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Your ref: 1743 The Sandrock Pub 2019  
Our ref: P/PC/South Area Team/DCLXT

Date: 16th July 2019

**Town and Country Planning Act 1990. Town and Country Planning  
(Development Management Procedure) (England) Order 2015**

**Application Number:** 19/01134/FUL

**Applicant:** Mr Marshall Marshall Hurley Bratt  
Sandrock LLP

**Refusal of planning permission**

The Council of the London Borough of Croydon, as the Local Planning Authority, hereby refuse planning permission for :-

Erection of two storey side/rear extension to The Sandrock Public House and use of first floor as 1 x two bedroom flat for staff accommodation. Erection of a three/four storey building to rear of pub comprising 19 flats (7 x one bedroom, 6 x two bedroom and 6 x three bedroom flats) with associated car parking, cycle and refuse storage and landscaping

at:

The Sandrock, 152 Upper Shirley Road, Croydon, CR0 5HA,

**Reason(s) for Refusal:**

- 1 The development would fail to provide a sufficient amount of family accommodation and would thereby conflict with policy DM1.1 of the Croydon Local Plan (2018), 3.8 of the London Plan (consolidated with amendments since 2011) and the Housing Supplementary Planning Guidance to the London Plan (March 2016)
- 2 By reason of its scale, massing, form and design the development would be harmful to the character of the locality and detrimental to the visual amenity of the surrounding townscape. The development would further fail to respect the character, appearance or setting of the Locally Listed Building. The

development would thereby conflict with the NPPF, Policies 7.1, 7.4, 7.8 and 7.6 of the London Plan (consolidated with alterations since 2011) policies SP4.1, SP4.2, SP4.13 and DM10, DM18.5 of the Croydon Local Plan (2018)

- 3 The application has not demonstrated that the flood risk from the site has been adequately addressed or provides an adequate scheme of sustainable drainage. The proposal would fail to meet the requirements of the NPPF and PPG, policy 5.13 of the London Plan (consolidated with alterations since 2011) and policy SP6.4 of the Croydon Local Plan (2018).
- 4 Insufficient information has been provided to demonstrate that the development would not result in unacceptable harm to protected species or habitats. This would be contrary to policies SP7.4, DM27 and DM28 of the Croydon Local Plan (2018) and policy 7.19 of the London Plan (consolidated with alterations since 2011)
- 5 The development would result in the loss of a number of trees, including those preserved by a Tree Preservation Order which, as a group, contribute to the visual amenity of the area. The proposal has also failed to demonstrate that the longevity of other trees of value, including those preserved by a Tree Preservation Order, would be preserved. The development would thereby conflict with Policies DM28 and DM10 of the Croydon Local Plan (2018) and 7.4 and 7.21 of the London Plan (consolidated with alterations since 2011)
- 6 It has not been demonstrated that adequate provision is made for car parking within the site and the development would thereby conflict with Policies SP8.1 and DM29 of the Croydon Local Plan (2018) and 6.12 and 6.13 of the London Plan (consolidated with alterations since 2011)
- 7 The development would result in sub-standard accommodation by reason of inadequate internal layouts, privacy, poor access to daylight/sunlight and inadequate amenity space and would thereby conflict with the Nationally Described Space Standards, the London Housing SPG and policy DM10 of the Croydon Local Plan (2018)
- 8 The development would fail to adequately contribute to addressing London's and the borough's need for affordable homes and would therefore be contrary to Policies SP2.4 and SP2.5 of the Croydon Local Plan (2018) and 3.10, 3.11, 3.12 and 3.13 of the London Plan (consolidated with alterations since 2011).
- 9 By reason of inadequate turning space and lack of pedestrian visibility splays, the proposal would have a detrimental impact on highway safety and

efficiency. This would be contrary to policies DM29 and DM30 of the Croydon Local Plan (2018) and policy 6.12 of the London Plan (consolidated with alterations since 2011)

In reaching this decision the Local Planning Authority has sought to work in a positive and pro-active manner based on seeking solutions to problems in the following way:

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The applicants have previously sought pre-application advice for a development on this site but the scheme would not comply with the advice given. The Council is ready to enter into discussions with the applicants to assist in the preparation of a new planning application through formal pre-application discussions. The Local Planning Authority delivered the decision in a timely manner.

Informative(s):

- 1 IMPORTANT ADVICE RELATING TO THIS APPLICATION IN THE EVENT OF AN APPEAL AGAINST THE COUNCIL'S DECISION

Community Infrastructure Levy.

- A. You are advised that under the Community Infrastructure Levy Regulations 2010 on commencement of the development a financial payment will be required to Croydon Council and the Mayor of London. The payment to the Mayor of London will be forwarded by Croydon Council.
- B. A separate Liability Notice will be issued to any person who has assumed liability for the payment. If no person or body has already assumed liability then within 14 days of an appeal being allowed the names and addresses of the person(s) responsible for the CIL payment should be forwarded to the Council using the agreed forms which can be obtained from the planning portal from the link below.

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

- C. If no person or body has assumed liability, payment will be required from the owner of the land at the time of commencement of works. It should be noted that for the purpose of the above regulations commencement of the development will comprise any works of demolition necessary to implement the planning permission.

D. For further information please visit the Croydon Council's website at:  
[www.croydon.gov.uk/cil](http://www.croydon.gov.uk/cil)

Yours faithfully,



**Pete Smith**  
Head of Development Management

Drawing No's: Elevations P250 Received , Elevations P251 Received , Elevations P252 Received , Floor plans P151 Received , Floor plans P150 Received , Floor plans P154 Received , Floor plans P156 Received , Floor plans 02 Received , Floor plans 04 Received , Floor plans 03 Received , Elevations 09 Received , Location Plan P155 Received , Elevations 11 Received , Elevations 12 Received , Floor plans P152 Received , Floor plans P153 Received , Elevations 08 Received , Layout Plan 06 Received , Floor plans 05 Received , Sections P350 Received , Sections P351 Received , Elevations 07 Received , Elevations 10 Received , Topographical survey 01 Received , General ACCOMMODATION SCHEDULE Received , General PHASE 1 HABITAT REPORT Received , General AFFORDABLE HOUSING STATEMENT WITH APPENDICES Received , General AIR QUALITY ASSESSMENT h2795 Received , General ARBORICULTURAL IMPACT ASSESSMENT Received , General DAYLIGHT/SUNLIGHT STUDY NEIGHBOURING PROPERTIES Received , General DAYLIGHT/SUNLIGHT STUDY WITHIN DEVELOPMENT Received , General DESIGN AND ACCESS STATEMENT Received , General ENERGY STATEMENT 4559 Received , General FRA AND DRAINAGE STRATEGY 190110-01b Received , General TRANSPORT STATEMENT 1806/GK Received ,

### **Appeals to the Secretary of State - Notes for applicants**

#### **Applicants for Planning Permission.**

(A) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

(B) If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice, using a form which you can obtain from the Planning Inspectorate.

(C) Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

(D) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(E) The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

(F) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

(G) If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

### **Purchase Notices.**

(A) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out any development which has been or would be permitted.

(B) In these circumstances, the owner may serve a purchase notice on the London Borough Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

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