1 SUMMARY OF APPLICATION DETAILS

Ref: 16/06405/FUL  
Location: Land between 13 Derrick Avenue & Station Approach, Purley  
Ward: Purley  
Description: Erection of 5 three storey and one single/two storey building comprising a total of 22 three bedroom, 5 two bedroom and 10 one bedroom flats; formation of access road, communal amenity area and associated landscaping and planting  
Drawing Nos: 377011 P00 rev E, 377012 P01, 377013 P02, 377014 P03, 377015 P04, 377016 P05, 377017 P06, 377018 P07, 377019 P08,  
Applicant: Purley Oaks LLP  
Case Officer: Richard Freeman

<table>
<thead>
<tr>
<th>Flats</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4 bed</th>
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<tbody>
<tr>
<td>Number of car parking spaces</td>
<td>20</td>
<td></td>
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<tr>
<td>Number of cycle parking spaces</td>
<td>67</td>
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1.1 This application is being reported to Planning Committee because the Ward Councillors (Cllr Speakman), Chair of Planning Committee (Cllr Scott) and local MP (Chris Philp, MP) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration. The number of objections received also met the criteria for committee consideration.

1.2 This application follows a presentation to Planning Committee at pre-application stage on the 4th June 2015. The comments of the Committee were as follows:

- Parking - this is a congested area with two stations in close proximity (need to properly consider car parking stress);
- This is a very noisy area, near the railway line, and a previous scheme was refused due to noise issues - need to make sure that the noise mitigation is properly considered and mitigated;
- Housing mix - generally acceptable but requested that the applicant further consider larger family units as part of the mix;
- Amenity space - possibility of relocating the play area more to the centre of the development and away from the entrance to Purley Oaks Station, so that children can play more safely (closer to doorsteps). Need to make sure that amenity space is usable and complies with the various standards;
- Impact of additional traffic on adjacent occupiers – especially in the vicinity of the main vehicular entrance;
- Flood risk and drainage issues;
- Affordable housing around 30% - an expectation that the development should comply with the 50% requirement outside the Croydon Metropolitan Centre;
- Elevations with southern outlook well received;
o No issues on massing and overlooking (expectation around use of high quality materials) and there was general support for the approach – on what is a constrained site for a number of reasons;
  o Early consideration of construction methodology advocated given proximity to the railway line.

2 RECOMMENDATION

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

The prior completion of a legal agreement to secure the following planning obligations and appropriate planning conditions:

a) 38% affordable housing to be provided to a 60:40 tenure split between affordable rent and shared ownership.

b) Biodiversity mitigation and translocation measures to be agreed.

c) Travel Plan and onsite car club provision and monitoring

d) Onsite management company to maintain sustainable drainage, estate management and bin storage

e) Local employment and training strategy

f) Any other planning obligation(s) considered necessary by the Director of Planning

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

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

Conditions

1) Details to be provided of specified elements prior to commencement:
   a. SuDS including maintenance arrangements
   b. Flood risk management measures
   c. Full Delivery and Servicing Plan and Construction Logistics Plan
   d. Triple glazing and mechanical ventilation to the railway facade

2) Details to be provided of specified elements prior to erection of above ground superstructure:
   a. car parking including blue badge parking,
   b. cycle parking
   c. bin storage
   d. electric vehicle charging points,
   e. turning areas,
   f. gates to accesses
   g. play area equipment

3) External materials to be agreed, including façade build up

4) Landscaping, including boundary treatments and biodiversity measures

5) Glazing marked as obscured shall be provided and retained as such; no additional glazing to east elevations

6) Removal of permitted development rights for detached unit

7) Travel Plan to be implemented
8) Noise mitigation measures to be agreed
9) Reductions in CO2 of 35% beyond 2013 Building Regulations
10) Water consumption of 110 litres per head per day to be achieved
11) A further badger survey to be carried out if work does not commence on site within one year. Badger exclusion works to be carried out in accordance with a license or details to be agreed.
12) Commence within 3 years
13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives
1) Removal of site notices
2) Construction logistics best practice
3) Community Infrastructure Levy payments
4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2.4 That the Planning Committee confirms that adequate provision has been made, by the imposition of planning conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

2.5 That if by 23rd June 2017 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal
3.1 Full planning permission is sought for the erection of six buildings as follows:

- 37 residential units – 22 three-bedroom, 5 two-bedroom and 10 one-bedroom. Units would be provided in 6 blocks ranging in height from one and two storeys in the north and three storeys in the south.

