

Agenda Item: **6.1**

This is a Major Application for which the 13 week period expires on 09/01/2007.

06/04174/P

10/10/2006

Kenley

Application for outline planning permission

Agent:
W S Planning
15 Bell Street
Reigate
Surrey
RH2 7AD

Applicant:
Milford Group Ltd
C/O WS Planning

Location: The Rose And Crown Public House, Godstone Road, Kenley

Description: Demolition of existing buildings; erection of three storey building with basement parking comprising 19 two bedroom, 9 one bedroom and 9 three bedroom flats; formation of vehicular access onto Old Barn Lane and provision of associated parking

Drawing No(s): 271A02 300, 301E, 302D, 303D, 304D, 305D, 306C, 307C, 308A, 309 and 310B.

Recommendation: **Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control**

Subject to the following condition(s) and reason(s):-

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters before the development is begun:-
 - (1) landscaping.
Reason: These matters were not submitted for consideration as part of the application.
2. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters:-
 - (1) full details of the proposed bike storage facilities, to be safe and secure,
 - (2) full details of the proposed bin store, to include ventilation of,
 - (3) full details of the proposed "extensive" green roofs and roof terraces, to maximise the benefits for local biodiversity,
 - (4) any external lighting of the building or grounds,
 - (5) any walls, fences or other means of enclosure on the boundaries of the site or within the site,
 - (6) full details of a means of protecting, providing, retaining and enhancing the 8m buffer zone between the Caterham Bourne and any development (measured from the top of the bank), both during the course of construction (which shall specifically be implemented prior to the commencement of any development) and on completion of the development, at all times to be free of

structures, hardstanding and fences, details of which shall also be agreed with the Environment Agency,

(7) full details of the proposed "history and ecology board" as indicated on the proposed site plan,

(8) full details of the proposed surface water drainage system.

Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved above shall be provided before any part of the development is occupied and shall be retained for so long as the development remains in existence.

Reason: To ensure that an acceptable standard of development is provided and retained having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the requirements of the Environment Agency in protecting and enhancing the river corridor.

3. Unless otherwise agreed by the Local Planning Authority, application for approval of the details referred to in Condition 2 shall be made to the Local Planning Authority at the same time as the first application for approval of the reserved matters referred to in Condition 1

Reason: To ensure that the details of the development are considered in relation to each other

4. Any application for approval of the reserved matters referred to in Condition 1 shall be made to the Local Planning Authority within three years of the date of the permission

Reason: To comply with the provisions of the Town and Country Planning Act 1990

5. No development shall commence before a detailed scheme for the proposed surface water attenuation measures is submitted and agreed in writing by the Local Planning authority, in consultation with the Environment Agency. With the exception of roof water drainage, no surface water or other type of drainage should discharge to ground via soakaway. The agreed works shall be implemented in accordance with the approved details prior to the first occupation of the development

Reason: To reduce the risk of flooding, prevent pollution and improve water quality in line with the Environmental Protection policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and as required by the Environment Agency.

6. Unless otherwise agreed in writing with the Local Planning Authority any redundant vehicular accesses on the highway shall be removed and the kerbs reinstated before any part of the development is occupied.

Reason: To ensure that the traffic conditions do not create conditions prejudicial to the free flow of traffic and the general safety of road users, in accordance with Policy T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).

7. Unless otherwise previously agreed by the Local Planning Authority in writing the finished floor levels of the building and the levels of the car parking area in relation to existing and proposed site levels (as indicated on the proposed plans) shall be implemented as specified.

Reason: To ensure an acceptable standard of development having regard to the need to protect the River Bourne from pollution and to protect the development from possible flooding in line with the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the requirements of the Environment Agency.

8. The visibility splays shall be provided as specified in the application before the access is brought into use and shall be retained for so long as the development remains in existence:-

Reason: To ensure an acceptable level of highway safety in accordance with Policy T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

9. No works on site shall commence until details of the external facing materials (including balconies) have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with such approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

10. Prior to the commencement of works on site including those for drainage and foundations, a scheme shall be submitted for approval to the Local Planning Authority specifying the means by which those trees to be retained shall be protected during the works. The approved scheme shall be implemented on site prior to commencement and retained for the duration of the works.

