



To: Case Officer – Mr George Clarke
Development Environment
Development Management
Building Control
6th Floor
Bernard Weatherill House
8 Mint Walk
Croydon
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From:
Monks Orchard Residents' Association
Planning

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9th December 2020
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| Reference: | 20/06052/DISC |
| Application Received: | Mon 23 Nov 2020 |
| Application Validated: | Mon 23 Nov 2020 |
| Address: | 56 Woodmere Avenue Croydon CR0 7PD |
| Proposal: | Details pursuant to the discharge of conditions 7 (landscaping), 9 (SuDS) , 10 (play-space), 13 (visibility splays) and 15 (emissions) from planning permission 19/01352/FUL for 'Demolition of a single-family dwelling and erection of a 3- storey block containing 2 x 3- bedroom and 7 x 2-bedroom apartments with associated access, 9 parking spaces, cycle storage and refuse store'. |
| Case Officer: | George Clarke |
| Decision deadline: | 21/01/2021 |

Dear Mr Clarke and Building Control,

Although this application (**Ref: 20/06052/DISC**) is NOT identified for public consultation, we would like to place on record our concerns relating to the applicant's request for approval of **Condition 9 (SuDS)** with reference to our objections and the Case officer's report and the **AMBIENTAL Report on Surface Water Management:**

PLANNING COMMITTEE AGENDA 1 August 2019
PART 6: Planning Applications for Decision Item 6.1 – Approved.

The only mention of flooding was at Case Officer's Report at Para 8.32

8.32 The site is located in an area with an identified low risk of surface water flooding. As such, the applicants have submitted a **Surface Water and SuDS Assessment** which is based on a desktop study of underlying ground conditions. It is likely that infiltration of surface water runoff following redevelopment may be feasible. The parking area will incorporate permeable paving which will provide capacity for surface water runoff from hard-standing areas in up to the 1 in 100 years plus 40% climate change event. **This can be secured through a condition.**



The relevant Condition was Condition 9:

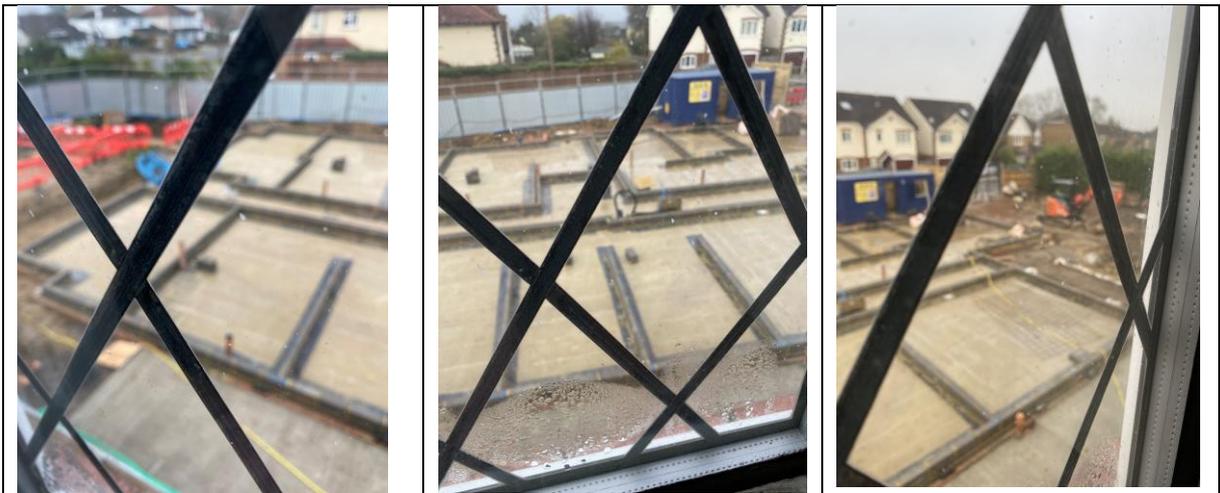
9. **Prior to the commencement of any above ground works**, detailed design of a surface water drainage scheme shall be submitted to and agreed with the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and shall thereafter be maintained.

Reason:

To ensure that the principles of **sustainable drainage** are incorporated into the development and **to reduce the impact of flooding**.

The current development progress as illustrated below shows Foundations and Footings are virtually completed and the floor levels probably established ready for "above ground level" works to proceed on approval of relevant conditions.

The supplied photographs of the site progress were taken on 8th December from 54 Woodmere Avenue.



The progress of the build may have already determined the finished floor and threshold levels which may prevent the AMBIENTAL proposals for mitigating surface water flooding being implemented.

We would advise that **Building Control** makes an urgent site visit to establish whether the build can accommodate the AMBIENTAL report recommendations.

The Applicants Report by **AMBIENTAL** 'Surface Water Drainage and SuDS Assessment' paras 1.11 to 1.14 states:

Geology and Infiltration Potential

1.11 From a brief review of BGS Geological Mapping ground conditions on site appear to comprise the London Clay Formation (Clay and Silt) with no overlying superficial deposits.

1.12 A site-specific Site Investigation by Albury S.I Ltd (Ref: 20/11804/GO) has been undertaken (included in Appendix 1), which states the following:

Orangish brown/grey silty clay with occasional gravel in the upper margins was exposed beneath the made ground. These cohesive soils, which are thought to be associated with downwash or a localised reworking of the top of the London Clay Formation, were proved to depths of between 0.9m and 1.2m.