- Two main building types are proposed;
  
  o A maisonette building which would have two 2-bed flats on the ground floor and two 3-bed duplexes above per entrance; and
  
  o A flatted building with a central entrance with two 3-bed units on the ground floor, two 3-bed units on the first floor and two 2-bed units on the second floor.

- Variants of these building types, to address the specific context of the north and south end of the scheme are proposed.

- All buildings are set above a void area so that internal floor levels would be above likely flood levels and so that flood water would not be displaced. An emergency escape level access is proposed to the rear of the blocks.

- 20 car parking spaces and turning areas
- Vehicular access would be taken from Derrick Avenue to the south only and pedestrian access from both the north and the south.

- A landscaped amenity area would be to the north of buildings, adjacent to Station Approach. Individual units would be provided with screened decks or ground level amenity space. Landscaping would be incorporated into the larger buildings’ facades and the route adjacent to the buildings.

- The proposed buildings have a similar design and appearance which consists of flat roofed buildings with a modern architectural approach of two contrasting bricks and timber cladding. Units are designed to orientate north and south, with only secondary windows facing east.

Site and Surroundings

3.1 The site is approximately 330m long and 13m wide, located behind semi-detached properties on Norman Avenue. It is abutted to the east by rear gardens of residential properties, the west by the London – Brighton railway line, the north by Station Approach (the access to Purley Oaks station) and the south by a similar strip of land. It is understood that the site comprises land previously owned by the British Rail Residuary Board and is not required for the operation of the railway.

3.2 An existing vehicular access from Derrick Avenue is to the south of the site and to the north the site adjoins station approach, the entrance to Purley Oaks station, which is pedestrianized.

3.3 The area is characterised in the main by two-storey semi-detached houses, often joined to other properties at ground level by garages, facing onto roads. Garden lengths of the properties adjacent on Norman Avenue range from approximately 13m in the north to over 50m in the south. The site is set significantly below properties on Norman Avenue, with the railway line being approximately level with the second floor of the scheme.

3.4 There are no policy designations relevant to the proposal. The site has a Public Transport Accessibility Level of 2-3 and is adjacent to Purley Oaks Station.

Planning History

3.5 The following planning decisions are relevant to the application:

98/01495/P Erection of a detached two-storey house with attached garage (land adjacent to 13 Derrick Avenue).

**Refused** on grounds of unsatisfactory living environment due to noise and impact on the character of the area dismissed at appeal on the grounds of noise only. The Inspector commented that the development was in keeping with the surrounding residential area and that all matters other than noise were generally acceptable.

15/04053/P Erection of 5 three storey, 1 two storey and 1 single storey building comprising a total of 22 three bedroom, 9 two bedroom and 6 one bedroom flats; formation of access road, communal amenity area and associated landscaping and planting
Withdrawn following discussions relating primarily to flood risk.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 The proposal is for a scheme of 37 flats on a strip of land adjacent to the railway line. The flats are in 6 buildings of 1-3 storeys and orientated North-South to avoid overlooking the railway line or neighbouring properties. The main issues are:

- The proposal is considered to be in keeping with the character of the area. It consists of buildings up to three storeys in height with flat roofs which whilst of a different appearance have a similar mass to two-storey semi-detached properties with a pitched roof on surrounding roads. The blocks are split so as avoid a solid wall of development and glimpses through to the railway line and beyond.

- The buildings are orientated North-South so that outlook is provided along the length of the development. Windows which face East (to the rear gardens of neighbouring properties) are generally obscure glazed or do not serve habitable rooms. Windows that face west (to the railway) are secondary to minimise noise impact. The buildings reduce in height to the North as rear garden lengths decrease. The impact on outlook for neighbours is therefore considered to be acceptable.

