remain a reserved matter. It might be possible to plant trees to provide some shelter from the road to provide a more inviting area, although this would eat further into the space.

The amenities of adjoining and nearby occupiers

- 6.7 The building would extend close to the rear of properties along Edward Road and Victoria Road which are modest two storey dwellings with rear gardens of approximately between 9m and 12m. A building of the scale and in the

position proposed would be overly dominant and would result in visual intrusion and overshadowing. The proposed terraced areas and positions of windows would result in a significant loss of privacy. The small areas remaining for planting would provide limited relief.

#### Highway safety, traffic generation and car parking provision

- 6.8 The acceptability of the proposed access arrangements will depend upon the proposals for the new junction layout which have not as yet been finalised. Transport for London have raised no objection to the proposed new junction layout for Brighton Road /Chipstead Valley Road in principle but have raised concerns that the applicant has not demonstrated that the layout could accommodate the traffic that would be generated by the development. In the absence of this information the application ought not be supported.
- 6.9 The transport study is not sufficiently comprehensive and this leaves uncertainty about parking sufficiency, its management, pedestrian movement and travel plan proposals. Furthermore, the layout would potentially display difficulties in terms of manoeuvring, visibility and access for high vehicles. The cycle parking provision would also be inadequate.
- 6.10 Overall, there is a need for a great deal more detail before the Council and Transport for London can be convinced that the access, traffic generation, pedestrian movement and travel plan provisions would be acceptable.

#### Air Quality

- 6.11 An Air Quality analysis based on the existing traffic movement and numbers was carried out in 2000 and was based on 1999 data. A further model was run in 2003 which included projections once the new road is open. The recent model indicates that air quality along Brighton Road would be significantly improved with the reduction in through traffic. The proposal would introduce traffic which could be associated with a downgrading in air quality. An air quality assessment has not been submitted. Should planning permission be granted, a condition could be imposed requiring an assessment to be undertaken if necessary.
- 6.12 Noise

Due to the proximity of Brighton Road to the proposed development, it is suggested that if planning permission were to be granted that a condition should be attached requiring a PPG24 noise survey to be carried out to ensure that any mitigation measures are implemented to ensure that a satisfactory noise environment could be achieved for the residential element. Details of delivery times to ensure that new and existing occupiers are not adversely affected could also be dealt with via condition.

#### Density and the quality of the living environment for the new occupiers

- 6.13 The density for mixed housing schemes, as defined in Policy H9 of the Unitary Development Plan (the Croydon Plan) is between 160-300 habitable rooms to the hectare (hrh). Policy H10 of the Croydon Plan permits higher densities for residential development than those set out above on appropriate sites in areas

of high accessibility to services and public transport provision. The density of the housing element would be 287 hrh based on the gross site area. It, therefore, falls within the upper range for density as set out in the Croydon Plan but it should be remembered that this is a mixed development that also includes a substantial retail element.

- 6.14 The provision of a high density development in this location is acceptable in principle subject to the overriding requirements that a high quality design as required by Policy H10 can be achieved. The majority of the flats would have internal kitchens and bathrooms which is not ideal. The terraced areas and balconies would provide amenity and outlook for most residential units. However, the quality of these spaces would be far from ideal. Whilst the issue of outlook towards the office building to the south has for the most part been resolved, overall, it is not considered that the quality of the living environment would be of sufficiently good quality. It is considered that these issues are symptomatic of an overdevelopment of the residential element.

#### Provision of affordable housing

- 6.15 Policy H13 of the Croydon Plan deals with affordable housing. This policy states that the threshold for determining when an element of affordable housing should be supplied is a minimum site area of 0.5 ha. Supplementary Planning Guidance Note No. 6 has introduced an additional criterion based on the minimum number of dwellings and the threshold is currently set at 15 units. Policy H13 requires that all sites capable of providing 15 or more units should provide an element of affordable housing. For a scheme of this size, the starting point for negotiation would be 50% provision.
- 6.16 The applicants have stated that “a proportion of the overall residential element will be specifically set aside for affordable housing accommodation in accordance with [Council] policy”. However, no information has been given on the proportion to be provided and no viability assessment has been submitted. It is, therefore, not possible to assess the acceptability of this element of the scheme. To safeguard the Council’s position it is recommended that a refusal reason on lack of affordable housing be included. Should the application be appealed, there would be opportunity to address the issue at this stage.

#### Provision of / contribution toward local open land

- 6.17 Policy RO12 of the draft Croydon Plan requires that residential schemes meet the recreational open space needs arising from the proposal. The site is within an area deficient in local parks, being approximately 630 metres walking distance from Coulsdon Memorial Ground off Marlpit Lane. An off-site contribution would be required to meet the recreational open space needs of the residents of the development.

A financial contribution toward local open land has not been agreed with the applicant.

#### Provision of public art

- 6.18 The applicants had previously indicated that they were committed to providing public art as part of the scheme and suggested that this could be designed into the canopies and the front façade of the building, although no details have

been provided to date. A decision on this issue could be linked to the 100 spaces competition because how this public art would be provided is not clear. An agreement to the amount to be provided has yet to be agreed with the applicant. In the absence of a clear proposal on this matter from the applicant and to safeguard the Council's position it is recommended that a refusal on the grounds of inadequate provision of public art is warranted.

#### Safety and security considerations

- 6.19 Measures for the improved safety and security of the building and its users could be secured through condition and might include access control to the residential areas, automated access control to the vehicular access, suitable boundary treatment, security lighting and the adoption of Secured by Design windows and doors to the residential units.

### **7. ENVIRONMENTAL CONSIDERATIONS**

- 7.1 The proposal would make fuller use of previously developed land achieving a high density mixed use development.
- 7.2 A development of this scale should be expected to include sustainable building forms and construction techniques, including;
- (1) The incorporation of renewable energy facilities to provide at least 10% of predicted energy requirements;
  - (2) Meeting Eco-Homes excellent standard. Significant scoring on the energy criterion of Eco-Homes would be expected in order to make it easier to meet the 10% renewables requirement. The applicants should provide their own independent BREEAM assessment of their design and to submit the result.
- 7.3 The eco-homes pre-assessment report anticipates an 'excellent' rating. This could be secured through condition. Further details of the size and number of solar water heater panels that would be used are required to ensure that the predicted 10% provision of energy provision is achieved. Again, this could be secured through condition.

### **8. EQUALITIES CONSIDERATIONS**

- 8.1 Six parking bays for disabled users would be provided together with lifts to the basement and the upper floors.

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Report Author: Andrew Day

Background Documents: Letters and e-mails from 15 adjoining and nearby occupiers  
Letters from:  
Coulsdon New Millenium Projects  
Coulsdon West Residents Association  
Hartley and District Residents Association  
The Croydon Society  
Transport for London

Contact Officer: Philip Mills Tel 020 8760 5419