Reason: To ensure the survival of the existing trees that contribute to the visual amenity of the area and the success of the development, in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

11. The existing planting specified in the application as being retained shall not be felled, lopped, topped or otherwise removed during the course of development or within five years after completion, without the prior written consent of the Local Planning Authority; any planting which is removed without consent, or dies or is severely damaged or becomes seriously diseased before the end of that period shall be replaced with planting of such size and species as may be agreed with the Local Planning Authority; this condition shall not be construed as overriding the requirements to obtain consent under any Tree Preservation Order or the legislation concerning trees in Conservation Areas.

Reason: To ensure that the specified planting enhances the appearance of the development in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

12. Before the development is begun an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority. The investigation report shall include a risk assessment and details of remediation if required.

Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building. A validation report detailing evidence of

all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority at the conclusion of the work and before any occupation of the properties..

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.

Reason: To ensure the safe development of potentially contaminated land in accordance with Policy EP3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

13. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes 2006 report that achieves 'Excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.

Reason: To accord with Policies UD1-3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

14. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason: To comply with Policy EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

15. The development shall be begun no later than two years from the final approval of the reserved matters referred to in Condition 1.

Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

1. The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are UD1-UD3, UD6-UD9, UD12-UD16, UC11-UC13, RO6, RO12, RO13, NC4, EP2-EP4, EP5-EP7, EP16, T2-T4, T8, T11, H2, H4, H5, H9, H10, H13 and H14.

The development is considered to be satisfactory in relation to the following:-

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area

- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the relationship of the development to trees to be retained
- (h) the relationship of the development to the Caterham Bourne main river
- (i) the safety of pedestrians and motorists on the adjacent highway
- (j) the safety and security of buildings and the spaces around them
- (k) accessibility to buildings
- (l) the housing policies of the development plan
- (m) the archaeology policies of the development plan
- (n) sustainability issues
- (o) maintaining the open character of the surrounding Metropolitan Green Belt
- (p) the recreational open space policies of the development plan
- (q) the urban design policies of the development plan
- (r) the nature conservation policies of the development plan
- (s) the environmental protection policies of the development plan
- (t) the transport policies of the development plan
- (u) the provision of satisfactory living accommodation for future residents of the flats.

and having regard to all other matters raised.

Informative(s) :-

- 1 The applicant is advised that there are public sewers crossing the site, and to this effect the approval of Thames Water may be required prior to the commencement of any development. Telephone 0845 850 2777 for further advice.
- 2 The applicant is advised that there is high pressure gas mains in close proximity to the site. Therefore prior to the commencement of any development the advice of Southern Gas Networks should be sought. Telephone 01689 881 300 for further information.
- 3 The applicant is advised that measures should be taken to ensure the protection and retention of the on site well during the course of construction and ensure that it remains accessible during the lifetime of the development. An appropriate agreement should therefore be arranged with the Environment Agency prior to the commencement of any development. Telephone 020 7091 4005 for further advice.

Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8 metres of a main river (in this case the Caterham Bourne), irrespective of any planning permission granted.

The applicants attention is drawn to the requirements of the Environment Agency as set out in their letter of 26th April 2007, addressed to the London Borough of Croydon and copied by email to RPS Health, Safety and Environment for Milford Group Limited.

- 4 The applicant is advised to consult the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites" before commencing work

on the site. The Code gives advice on how to undertake work on site in a considerate manner. A copy can be obtained by calling 020 8760 5483.

Ward: Kenley
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
24th May 2007

06/4174/P –
THE ROSE AND CROWN PUBLIC HOUSE, GODSTONE ROAD, KENLEY

1. SUMMARY

- 1.1 This report concerns an application for outline planning permission for the demolition of the existing building on the site and the erection of a three and four storey building to provide a total of 9 three bed flats, 19 two bed flats and 9 one bed flats (37 units), together with the formation of a vehicular access onto Old Barn Lane and the provision of 37 parking spaces.
- 1.2 The outline application was originally submitted with access, layout and scale to be determined, although the Council has since required the application to be amended to include “appearance”.

2. RECOMMENDATION

- 2.1 That outline planning permission be granted subject to the conditions and reasons set out in the Agenda but subject to the prior written conclusion of a Section 106 Agreement, at the applicant’s expense, to secure 50% affordable housing in line with Council policy, and financial contributions towards the enhancement of nearby recreational open space, sustainable transport, libraries and highway safety works within the vicinity of the site.