- All units comply with the Technical Housing Standards in terms of internal dimensions. Amenity space is provided in accordance with the London Housing SPG. An acceptable internal noise level can be provided in accordance with World Health Organisation guidance through the provision of sound insulation and other measures. Noise levels to amenity space would be higher but through mitigation including a 1.8m high screen, would be acceptable.

- 20 parking spaces are proposed (including 4 disabled parking spaces) which, given the Public Transport Accessibility Level (PTAL) of 2 and 3, and the proximity of two stations and bus services on Brighton Road is considered acceptable. Detailed drawings of access and turning spaces have been provided and are acceptable.

- The scheme provides 60% 3-bed units, which is in accordance with policy and meets an identified need for family accommodation.

- The scheme provides 38% affordable housing. Policy requires 50% and for schemes proposing less to demonstrate that this would make them unviable. A viability assessment has been submitted which has been independently assessed. Due to different methodologies in calculating development costs and values, the independent assessor considers that the scheme could support the full 50%. On balance, considering the desirability of delivering housing, especially the 3-bed units proposed and the abnormal development costs including construction adjacent to the railway line and flood risk management, the 38% proposed by the developer is considered to be acceptable.

- The application has been supported by various protected species reports. A population of slowworms was recorded at the site and their translocation can be secured through a planning obligation. The site has a low probability of bat roosts in trees to be lost and conditions will secure “bat bricks” or similar
alternative habitat measures. The site has been surveyed for badgers, which has confirmed that the holes on the site were not in use, that the hole adjacent to the site (on the Network Rail embankment) is an outlier sett in use and that the rest of the site has a low probability of further setts. The site has now been cleared and further testing undertaken which confirms no setts are on the site. Should work not commence within a specified time period of consent being granted, a condition can require a further survey to be carried out prior to commencement of works and mitigation to be agreed. In addition, badgers are protected by law and the developer would require a license from Natural England prior to working near a sett.

- The trees to be lost on site are not considered to be of high quality. As such there is no in principle objection to their loss and replacement planting can be secured by condition.

- The site is at risk from surface water flooding and acts as a soakaway for waters which pond against the railway embankment. Station Approach has flooded a number of times in recent years. The developer has submitted a Flood Risk Assessment and Drainage Strategy which demonstrates that the development would not increase flood water around the site as the buildings would be raised up to allow any flood waters to flow around them. The units would be above the level of water from the most severe modelled flood and would have an emergency access to the rear at that level. A SuDS scheme is proposed which is considered to adequately cater for water arising from the development.

- The development would meet the London Plan and technical housing standard requirements on energy and sustainability through the use of conditions and flat solar panels on roofs.

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:

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

5.3 Objects to the proposal on the basis that insufficient information has been submitted and that the proposed drainage approach is unclear. (OFFICER COMMENT: Whilst there are some detailed issues which need to be addressed, the LLFA agrees that the submitted approach to SuDS is appropriate for the site. The detailed design can be secured through an appropriately worded condition).

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 176  Objecting: 174  Supporting: 0 Commenting: 2
6.2 The following MPs and Councillors commented on the application:
- Chris Philp, MP [objecting]
- Cllr O’Connell, the GLA Member [objecting]
- Cllr Donald Speakman (Ward Councillor) [objecting]
- Cllr Paul Scott (Chair of Planning Committee) [commenting]

6.3 The following issues were raised in representations:
- Detrimental impact on trees
- Not in keeping with character of the area which is generally large detached and semi-detached houses
- No flats in the local area
- Obtrusive design of concrete and glass
- Overdevelopment
- Poor outlook to units
- Impact on local highway situation including increased parking in local area and traffic on access route.
- Disturbance to local residents from proposal and during construction & railway noise more disturbing due to loss of trees
- Loss of wildlife habitat including mature trees and foraging for bats
- Would increase risk of flooding
- Loss of privacy, light & security to neighbouring properties
- Insufficient private space
- Increase in transient population
- Insufficient access for refuse and emergency vehicles
- Local infrastructure would be overwhelmed including Purley Oaks Station
- Vibrations from the railway line detrimental to residential amenity
- Increased pollution from residents and vehicles
- Health and safety issues associated with the proximity to the railway line

