



WELCOMES AND UPLANDS ROAD ASSOCIATION

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The Planning Inspectorate
Temple Quay House
The Square, Temple Quay
Bristol
BS1 6PN

FAO Case Officer: Ms Bridie Campbell-Birch

8th August 2022

Ref APP/L5240/W/22/3296060

Dear Ms Campbell-Birch

Re: Proposed development at 37 Welcomes Road CR8 5HA: Demolition of the existing dwelling, erection of a two/three storey building to provide 9 residential units, with associated landscaped areas including parking, cycle and refuse storage.

The Welcomes and Uplands Road Association (WURA) has a membership of over 230 households who pay for the maintenance of Welcomes and Uplands Roads. All WURA submissions to Croydon Council and the Planning Inspectorate are on behalf of our residents who are very concerned with the impact of new developments on those roads, the impact on the environment and the safety of all road users, particularly pedestrians and cyclists on a designated footpath, as well as the amenity of WURA members. Welcomes Road is a narrow road with no pavement, part of the Green Grid, which leads to Kenley Common and the heritage site at Kenley Aerodrome.

The developer has appealed to the Planning Inspectorate to reverse the rejection decision made by Croydon Council in March 2022. This application was made following an earlier application which was also rejected, in July 2020. We believe that the developer has made no meaningful response to the grounds for the latest rejection.

With this context in mind, rather than reiterate the reasons for our objection, we would like to address each of the relevant reasons made by the Council for rejection and the developer's attempts to rebuff them (referencing Section 5 of the Appeal Statement).

We feel very strongly that the Council's **rejection should be upheld and this appeal dismissed.**

Refusal Reason 1 "The development would fail to contribute to meeting the borough's needs for family sized homes, contrary to Policies SP2.7 and DM1.1 of the Croydon Local Plan (2018)."

The applicant's response to this ignores the fact that the target is simply not being met.

The new London plan has revised the housing target for Croydon to 2079 per year (previously it was 2949) which represents a significant reduction. Within this, the target for windfall development across Croydon has been drastically reduced to 641 per year. Croydon Council are right to refuse such intensity of development for a plot of this size where the majority of dwellings being offered are one and two-bedroom properties, not considered to be family accommodation.



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Refusal Reason 2 *“The proposal by way of its design, mass, appearance, building entrance, lack of character analysis, detailing and disjointed roof forms would harm the character and appearance of the site and the surrounding area. Additionally, the ratio of hard standing surface and landscaping to the front is uncharacteristic, and the quantum and location of the cycle and refuse storage would create a dominant and cluttered appearance. As such, the proposal is contrary to policy DM10 and DM13 of the Croydon Local Plan (2018), Policies D3 and D4 of the London Plan (2021) and the Supplementary Planning Document: Suburban Design Guide (2019).”*

Section 2 of the Appeal Statement refers to *“buildings on the street are varied by design, although there are shared design characteristics, including tiled hipped roofs with gable elements, brick and render elevations, and small dormers”* but does not include the fact that the site is within a row of 5 bungalows of matching design and garden layout which all present with clear, open space at the front and a low profile to the street despite being on elevated plots. The Appeal Statement ignores the immediate neighbours and prefers to reference the variation in buildings on the other side of the road. Specifically their conclusion states that Croydon Council’s decision has not taken the *“surrounding houses and developments ...into consideration”* whereas in reality it has done exactly that.

The application Design and Access Statement shows pictures of the flats already built at 32 and 36. It is worth noting that in both cases these buildings are set well back from the road, with significant green space between their parking areas and the roadside, unlike the frontage being proposed for no. 37.

The applicant refers to the shared design elements of nearby properties on Welcomes Road and the images for these buildings used by the developer clearly show how the construction has varied elevations and finishes, unlike the hard-edged design being proposed which is completely uncharacteristic of the area. The examples used by the developer also present as single dwellings which fit with the other properties in the area, whereas the current proposal makes no attempt to do so.

The provision of the recycling area and bike store centre front of the site is obviously considered unsightly enough even by the developer for them to be omitted from the graphics and artist impressions of the proposal from the road. The fact that provision for these facilities can not be fitted in elsewhere on the site is symptomatic of the proposal representing excessive development for the size of the plot.

Refusal Reason 3 *“The proposed development, by reason of its proposed height and depth, sitting, close proximity to the neighbouring boundaries and provision of side facing windows would result in unacceptable amenity impacts on neighbouring properties (35 and 39 Welcomes Road) as a result of its overbearing presence, and daylight and sunlight impacts. The application also provides inadequate and insufficient information on neighbouring context. The application is therefore contrary to Croydon Local Plan policy DM10.6 and Supplementary Planning Document: Suburban Design Guide (2019).”*

It is completely correct for the decision to state that *“the application also provides inadequate and insufficient information on neighbouring context”*. As we have referred to under Reason 2, there has been no account taken for the fact that the site is within a row of 5 bungalows of matching design.



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The Appeal Statement concentrates on the sight lines and building line at the front of the property. The proposed site plan shows how much further back in the plot the proposed building will be.