3. BACKGROUND

a. Site Description

- 3.1 The application site is a corner site located on the south-western side of Godstone Road at its junction with Old Barn Lane. It has a frontage of approximately 82m onto Godstone Road and a frontage of approximately 43m onto Old Barn Lane, with an overall site area of 0.42 hectare.
- 3.2 The site is currently occupied by the vacant “Rose and Crown” Public House, a substantial two and three storey 1960’s building set at an angle to the Godstone Road frontage, being a minimum of 4.6m from the back edge of the pavement. To the front of the building the land is primarily hard surfaced, providing a car parking area served by two vehicular accesses from Godstone Road. A further hardsurfaced parking area lies to the south of the building, served from the same vehicular access. The remainder of the land to the west of the building comprises amenity space associated with the public house use.
- 3.3 There are changes in levels throughout the site, with the highest point being at the northern corner adjacent to the Godstone Road. From this point the land

- drops by around 3m from north to south and by approximately 3.7m to the south-west.
- 3.4 The Caterham Bourne watercourse runs through the south-western part of the site. This watercourse has recently been designated as a main river by the Environment Agency. However, the watercourse is generally obscured by natural vegetation that has grown along its banks. There are also a number of significant trees along this boundary with Bushey Close to the south-west.
 - 3.5 The surrounding area is mixed in character, with a variety of residential and commercial uses, in buildings of various eras and forms. The area surrounding the site within the London Borough of Croydon is characterised primarily by buildings that are two storeys in height. Godstone Road within the London Borough of Croydon is primarily residential other than the builder's merchants immediately opposite the site.
 - 3.6 Immediately to the north of the site are traditional two storey semi-detached dwellings. These properties are set slightly below the level of the Godstone Road, approximately 11m back from the frontage. Their rear gardens are 50m in length.
 - 3.7 To the east, on the opposite side of the Godstone Road is an industrial unit housing a builder's merchant, with Riddlesdown Common and Riddlesdown Quarry beyond and adjacent, which is identified as being Metropolitan Open Land/Green Belt, a Site of Special Scientific Interest and a Site of Importance for Nature Conservation. The London Outer Orbital Path (LOOP) runs from Riddlesdown Common, across the Godstone Road and into Old Barn Lane and onto New Barn Lane to the west.
 - 3.8 To the south-west of the site is Bushey Close, an industrial estate accessed via Old Barn Lane. Typical of industrial estates the buildings comprise a number of large brick and metal clad buildings with shallow pitched roofs and areas of hardstanding for servicing and parking. A pedestrian footpath runs between the application site and Bushey Close, leading to Bourne Park Close further north.
 - 3.9 Beyond the borough boundaries the character of Godstone Road changes to a more commercial area, with two and three storey office/warehouse accommodation, a large gas holding station and several vacant sites, such as a former petrol station on the adjacent corner of Old Barn Lane and a former scaffolding yard opposite the application site.
 - 3.10 The site is within an Archaeological Priority Zone and is also within an area identified as being at risk from flooding. The Caterham Bourne is designated as a "main river" by the Environment Agency. Godstone Road is a Strategic Road and one of the main traffic corridors into the Borough.

b. Relevant Planning History

- 3.11 In 1995 a planning application was submitted but subsequently withdrawn for the erection of a three storey 32 bedroom hotel with link to the existing public house (ref 95/1486/P).
- 3.12 05/2178/P – In June 2005 full planning permission was refused for the demolition of the existing building on the site and the erection of a five/six storey building to provide a total of 50 two bed flats, together with the formation of a vehicular

access onto Old Barn Lane and the provision of 50 parking spaces.