6.4 The following comments were received:
- Potential to provide housing and meet identified housing need

6.5 The following procedural comments were made:
- Concerns over display of site notices [officer comment: site notices were displayed in accordance with normal procedures]

7 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.
7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

7.4 Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.15 Reducing and managing noise
- 7.21 Woodlands and trees

7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 and SP8.7 Sustainable travel choice
7.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design
- UD16 Refuse and recycling storage
- NC4 Woodlands, trees and hedgerows
- T2 Traffic generation from development
- T4 Cycling
- T8 parking
- H2 Supply of new housing

7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle and housing mix
2. Townscape and visual impact
3. Affordable housing
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Trees and nature conservation
7. Access and parking
8. Sustainability
9. Flood risk management

Principle and Housing Mix

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised, including providing a variety of types of housing types and unit mix.
8.3 The area is residential in character although the site has not been previously developed. The planning history sets out that the principle of residential use, albeit for a significantly different scheme, has been previously considered acceptable. Subject to the character of the area not being adversely affected, and other considerations as set out below, a residential use is acceptable in principle.

8.4 The scheme provides 60% of units as 3-beds, which is in accordance with policy and is a size of unit found in the area. The housing mix is considered to accord with policy and is acceptable.

**Siting, Design and Appearance**

8.5 The site is located behind existing properties on Norman Avenue, but makes use of an existing access from Derrick Avenue. The proposal responds to the local context by providing a semi-public route along the east edge of the site, which the buildings address. The development has been broken down into individual blocks to break up the massing and provide glimpses through to the railway line and beyond. The larger maisonette blocks have been further broken down above ground floor level and step away from each other, which reduces their massing. Whilst the resulting blocks are larger than the semi-detached properties characteristic of the area, they reflect a similar language, with the height decreasing to the sides to reflect hipped roofs and a series of planes of brickwork to the front reflecting the bays of semi-detached properties in the area. The design and layout of the buildings is not considered to be out of keeping with the character of the area.

8.6 The massing of the proposal is a mixture of three, two and single storey blocks. At the southern end of the site, three storey blocks are considered to be sufficiently far away from neighbouring properties that the massing is successful and makes best use of the available land. The shorter gardens at the north of the scheme result in a two storey and single storey building to ensure that separation distances can be provided and that the mass is appropriate given proximity to existing buildings.

8.7 The building types of the most southerly and northerly buildings have been altered to respond to their context. The most northerly building is adjacent to an area of communal open space, which will accommodate play for 1-5 year olds. This building therefore looks to the north and is of single storey, with defensible space separating it from the amenity space. The most southerly building completes the Derrick Avenue cul-de-sac and visually signposts the scheme to the north. The building has a similar architectural approach to the other buildings and its eaves, height, subdivision into bays and detailing is considered to be a modern interpretation of semi-detached properties in Derrick Avenue.

8.8 The overall design approach of the buildings has been developed to allow for buildings to be orientated primarily to the north or the south with, above ground floor level, only secondary or obscure glazing provided to the east. The articulation of the front elevation, in a series of planes which step back, provides opportunities to provide more glazing facing to the north and south in these side elevations, as well as breaking up the buildings into a series of volumes. As the units face towards each other, separation between units is generally provided by parking and landscaping areas between buildings.
8.9 The railway elevation is simpler, with two brick types, some articulation and smaller windows. Where the two bricks meet, in the same plane is a recessed shadow gap to ensure that the join provides some articulation.

8.10 The architecture of the buildings is modern, with flat roofs being introduced to reduce the mass of the proposals and contrasting brickwork being the main building material. Amenity areas above the ground floor area are enclosed by hit and miss timber screening to reduce overlooking and to use a material on the buildings which is also used in the public realm area.

