

ITEM: 5.1

SUPPLEMENTARY REPORT

Application: 2021/1800

Location: 381 Croydon Road, Caterham, Surrey, CR3 6PN

Proposal: Demolition of existing buildings and erection of a Class E retail unit, including refurbishment of existing office unit to provide a commercial unit at ground floor with residential dwelling above; alongside access, car parking and associated works.

Ward: Valley

Decision Level: Committee

This application has been referred to Committee for decision by Cllr Gaffney.

Constraints – Urban Area, ANC-WOOD500, Biggin Hill Safeguarding, EA Flood Zone 2, EA Flood Zone 3, Class B Road, EA ROFSW 1in 100, Source Protection Zone.

RECOMMENDATION: REFUSAL

Summary:

Background and Key Issues:

This application was reported to Planning Committee on 9th June, 2022, when it was determined to defer consideration pending further advice on the car parking provision proposed and possible consequential impacts on highway safety for users of Croydon Road, and to seek further advice relating to the retail impact of the proposed store.

The Minute of this Committee's consideration of the application is:

As a result of questions being raised in respect of Surrey Highways' advice on parking provision at the site and further comments being received from Waitrose in respect of the applicant's retail study, the Interim Chief Planning Officer requested that the committee defer the application until the meeting of 28 July 2022. By deferring the application, the Council would be able to seek a second opinion from a highways consultant to ensure that adequate parking spaces are provided and that the provision on site would not adversely impact on highway safety for the users of Croydon Road.

In addition, a retail planning consultant would also be instructed to provide advice on Waitrose's recent submissions in respect of the retail study. Upon being put to the vote, the amended Officer recommendation was agreed.

The report to the 9th June Committee is attached as Appendix A to this Supplementary Report.

Further advice from external consultants has now been received.

Highways and Parking Considerations

DHA Transport were instructed by the Council to review the applicant's submitted proposals for vehicular access to the proposed store and other development on the site, the adequacy of the car parking provision proposed and possible highway safety implications. They prepared an initial Technical Advice Note which raised a number of concerns with respect to these matters. This note was shared with both Surrey County Council as Highway Authority

and with the applicant. A meeting was then held with the applicant's consultants team and they have subsequently responded with detailed comments on the initial Technical Advice Note.

DHA's response to the applicant's comments on their initial advice note are attached to this report as Appendix B. Their advice to the Council is that significant concerns remain relating to the cumulative impact on access and parking at the proposed store with respect to:

- Parking accumulation
- Parking controls
- Parking accumulation intervals
- Staff parking
- Swept path analysis

Members will note that DHA have raised an additional concern to those previously expressed by your officers with respect to swept path analysis, fundamentally potential conflicts arising for traffic movements within the site because of the very "tight" vehicle circulation system and parking layout. This is a technical matter and a representative of DHA will attend the Committee to answer questions on this and any other matter.

The applicant has suggested ways in which any highway safety concerns might be alleviated, including by increasing the extent of double yellow line parking restrictions in the vicinity. This is a perfectly acceptable approach in line with NPPF guidance. Objections to development proposals can sometimes be overcome by the imposition of planning conditions or through legal agreements (Section 106). However, neither DHA or your officers are persuaded that, in this case, an in principle objection to what is considered an overdevelopment of the site which has the potential to cause highway safety problems for users of Croydon Road as well as giving rise to unacceptable impacts in the surrounding area, can be overcome by planning conditions or a legal agreement.

Furthermore, the potential problems of inadequate parking on the site would be likely to affect the wider area in the vicinity. This is an area of mixed uses including the Marden Lodge school and children's centre, retail and commercial development and residential development. There is a school with its access opposite the site which could give rise to traffic conflicts with store traffic at pupil drop-off and pick-up times. Nearby shops and commercial premises have their own parking in a layby on their frontage which could be expected to be used by any overspill parking from the store. Likewise, nearby residential streets could be used for overspill parking. These would all be unacceptable impacts, in terms of highway safety, loss of other existing car parking provision and amenity, for existing uses within the vicinity of the proposed store.

DHA's conclusions as set out in their second Technical Advice note are:

On the basis of the information provided to date, the applicant has failed to demonstrate that safe and suitable access to the site can be achieved for all users, and there is the potential for unacceptable highway safety impacts to arise, contrary to Paragraphs 110 and 111 of the National Planning Policy Framework.

Council officers concur with that advice and would recommend to this Committee that planning permission be refused.

The applicant has requested that a decision on the application should again be deferred to allow time for further discussion. Council officers consider that the advice received from DHA

is clear that there are in principle objections to the proposed development. Further deferment of a decision will not resolve these in principle objections.

Any additional comments from SCC Highways relating to the DHA Technical Advice Notes will be reported orally at the Committee meeting.

Retail impact

The Council's retail consultant, Lichfields, have considered the further retail impact representations submitted on behalf of Waitrose. Their conclusions relating to the impact on, and potential closure of, the Waitrose store and the wider impact on the town centre if this Aldi store application were to be permitted have not changed after considering these further representations. Your officers' advice is therefore that no objection is raised on retail impact grounds to this application.

Additional public consultation responses

Four additional letters of objection have been received and are summarised as follows:

- Aldi not required due to already catered for by Waitrose, Tesco, Morrisons and Lidl soon. Risk of store closures resulting in vacant sites.
- Will exacerbate the traffic congestion and parking especially opposite Marden Lodge School.
- Increase pollution from additional traffic and delivery lorries.
- Delivery lorries will block the road when servicing.
- Detrimental to children's safety after school.
- Building too big, single storey more appropriate.
- Will result in more noise and reduce quality of life.

Seventeen additional letters of support have been received and are summarised as follows:

- Will address cost of living crisis by allowing people to shop smartly and will benefit shoppers who cannot afford Waitrose.
- Would provide people with greater choice and accessibility.
- Increased footfall within the centre from people coming into Caterham benefitting existing business and services and regeneration of Caterham Valley.
- Increased jobs for the local community.
- There are no supermarkets at this end of Caterham.
- With the increase in new homes and residents, existing supermarkets are too busy.
- Support as long as the parking is adequate.
- Will prevent residents travelling to other Aldi stores at Coulsdon or Selsdon.
- Whyteleaf currently has no budget supermarkets and this is much needed

Officers do not consider that the additional material considerations set out above in support of the proposed foodstore, given existing and proposed foodstore provision in Caterham Town Centre, outweigh the unacceptable highway impacts and other related objections to this application.

Recommendation

Permission be refused on the following ground:

- 1) The design and layout of the proposed foodstore is considered to represent an overdevelopment of the site and fails to demonstrate that safe and suitable access to the site and adequate on-site parking can be achieved for all users of the proposed foodstore at all times during opening hours. There is consequently the potential for

unacceptable highway safety impacts to arise in the locality as well as inconvenience to occupiers of nearby retail and commercial premises, and the Marden Lodge school and children's centre during pupil drop-off and pick-up times, and adverse impacts on the amenity and enjoyment of the locality for local residents. The proposed foodstore development is therefore contrary to Paragraphs 110 and 111 of the National Planning Policy Framework, Core Strategy Policies CSP12 and CSP18 and Tandridge Local Plan Part 2 Detailed Policies DP5 and DP7.