- 3.13 05/5269/P – In February 2006 full planning permission was refused for the demolition of the existing building and the erection of a two/three/five/six and seven storey building to provide a total of 50 two bed flats, together with the formation of a vehicular access onto Old Barn Lane and the provision of 50 parking spaces.
- 3.14 Both refusals 05/2178/P and 05/5269/P were subject to an appeal by way of a hearing held on 1st June 2006. In his decision letter the Inspector commented that he did not consider the site to be within an area of high accessibility to services and public transport provision. He acknowledged that most buildings in the area are only two or three stories high and that there was a need to successfully overcome the transition between the housing to the north-east of the site and the commercial properties to the south-west of the site, whilst at the same time respecting the visual importance of the corner location and the longer distance views. He suggested that *“a building higher than the adjacent semi-detached houses would not appear inappropriate”* and that whilst *“both appeal buildings would be much longer than the adjacent houses, extensive elevations are a characteristic of the commercial buildings and terraced housing”* so that in his view *“this aspect of the proposals need not look out of place.”*
- 3.15 He nevertheless considered that *“both buildings would appear much higher than any of their immediate neighbours”* and *“despite the prominent location, the bulk and mass of both proposals but Appeal B (05/5269/P) in particular, would sit uncomfortably in the street scene and over dominate their surroundings.”* Similarly both schemes *“would adversely dominate the local views of Riddlesdown Quarry, which is a Site of Special Scientific Interest.”* Therefore *“by reason of excessive height both proposals would not make a positive contribution to the local skyline and be out of keeping with the character and appearance of the area.”* This also led him to conclude that *“the proposed density is not appropriate for this location.”*
- 3.16 06/1448/P - In January 2007 a further appeal was dismissed in respect of the Council’s non-determination of an application for full planning permission for the erection of a three/four storey building comprising 44 two bedroom flats and 3 one bedroom flats, formation of a new vehicular access onto Old Barn Lane and associated parking. This time the same Inspector concluded that the proposed density was inappropriate to the extent that it dictated the limited mix of accommodation achieved by the scheme, contrary to UDP Policy H4. He also considered that the appearance of the buildings proposed elevations would be bland and uninspiring and in consequence the proposed bulk of the building would appear somewhat monolithic. A high quality design advocated in UDP Policy UD1 would not be achieved.
- 3.17 Also of relevance is a recent appeal decision on land within the remit of Tandridge District Council in respect of the proposed redevelopment of land on the southern side of Old Barn Lane comprising Gadoline House (office and warehouse buildings) and the former Old Barn Petrol Filling Station. An appeal on a planning application refused by Tandridge District Council (ref TA/2006/312) was allowed in January 2007 for the redevelopment of the site to provide a residential development of 118 one and two bed flats and a Primary Care Facility in the form of 3 and 4 storey blocks of a contemporary design, together with 162 parking spaces and access off both Godstone Road and Old Barn Lane. It is currently unknown whether this proposal will be implemented or not.

c. Proposal

- 3.18 The application is an outline planning application with access, appearance, layout and scale to be determined. Thus landscaping is the only reserved matter.
- 3.19 The proposal is for the demolition of the existing building on the site and the erection of a three/four storey building to provide a total of 9 three bed flats, 19 two bed flats and 9 one bed flats (37 units), together with the formation of a vehicular access onto Old Barn Lane and the provision of 37 parking spaces. 50% of all habitable rooms are proposed to be in the form of affordable accommodation in compliance with the Council's affordable housing requirements.
- 3.20 The plans have been amended from that originally submitted, primarily in terms of clarification and amendments to the proposed design of the building, a slight re-siting of the building and the introduction of more basement parking to allow for more amenity space at the rear of the site.
- 3.21 The building would front the Godstone Road, set back from the pavement by between 5 and 7 metres, with mounded landscaping proposed to the front of it. It would similarly be set back from Old Barn Lane by between 4 and 5 metres. The building would be approximately 60m in length with a depth of between 16 and 22.5 metres. There would be a gap of 12m minimum between the new building and its northernmost boundary with 414 Godstone Road.
- 3.22 The flat roofed building would be three storeys fronting onto Godstone Road, with the ground floor being elevated 1m above the Godstone Road. Given the change in levels of the site, the rear would appear as four storeys, with the lower level accommodating some semi-basement car parking.
- 3.23 The building would be contemporary in appearance with the two lower floors being of brick and the upper floor rendered. There would be elements of timber cladding and glazing defining the entrances to the building and steel balconies on both the front and rear elevations. A modest glazed element would feature on the prominent corner.
- 3.24 Two pedestrian entrances are proposed to the front of the building, with access also being obtained from within the basement car park. A 4.8m wide vehicular access and 2m wide pedestrian footpath off Old Barn Lane would lead to 21 parking spaces at the rear of the building and 16 beneath the building, 4 spaces of which would be designated as disabled parking. A bin store would be located within part of the rear of the building, and parking for 37 cycles would be made available within the basement area.
- 3.25 Amenity space would be provided around the building, and all flats would have a balcony or roof terrace. A "watercourse habitat reserve" would be maintained towards the back of the site along the River Bourne, and the roof would be in the form of a green "extensive" roof (extensive meaning not readily accessible for residents but usually visible from elsewhere).
- 3.26 The applicants have commenced the preparation of a legal agreement in respect of planning obligations applicable to this development. This includes 50% affordable housing provision as required by Council policy, and contributions of