8.11 The most northern buildings being two and single storeys ensures that no buildings above ground floor level would be within approximately 21m of the rear elevations of neighbouring properties, which is considered to ensure an acceptable impact on surrounding properties in terms of light and outlook. The height and massing of the buildings is considered to be acceptable therefore.

8.12 It is noted that the overall height and spacing of the buildings is similar to the previously withdrawn scheme, which officers considered to be acceptable in this regard. The internal floor level has been raised so that the properties are unlikely to flood internally, with a void area beneath the floor levels at the level of the main access route. At the southern end of the site this is not considered to significantly impact on the route but as the ground drops to the north the accommodation would be significantly above the level of the route. Whilst the buildings would not fully embrace the route, windows and amenity areas would look sideways to allow for some supervision of this area. Because of this relationship and the narrow dimensions of the site, it is considered that the route should be private, which can be secured by condition.

8.13 With regards to the architectural approach, the language and materials proposed give rise to a strong modern approach which is acceptable. The applicant has set out that large areas of unrelieved brickwork on the east elevations will be landscaped with climbing plants to be secured by condition.

**Affordable Housing**

8.14 The provision of affordable housing is necessary in order to provide a diverse variety of homes to meet the needs of local residents. All major schemes should provide affordable housing and where the maximum policy amount is not proposed then an appraisal should be undertaken to justify the proposed level. Appeal decisions generally show that site specific appraisals should be given significant weight in the decision making process and site circumstances such as site preparation costs, saleability and the risk of carrying out the development should be taken into account.

8.15 The developer has indicated that the scheme can only support just below 38% affordable housing and has submitted a detailed financial appraisal which demonstrates their case. This has been reviewed by an independent assessor who considers that the site can provide 50% affordable housing.

8.16 Significant dialogue has occurred between the two assessors who have used different methodologies in their calculations and the difference in viability relates to how modelling software reflects costs and values in London and how benchmark costs reflect current market conditions.
8.17 The applicant has indicated that they consider that their revised appraisal is accurate and that the scheme would be unviable with a greater contribution of affordable housing. The site has a number of unusual constraints, such as the difficulty of taking access which has an impact on the building timescales, the proximity of the railway line and embankment and the costs of flood risk management. Additionally, the scheme provides a high level of 3-bed accommodation for which there is an identified need, as well as making the best use of the available land. On balance therefore, the scheme is considered to be acceptable with this level of affordable housing.

8.18 The mix is in accordance with the London Plan, being as close to a ratio of 60:40 (affordable rent: shared ownership) as the units allow and as such is considered acceptable. Dialogue has been held with a Registered Provider to deliver the units who is satisfied with the mix and units proposed.

**Housing Quality for Future Occupiers**

8.19 All units meet the requirements of the London Housing SPG and Nationally Described Space Standards in terms of internal and external floor area.

8.20 The London Housing SPG indicates that north-facing single aspect units are not acceptable and that the amount of single aspect units should be minimised where possible. All units are dual aspect, although some units have their primary outlook to the north. Those units, and those facing towards each other in the maisonette buildings, have been carefully assessed to ensure sufficient outlook. It is considered that the levels of light and outlook to these units are acceptable due to the separation of the buildings from each other and that they step back from each other at the higher level.

8.21 The scheme layout is such that most units face towards each other. Where blocks are separated by parking areas, the separation distance at first floor level is generally 15m, so conditions can require that the height of roof garden balustrades provides adequate privacy.

8.22 Duplex units have, at first floor level, bedrooms which are only separated by a green roof of 4m width. These units have windows significantly off-set to ensure no direct overlooking, which is considered acceptable. Windows to other rooms and the second floor are separated further from each other and have a relationship which is acceptable.

8.23 The area at the north of the site is proposed as a communal amenity space, with a small area of “doorstep play” designed primarily for 1-5 year olds, to comply with the London Informal Play and Recreation SPG. The application sets out its layout and how it would integrate with the route through it, which is considered to be acceptable, with conditions to secure detailed design.

8.24 The applicant has provided a detailed noise assessment which concludes that with the use of building construction methodologies and specialist glazing, the development can meet the World Health Organisation recommended standards for internal noise exposure.