All upper storey side and rear facing windows will dominate the surrounding gardens. The balconies proposed at the back will also overlook the immediate neighbours, removing any sense of privacy. The plans clearly shows this, it is difficult to see how the applicant can back-up their statements that *“Balconies incorporated would not be overlooking. There would be no overlooking on the ground and first floor windows”* when the sight lines can clearly be seen on the applicant’s own diagram (Fig 1, opposite).

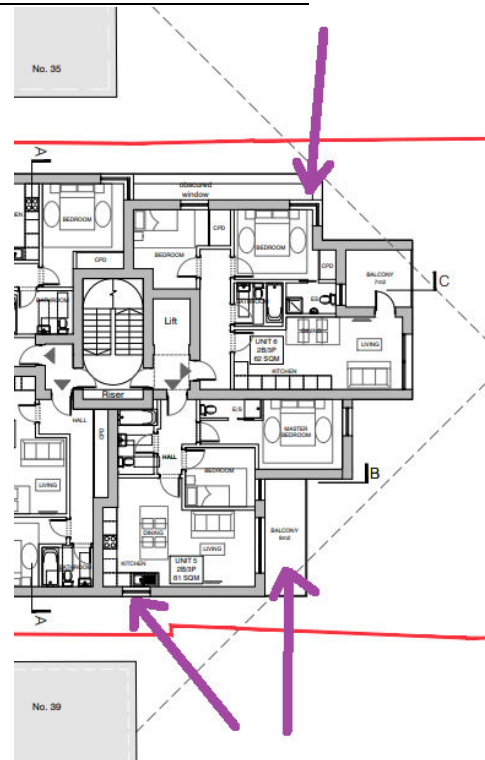


Fig 1 : Application First Floor Plan, showing side windows and balconies.

With respect to this, we note paragraph 10 of the appeal decision for another Croydon application, reference APP/L5240/W/21/3266351, and we believe the same principle should be applied. This stated that *“The proposal would extend some considerable distance deeper into the site than the rearmost part of the 2-storey house at No 21. I judge that the proposal would appear stark and immediate in view of its depth, height, and proximity to the boundary with No 21. Whilst I accept that Policy DM10.11 envisages larger buildings within this area, I consider that it would fail to be respectful of the existing place and would have a considerable and negative effect on the residential amenity of neighbours at No 21. Therefore, the proposal is in conflict with Policy DM10.6 of the Croydon Local Plan.”*

Refusal Reason 4 *“The proposed development, by reason of the failure to provide adequate outlook to all habitable rooms, failure to provide high quality play space, and lack of accessibility to the site for wheelchair users would result in a substandard quality of accommodation for the future occupiers, contrary to Policies D5 and D6 of the London Plan (2021), Policy DM10 of the Croydon Local Plan (2018), and the Supplementary Planning Document: Suburban Design Guide 2019”*

The Appeal Statement refers to the inclusion of a lift in the centre of the building to provide *“step free access to all upper floors”*. However, the decision specifically references *“accessibility to the site”*. It is worth noting that there is no pedestrian step-free access to the site, with the only access being on a stepped path or via the sloped vehicular access. Cross-section BB included in the application demonstrates the problem with elevation on the site and combining this with the layout of the parking area at the front of the property it is clear that there is no safe route for a wheelchair, pram or pushchair to access the site. The developer appears to acknowledge this in their response to Reasons 5 & 6 but does not appear to make any proposal to solve the problem.



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It appears that the pedestrian access path to the front door is already the minimum acceptable width at 1.2m wide. The door to the “external lobby” is obviously narrower : far too narrow for a wheelchair. There is no provision for a disabled bay and no spare space which could be used as such bays should be at least 3.6m wide. The whole design does not support disabled accessibility.

Refusal Reason 5 *“The proposed development, by reason of the steep access gradient, poor pedestrian and vehicle visibility splays, lack of level access throughout the site and failure to mitigate increased demand on sustainable travel would result in a detrimental impact to the highway safety and pedestrian/occupier conditions of the area. Additionally, the cycle provision is not sufficient, and the location of the storage would obstruct the vehicles. As such, the proposal would be contrary to Policies T5 and T6 of the London Plan, Policies SP8 and DM29, DM30 of the Croydon Local Plan (2018) and the London Plan (2021), Policy DM10 of the Croydon Local Plan (2018), and the Supplementary Planning Document: Suburban Design Guide (2019).”*

The Appeal Statement refers to individual points made by the council as being conflicting. In reality they are not, they are the result of the proposal representing excessive development of the site. It is correct to state that “hard standing is predominately not a feature of the area” and it is also appropriate to require sufficient parking space not only for residents but also for visitors, tradesmen etc.

The proposed layout of the 9 parking bays referred to in the Appeal Statement as being compliant is actually also indicative of inappropriate over development, with access to one bay being entirely blocked by another. This problem appears to be exacerbated in one of the artist’s impressions of the front of the building where there the graphics indicate wooden shuttering and pillars between the parking bays. Those pillars are not shown on any of the block plans and given the tightness of the parking spaces would render the bays unusable.