£20,370 towards Recreational Open Space enhancement, £28,600 towards sustainable transport, £700 towards local library facilities and £60,000 towards the provision of pedestrian safety improvements on the A22 (subject to the agreement of Transport for London and Surrey County Council).

- 3.27 The application is accompanied by a Design and Access Statement and new Flood Risk Assessment. Previous applications have been accompanied by a Transport Assessment, Flood Risk Assessment and Arboricultural Impact Assessment.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Adopted Croydon Plan are UD1-UD3, UD6-UD9, UD12-UD16, UC11-UC13, RO6, RO12, RO13, NC4, EP2-EP4, EP5-EP7, EP16, T2-T4, T8, T11, H2, H4, H5, H9, H10, H13 and H14.

5. CONSULTATIONS

- 5.1 The application has been advertised on site and in the press as a Major Development. 38 adjoining or nearby occupiers have also been notified in writing of the application. Following receipt of the additional details relating to “appearance” (referred to in paragraph 1.2 above) further consultation letters were sent out.
- 5.2 At the time of writing two letters of representation have been received from the occupiers of one of the business premises in Old Barn Lane. Concerns are raised that lorries would not be able to get into the adjoining industrial estate if cars are parked in Old Barn Lane.
- 5.3 Referrals have been received from Councillor Jan Buttinger on the grounds of the development being overbearing to the semi-detached properties next door to the site, the need for a quality development at this entry site to the borough, concerns over flooding, concerns that the site should be included as an employment site being next to existing warehouses, and that the access on a bend is dangerous for this size of development.
- 5.4 The Kenley and District Residents Association (KENDRA) object to the application. They state that the development is totally out of character; the size and scale would still adversely affect privacy to the adjacent residents; insufficient attention has been paid to the risks of future flooding within the site, parking arrangements are inadequate and additional hazards would be created on an already hazardous and busy stretch of the Godstone Road.
- 5.5 Tandridge District Council raise no objection to the proposed development but have stated that the Primary Care facilities in Whyteleafe are currently at capacity and that therefore many services required by residents of the new development would be provided from outside of the Croydon Borough. Furthermore, Croydon should be satisfied with the level of parking to ensure that the provision does not result in overspill parking into Tandridge. Tandridge is also concerned by the potential large numbers of dwellings of the same type within the locality as this may not result in a mixed and balanced community.
- 5.6 Transport for London (TfL) comment that the stopping up of the Godstone Road

vehicular accesses would be to the benefit of both pedestrian and vehicular traffic. The 37 parking spaces for 37 residential units is in accordance with the Croydon UDP and does not exceed the maximum set out in the London Plan. As such this would be less onerous than that previously proposed with a corresponding reduction in potential traffic generation.

- 5.7 TfL note the potential location of a controlled pedestrian crossing, the cost of which the developers are offering to fund. The precise location of such facilities is however still subject to investigation. It is noted that a 3m strip of land along the Godstone Road is indicated as being safeguarded for future highway and safety works, and thus there is an opportunity to implement a minor junction improvement by easing the corner of the junction to a 6 metre radius curve together with extra footway.
- 5.8 English Heritage comment that the archaeological potential for this particular site would be the possible alignment of an ancient trackway that would have crossed the northern portion of the site. Given the degree of development that this area of the site has already sustained it is concluded that the potential for archaeological evidence to survive has been significantly reduced. On balance the scheme is therefore unlikely to affect archaeology and therefore no pre or post determination archaeological assessment or evaluation is required.
- 5.9 Natural England (formerly English Nature) comment that on the information provided the proposal does not seem to have any significant implications for the conservation of biodiversity or geology.
- 5.10 The Environment Agency originally objected to the application given the recent designation of the Caterham Bourne as a “main river” and that there was an inadequate buffer zone from the river. The applicant has since provided further information and amended the plans to address the concerns raised. Subsequently the Environment Agency have confirmed the withdrawal of their objections, subject to the imposition of a number of planning conditions being imposed on any planning permission granted.
- 5.11 Thames Water have previously commented that there are public sewers crossing the site and that their approval will be required for any building within 3 metres of the sewers.
- 5.12 Southern Gas Networks have previously acknowledged the proposed development.
- 5.13 Sutton and East Surrey Water have previously noted that access to the old well on the site is to be retained, and have requested that access to that well be maintained.