8.25 This has been assessed by the Council’s Environmental Health team who have concluded that the proposal is acceptable in this regard, subject to conditions to secure these measures. Whilst the external parts of the site and development are
likely to be noisy due to the presence of the railway line, measures have been taken to mitigate these, which are considered to be acceptable.

8.26 It is also relevant that the proposed development will reduce noise travel across the site, from the railway and toward the neighbouring properties which exist along Norman Avenue. This will therefore improve the amenity of these residents in this regard.

**Residential Amenity for Neighbours**

8.27 In a suburban residential location, a degree of mutual overlooking is to be expected and properties in the area do overlook each other. The scheme has been designed given the context adjacent to rear gardens, which has been reflected in the north-south orientation of blocks and the height of blocks at the northern end of the site.

8.28 In order to ensure sufficient outlook, no buildings over single storey are within 21m of the main rear elevations of properties on Norman Avenue and three storey buildings are 29m away. This is considered sufficient in terms of massing, outlook and access to light, given the flat topography of the area.

8.29 The north-south orientation of the proposed buildings results in the main windows being located on the side elevations, perpendicular to the rear elevations of Norman Avenue. As such, oblique views into the rear gardens of these properties would be possible. To reduce this as much as possible, whilst providing sufficient outlook to the new units, amenity spaces above the ground floor are semi-enclosed in a hit and miss screen, so that direct overlooking cannot occur, and the front elevation is continued beyond windows to semi-recess them and ensure that main outlook is taken to the north and south. Even with these, some overlooking would occur, albeit at an oblique angle. The separation distances are such in the southern section that only the ends of rear gardens would be affected. In the northern section, the nearest first floor window would be at a distance of some 30m at a 45° angle from the nearest existing principle room window. The policy approach outlined in the above documents, and set out in more detail in Supplementary Planning Document No 2 “Residential Extensions and Alterations” is that the amenity of rear gardens should be protected, but that principal room windows are the most important receptors. On balance, whilst there would be some impact on the rear gardens of properties in the northern section, officers consider that this is acceptable.

8.30 The nearest building to the rear of no 13 Derrick Avenue is approximately 22m away and as such an unacceptable level of overlooking is not considered to result.

8.31 The noise impact of vehicles moving behind the rear gardens of properties on Norman Avenue has been carefully assessed, but they are generally restricted to being 25m from rear elevations, so unlikely to have a significantly detrimental impact.

**Access and Parking**

8.32 The applicant proposes to make use of the existing vehicular access on Derrick Avenue.

8.33 The Local Highway Authority have provided detailed advice on the scheme and indicated that they consider that the use of this access is acceptable, subject to provision of sufficient visibility splays which can be secured by condition.
8.34 The applicant has made provision for vehicles to pull over to allow others to pass at parking areas and provided two additional turning area along the access route.

8.35 The provision of car parking in developments needs to be considered from a sustainable travel and technical perspective.

8.36 The site has a PTAL rating of 2-3, which is moderate. 20 vehicle parking spaces are proposed, for 37 units, which equates to approximately a 0.54 provision per unit. Detailed drawings showing disabled parking have been provided.

8.37 The provision of parking complies with policy and is considered to be acceptable given the proximity of public transport routes, including the very close proximity of Purley Oaks Station. The provision of car club parking is likely to help manage the relatively low level of parking, along with a Green Travel Plan and can be secured by condition.

8.38 Cycle parking and electric vehicle charging points can be secured by condition.

**Sustainability and Environment**

8.39 An energy assessment has been provided which demonstrates that most forms of low carbon energy supply would be inappropriate for the site and concludes that solar panels could be provided to reduce the energy requirements. It is accepted that a Combined Heat and Power scheme would be inappropriate for the site and that solar panels are the most suitable form of technology.

8.40 The developer has indicated that these can be met by providing solar panels to the roofs and, so as to ensure that the mass of the buildings would not be greater, these can be located below a parapet wall. With the use of appropriate conditions, this is considered to be acceptable.