Refusal Reason 6 *“In the absence of a legal agreement, the application does not offer a contribution towards sustainable transport initiatives in the vicinity to alleviate traffic generation created by the development or promote more sustainable options. The development would thereby conflict with Policies T4, T5, T6, T6.1, and T9 of the London Plan (2021) and Policies SP8.3, SP8.6, SP8.7, SP8.15, SP8.16, DM29 and DM30 of the Croydon Local Plan (2018).”*

The applicant considers it unfair that the Council has considered the area of Kenley in its response rather than Welcomes Road in particular. While perhaps not directly relevant to the grounds of this Reason, it is worth emphasising that Welcomes Road is a narrow road and a designated public footpath with no pavement. The level of development already approved for the lower section of the road (9 developments of 8 or 9 dwellings per site plus a 10th under appeal with the Planning Inspectorate) means a significant increase in vehicular traffic, increasing the risk to pedestrians and cyclists. Another development of this size can only add to the problem.

Refusal Reason 7 *“The development would not provide adequate and accessible refuse storage. Additionally, there would be no bulky waste storage provision, and there is a lack of information regarding the gradient of the access for bins to be manoeuvred to the street. The application would thereby conflict with policy DM13.1 of the Croydon Local Plan (2018) and Waste and Recycling in Planning Policy Document (August 2015).”*



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The reference to the gradient is irrefutably correct. The graphics and plans provided in the application make it clear there is no safe space for making recycling available at the roadside on collection day. The Appeal Statement refers to the maximum drag distance for operatives, so presumably the intention is that the bins will remain in the recycling enclosure and the operatives will have to extract and manoeuvre them across the pedestrian access and down the slope, returning them afterwards.

The Appeal Statement tries to make out that the Council's requirements are conflicting, whereas in reality the issues again reflect the over-development of the site. The block should be refused on the ground of massing, but it also doesn't mean that it should be increased to accommodate refuse and recycling. Reducing the proposed number of dwellings on the site would achieve both aims.

The applicant appears to be surprised that there is a need to specify recycling requirements (for example, for food, as highlighted in the Appeal Statement). Food recycling has been part of the Croydon waste programme for many years.

Refusal Reason 8 *"The proposal, by virtue of the out-dated information on trees and the lack of replacement for removed trees, would result in a detrimental impact on the borough's trees, contrary to policy G7 of the London Plan (2021) and policy DM28 of the Croydon Local Plan (2018)."*

The two trees subject to TPO were felled during October and November 2021 and given retrospective approval. The applicant acknowledges that this happened after the planning application was made. However, WURA's understanding is that the tree officer requested the owner replace the trees and suggested 2 yew trees with a height of about 4-5 metres as suitable replacements. At that stage the tree officer was aware of this planning application and also stated "the need for replacement trees to be included in the new development proposal". There appears to be no reference to this in the Appeal Statement and at the time of writing appropriate replacement trees have not been planted.

It is not clear how the construction of the parking area with the recycling and cycle storage blocks can be achieved if suitable replacement trees are in situ. This is a critical point which is also not addressed by the applicant in their Appeal Statement.

It is also worth noting that the massing of the block on the site and in particular the extent of the parking area across the full width means that boundary planting, if achievable at all, will be minimal. This also has a detrimental impact on an area which is recognised as being distinctive for its "green infrastructure" and "spaciousness", as identified in the Croydon Local Plan.

In addition, we would like to note the lack of planning information with respect to the construction phase.

We are now in a position where several developments have already been undertaken on Welcomes Road and we would request that a detailed CLP is a pre-requisite of any work being done on this site. The topology of the site means there will potentially be a large amount spoil removal and other groundworks, so the CLP should incorporate a realistic quantitative analysis of this including the expected number of HGV journeys to complete the development. In this respect a full geological survey is needed in order to understand how the proposed structure will be built and to support the quantitative analysis.



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This condition did not apply to the development at 42 Welcomes Road located nearly opposite this site and the unexpected extra tonnage of spoil removed from the site has both increased the cost of the project as well as overloading the informally structured road/footpath from some 300 HGV trips.

Given the slope of the site it is likely that some loading and unloading will be done from the road, which means frequent road blockages during the construction phase. We have already seen developers break the conditions of their CLP because they have been unable to access the site with large vehicles because of the restricted turning circle available from the narrow road.

Few developers have managed to carry out their work without damage to neighbouring properties and the road itself. This needs to be recognised at an early stage in the process, so that the developer is made to adjust their plans to account for the impact of the required construction work on the neighbourhood. It should be conditional that developers are required to make good all damage to private property and to pay for the extra wear and tear on our privately maintained roads.

For all the reasons given above, WURA request that the original rejection of this application be upheld and the appeal dismissed.

Yours sincerely

Colin Brown
Chairman

Cc (by email): Nicola Townsend, Head of Development Management
Ola Kolade and Gayle Gander – Councillors
Chris Philp – MP
KENDRA