6. CONSIDERATIONS

- 6.1 The principal issues to be considered, taking into account the previous appeal decisions, are as follows:
- (1) The acceptability of a residential development on the site, and the proposed density of the development,
 - (2) The impact of the development on the streetscene and the character of area,

- (3) The impact of the development on the amenities of the occupiers of nearby properties,
- (4) The parking and highway implications,
- (5) The standard of living accommodation provided for the residential accommodation, and,
- (6) Affordable Housing requirements.

Principle of the Residential Development and Density

- 6.2 The existing use of the site and premises as a public house is not a protected use within the Croydon Plan, and the existing building is not of significant architectural merit. A development of the site for residential purposes is therefore considered acceptable in principle.
- 6.3 Policy H2 of the Croydon Plan permits housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses.
- 6.4 Policy H4 states that on sites of more than 30 units, planning permission will not be granted for residential use unless the mix of units reflects the needs for family and non-family housing. The supporting text to this policy suggests 55% family housing and 45% non-family housing.
- 6.5 With a net residential area of approximately 0.5 hectare (including the two road frontages) and 111 habitable rooms the development would result in a density of 222 habitable rooms per hectare (hrh). This is within the range of the 160 to 300hrh stated in Policy H9 of the Croydon Plan.
- 6.6 In considering the previous appeals for the 50 two bed units at 300hrh, the Inspector acknowledged that the site was not within an area of high accessibility to services and public transport provision. He was therefore of the opinion that the site is not therefore suitable for densities higher than that specified in Policy H9 and that the then proposed density (of 300hrh) would not be appropriate for the location. In the later appeal (06/1448/P) that would have resulted in a density of 276 hrh he commented more on the need for a mix of family and non-family accommodation, concluding that *“the proposed density is inappropriate to the extent that it dictates the limited mix of accommodation achieved by the scheme and that the proposal is contrary to UDP Policy H4.”*
- 6.7 In this current scheme the density is 222hrh and provides a better mix of family and non-family accommodation than that previously considered.
- 6.8 The 9 three bed flats could reasonably be considered as family accommodation as could say 50% of the two bed flats (i.e. a further 10 units). As such a total of 19 of the flats out of the total 37 could be considered as being suitable for family accommodation, especially given the reasonable areas of open space around the building and in close proximity to the site, and the nearness of local schools. This would equate to 51% family housing and 49% non-family housing, and as such would be broadly in line with Policy H4.
- 6.9 It is thus considered that the density and mix of housing, combined with appropriate amenity space provision, is now at a level that is appropriate for the site, subject to all other considerations being satisfactory.

Impact on the streetscene and the character of the area

- 6.10 The Inspector appears to accept that buildings with extensive (long) elevations and higher than the adjacent semi-detached houses could be appropriate. His concern so far has been in respect of the height, bulk and massing of the appeal schemes and in the latest appeal how the elevations would be bland and uninspiring resulting in a monolithic building that fails to reflect the visual prominence of the corner. Also of concern was the lack of significant punctuation, and limited scope for frontage landscaping.
- 6.11 This current proposal appears to address the concerns of the Inspector and would result in a building of a more appropriate form that respects its surroundings in a manner that is consistent with the approved Tandridge scheme.
- 6.12 Whilst of a contemporary design some more thought has gone into the detailing of the building and the landscape around it compared with the previous appeal scheme. The corner glazed element is modest but appropriate for the site and would sit comfortably in the streetscape whilst providing some visual interest. Whilst not considered to be of outstanding design, it is sufficient to address the concerns of the previous Inspector and the form and design would complement and relate to the scheme now permitted in Tandridge.