8.41 Whilst the site has been undeveloped for a considerable period of time, and there are no records of it being actively used in conjunction with the railway, the land could be contaminated. As such, the developer would be expected to carry out investigations at the appropriate time, which is a matter which could be secured by condition.

**Trees and Nature Conservation**

8.42 The site has not previously been developed apart from its use in conjunction with the railway line and as such supports a number of semi-mature and mature trees and dense undergrowth.

8.43 The site is currently undeveloped and overgrown. The applicant has provided a desktop study which concludes that, whilst the site is well vegetated, it is not of nature conservation importance.

8.44 In accordance with the above policies and standing advice from Natural England, a desktop survey was undertaken to assess the characteristics of the site and what protected species may be present. Additional surveys were then conducted on site to find and assess species. Each one is addressed in turn below:

**Bats**

8.45 The site is home to a number of trees and habitat which may be used for foraging. Legislation and guidance sets out that bat roosts should not be disturbed by
development. Guidance from Natural England sets out that bats are likely to roost in buildings, or potentially in trees that are either ancient woodland, have a complex growth form, natural cavities, damaged to disturb the surface or have loose bark.

8.46 The applicant conducted a survey of the trees and found that they did not meet these requirements. However, a number of the trees had ivy on them which could not easily be assessed from ground level. The applicant was asked to climb these trees to visually inspect them and no evidence of bat roosts were found.

8.47 Whilst the area is likely to be a habitat for foraging, there is no evidence of bats roosting in the area so, with the use of conditions to require the landscaping treatment to provide alternative opportunities for foraging where possible, this is considered acceptable. Conditions could also specify that trees should be assessed by a suitably qualified ecologist prior to felling.

8.48 It should be noted that bats (and other protected species listed below) are subject to other legislation which protects them from disturbance should they be found on site and that licenses from Natural England may be required before works can be undertaken.

**Slowworms**

8.49 The site was considered to be suitable habitat for slowworms and a number of them (approximately 20) were recorded on survey visits to the site, suggesting a small population.

8.50 Slow worms are commonly found in areas of suitable habitat and should be surveyed for where the water level may change. Natural England standing advice sets out that the impact on linked habitats, loss of habitat and risk of fire and litter should be assessed. Translocation can be permissible where mitigation cannot be provided.

8.51 The development would result in the loss of the habitat currently used by the slow worms but a link between similar habitats along the railway line would be maintained by the embankment beyond the site which does not form part of the development.

8.52 Whilst some undeveloped and landscaped areas of the site would remain, it is considered that this would give rise to too small an area to attempt to provide replacement habitat which would be unlikely to be suitable.

8.53 Translocation of species is permissible and where this occurs, it should be to areas which have a suitable area of habitat and where the translocation will not have a significant impact on existing populations. Potential new locations have been investigated and it is likely that a suitable site could be found in large areas of open green land in the south of the Borough. A clause of the s106 agreement will specify this requirement.

**Badgers**

8.54 A badger survey has been conducted and it has concluded that a hole on the embankment is in use as an outlier hole to a sett and that a number of holes within the site are not in use, that there is a low risk to there being a significant badger presence on site. Since the previous application, further assessment was carried out with camera traps used over potential sett holes and obvious pathways. The results
of the badger assessment and camera trapping show that none of the holes within the site itself were in current use by badgers.

8.55 Natural England advise that impact on badger setts should be avoided, mitigated or compensated for.

8.56 Considering that the site has a low risk of active setts, it is considered that the vast majority of works will not affect badgers. As no badgers were found to be using holes within the site, it is considered that that works could proceed with no risk of direct impact to badger setts. It is also considered that a Natural England Licence could be obtained to close the sett on the adjacent embankment used on an occasional basis. The ecology reports supporting this application thereby conclude that the overall impacts of the development upon badgers are minimal.

Great Crested Newts and other species

8.57 Many of the representations received refer to the presence of other species in the area. Whilst it is undoubtedly the case that species do use an area of vegetation and rear gardens, there is no reliable evidence to suggest that any other protected species do.

8.58 The applicant has used environmental records of the presence of protected species, assessment of the habitat suitability for species and site surveys to conclude that no other species are likely to be present.

8.59 It is considered that the surveys undertaken have robustly made use of the available desk-based information, historical records and site surveys to assess and mitigate the impact of the development on protected species.

Trees

8.60 The application has submitted an arboricultural report and the site has been visited by specialist tree officers of the Council. Whilst there are a significant number of trees on the site, they have all been concluded to be sub-standard and to have a low life expectancy due to a number of issues, including that the ground is often wet. They are considered to not be suitable to serve a Tree Preservation Order.

8.61 Whilst they do no doubt serve a function in screening the adjacent houses from the railway line, it is not considered that this is an adequate reason to refuse planning permission as the resultant buildings would also do this to some extent.

8.62 The proposal incorporates replacement planting between the buildings. Whilst the site is narrow, it has been demonstrated that replacement planting can be incorporated. Some could be incorporated along the eastern boundary of the site in locations which would serve to break up the route and shield the buildings to an extent. A condition is recommended to secure these details at a later date to ensure that the detailed design of the route balances vehicular access and turning against landscaping and sustainable drainage opportunities.

Flood Risk Management

8.63 The site falls into Flood Zone 1 (the area of the country with the lowest risk of flooding from rivers and the sea) but is in an area identified in Croydon’s Surface Water
Management Plan and the Environment Agency’s surface water flood map as being at high risk of localised flooding.

8.64 In November 2014 and on a number of occasions previously, Station Approach, (immediately adjacent to the north of the site) has flooded significantly, to a height of approximately 30-60cm. Whilst no measurements were taken of flood water within the site, due to the topography it is likely it would have experienced flooding as well. Based on the Surface Water Management Plan, it is likely that surface water flows along Purley Oaks Road and in to Station Approach and ponds against the railway embankment.

8.65 The development has been accompanied by a Flood Risk Assessment which addresses the impact on flood risk to other properties, risk to the development and sustainable drainage. It has also been accompanied by a Sequential Test and Exception Test.

8.66 The Sequential Test has looked at the potential for other sites to be available to accommodate the development. It has looked at other allocated sites within the Ward and the immediately surrounding area. It demonstrates that none of these sites are either available or suitable for the proposed development and as such this proposal would be sequentially preferable. The Exception Test demonstrates that the proposal would be safe in accordance with the details of a flood risk assessment and sets out the sustainability benefits accruing from the proposal which outweigh the risk from flooding. This has been considered carefully by officers who consider that if homes can be provided safely on the site, which is sequentially preferable, then the benefits to developing the site are clear.

8.67 The submitted Flood Risk Assessment has calculated the amount of water which is likely to enter the undeveloped site based on the Environment Agency’s flood map for surface water and the development will provide an underground storage tank within the site for this amount of water. Additionally, the buildings are raised on void areas so that flood waters can be stored beneath them and discharged slowly, in an approach similar to the current situation. The developer has confirmed the structural stability of the buildings to accommodate this.

8.68 The development will lead to an increase in surface run off due to the introduction of hard standing and the site is predicted to hold surface water after a heavy rainfall event. Underground tanks and the void areas beneath the internal floor areas would cater for this water, as would green roofs.

8.69 In order to ensure that the development itself is not at risk of flooding, a safe access route has been proposed to the rear, which is located above the level of recorded floods and the most severe flood modelled. Similarly, the internal floor levels have been raised up so that the buildings are unlikely to flood internally.

8.70 A condition is recommended to secure the detailed design of the escape route and security features so that it is not used at other times.

Conclusions

8.71 The site is a narrow strip of land which was historically associated with the railway line. The proposed development would allow it to be developed as housing which has been
sensitively designed to not have a significantly detrimental impact on neighbouring properties.

8.72 The risk to the site of flooding is significant and the developer has incorporated a safe access route and raised the floor levels of the development to minimise the risk to the properties. A SuDS scheme and void storage beneath the development is considered acceptable to ensure that no significant risk of flooding beyond the site occurs. Conditions can secure this and biodiversity measures.

8.73 All other relevant policies and considerations, including equalities, have been taken into account.