Impact on Amenities of Adjoining Occupiers

- 6.13 There is a distance of at least 17m between the new building and the flank wall of the nearest residential property at 414 Godstone Road. It is considered that this is a reasonable distance to ensure that there are no significant overlooking and overbearing concerns, although it is considered necessary to impose some conditions in respect of obscure windows and tree planting to ensure that there would be no adverse impact. On this basis it is not considered that there would be any adverse impact to justify a refusal in terms of visual intrusion, loss of privacy, daylight or sunlight.
- 6.14 The proposal would still be visible from New Barn Lane, but to a lesser extent than the previous appeal proposals. The proposed elevations, together with the use of green roofs would assist in ensuring that the building is not too visually intrusive in the local landscape, particularly from the surrounding higher levels.

Parking and Highway Implications

- 6.15 The site has a low public transport accessibility level (PTAL) of 1. Appendix Two of the Croydon Plan (Table 2 - Parking Standards for Residential Developments) suggests that where the predominant housing type is mostly flats, then density should be in the region of 200-250hrh, and one parking space per unit should be provided. With a density of 222hrh, the density of the proposed development would fall within these standards, and one space per unit is provided.
- 6.16 The removal of the accesses to the site from Godstone Road is supported, with the access from Old Barn Lane being appropriate, subject to detailed design considerations. It should be noted that Old Barn Lane forms a vital link in the London LOOP between Riddlesdown Common and Kenley Common, and that it is also heavily used by children and their carers to access the footbridge over the Purley/Caterham railway line, beyond which is Kenley Junior School.
- 6.17 The provision of some funding (£60,000) towards improved pedestrian crossing facilities in the Godstone Road is necessary to accommodate access by residents

to the open spaces and recreational opportunities in the vicinity, and is supported to improve pedestrian accessibility in the immediate area. The crossing could take the form of a pelican crossing, or possibly form part of the installation of a traffic light controlled junction at Old Barn Lane, which may be particularly beneficial should the Tandridge proposals be implemented. The details of the most appropriate measures would be subject to further discussion between Surrey County Council and Transport for London who are the relevant highway authorities.

Standard of Accommodation

- 6.18 The flats would generally be of a reasonable size and layout, with an adequate area of amenity space associated with the development. The area around the river is proposed to be retained and enhanced as a watercourse habitat reserve.
- 6.19 Policy RO15 of the Croydon Plan requires a contribution towards the enhancement of recreational open space. In this case a sum of £20,370 is agreed and proposed to be secured by means of a legal agreement. Similarly a sum of £700 is proposed to be secured towards local library facilities.

Affordable Housing Requirements

- 6.20 A scheme of this size would be expected to provide 50% of all habitable rooms as affordable housing. The applicants have indicated their intention to provide this in accordance with the Council's standards relating to shared ownership and rental accommodation. This is to be secured by a legal agreement.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The development of this vacant property for a residential use is in principle acceptable, and would result in the redevelopment of a vacant brownfield site.
- 7.2 The site is within a 1 in 100 year indicative floodplain of the Caterham Bourne, meaning that the site has an annual flooding probability of 1%. The applicant's Flood Risk Assessment concludes that the likelihood of flooding is low and that incorporating sustainable urban drainage measures into the design could further assist in minimising pollution and flooding risk.
- 7.3 The Environment Agencies concerns appear to have been addressed (subject to conditions) in that there is an adequate natural buffer to the river, and the opportunity to significantly enhance the value of natural features of the area through the provision and enhancement of a Watercourse Habitat Reserve at the rear of the site.
- 7.4 The applicants have indicated an intention to ensure that the building generates 10% of its predicted energy requirement from on site renewable energy sources.

8. EQUALITIES CONSIDERATIONS

- 8.1 Level and lift access is proposed. Four disabled parking spaces are indicated.

Case Officer: Mr W Pierson.

Background Documents: Referrals from Councillor Jan Buttinger,

Letter from Kenley and District Residents Association,
Letter from Tandridge District Council,
Letters from English Heritage and Natural England,
Letter from Transport for London,
Letters from the Environment Agency,

Design, Planning and Sustainability Statement,
Flood Risk Assessment dated March 2007,

06/1448/P,

Previous Planning Applications 05/2178/P, 05/5268/P and

Transport Assessment from previous applications,
Arboricultural Impact Assessment from previous application.

Contact Officer:

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