Brown silty clay with grey veining and abundant selenite crystals, with partings of orangish brown silt and fine sand at depth, was encountered beneath the reworked soils described above. These cohesive soils, which are typical of the London Clay Formation in a heavily weathered state, were proved to the concluding depths of the boreholes at 3.1m and 4.1m.

1.13 With the above information it could be concluded that the ground conditions at the site are **unlikely to be suitable for infiltration**. As such, alternative methods of surface water disposal have been investigated within the report.

1.14 In addition, standing groundwater was recorded at approximately 2.6m below ground level.

In Summary the subsoil of “London Clay” makes the site unsuitable for standard SUDS infiltration.

AMBIENTAL Surface Water Drainage and SuDS Assessment Conclusions:

5.12 The **finished floor levels or thresholds of the buildings** should be raised **at least 150mm above ground levels**, to mitigate against surface water flows entering the building in an exceedance event.

5.13 This report demonstrates that the development proposals can accommodate the necessary SuDS systems required in order to meet the LBC surface water policy requirements. The drainage proposals herein demonstrate that significant betterment can be achieved in both water quality and water quantity.

5.14 The property owner will be responsible for the management and maintenance of SuDS devices.

5.15 Following the guidelines contained within the NPPF, the proposed development is considered to be suitable **assuming appropriate mitigation** (including SuDS) can be maintained for the lifetime of the development.

5.16 We can conclude that **providing the development adheres to the conditions advised** in this report, the said development proposals can be accommodated without increasing flood risk within the locality in accordance with objectives set by Central Government and the EA.

Therefore, **“To mitigate against surface water flooding”**:

We can conclude that providing the development adheres to the conditions advised in the **AMBIENTAL Surface Water Drainage and SuDS Assessment Report**, the development proposals can be accommodated without increasing flood risk within the locality in accordance with objectives set by Central Government and the EA.

Nevertheless, the **finished floor levels or thresholds of the building** need to be raised by **at least 150mm above ground levels**, to mitigate against surface water flows entering the building in an exceedance event which, with ongoing climate change will probably occur more frequently and of greater intensity.



See circled excavated ground level of the approved amended plans illustrated above.

The implementation of the **AMBI=NTAL** recommendation to raise the **finished floor level and threshold by at least 150mm (or possibly more) above ground level** will raise the proposed building by the approved amount of depth below ground level (originally to meet the height restriction to *'marginally'* comply with the **45°degree vertical amenity rule** against **54 Woodmere Avenue**) plus the recommended minimum of **150mm i.e., ≈0.75m**.

This solution to mitigate surface water flooding, proposed by AMBI=NTAL, will therefore raise the built form by a minimum of ≈0.75m to that approved which will further aggravate the failure and non-compliance to meet the 45°degree rule which will exacerbate the overbearing nature and loss of daylight and sunlight assessment to 54 Woodmere Avenue.

However, if this solution is approved and implemented, it would **invalidate the daylight study reports** and in addition **would more clearly and emphasise the failure to meet the SPD2 45-degree (amenity vertical) rule** illustrated above (before the increased height recommended by **AMBI=NTAL**).

Further evidence:

As additional evidence of surface water problems when sinking development into holes in the ground to meet overall height restrictions, we identified the same potential problem for the development proposal at **41-43 Orchard Way**:

Reference: 16/04935/FUL
Address: 41-43 Orchard Way, Croydon, CR0 7NP
Proposal: Demolition of existing buildings erection of 2 two storey buildings with accommodation in roof-space comprising a total of **5 three-bedroom** and **4 two-bedroom** flats; formation of revised vehicular access and provision of associated parking.
Ward: Shirley (prior to the new Ward Boundaries)
Determination Deadline: Fri 18 Nov 2016

We stated in our objection letter:

*“The **lowering** of the proposed building, into **a hole in the ground**, of **depth ≈1metre**, (if approved), would potentially result in **considerable increased susceptibility to surface water flooding** as this location is already classified by the Environment Agency as an area susceptible to surface water flooding. Although a low risk, there is a risk and why aggravate or increase that risk unnecessarily.”*

We have noticed that **surface water** is now a **significant problem** at this development site as **sand bags have been deployed along the boundaries with the footpath** and at the **entrance threshold** to the premises to try to mitigate surface water permeating into the **ground floor of this development** (see photographs below:)



Sand bags have now been deployed to try to prevent surface water pooling in the grounds of the development due to the development being sunk into a hole in the natural ground level.

This lowers the finished floor levels below the natural ground level and allows gravity to attract local area precipitation within the surrounding catchment area resulting in surface water pooling in the development area and flooding the ground floor of the new development.

We have not had significant amounts of rain recently so this development will likely have significant ground floor flooding when we have a high-volume significant downpour.

We did warn the case officer of the likelihood of these problems, in our objection letter – but as usual no notice was taken of our concerns!

**Representing, supporting and working with the local residents
for a better community**



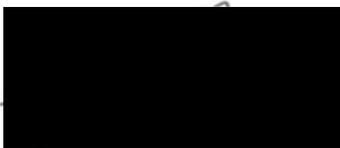
Returning to the applicant's request for approval of Condition 9 (SuDS) for 56 Woodmere Avenue (Ref: 20/06052/DISC), the proposed solution to mitigate surface water flooding, by the AMBIENTAL SuDS Report, will raise the built form by at least a **minimum of ≈0.75m** to that **approved**, which will further aggravate the **failure and non-compliance** to meet the **45° degree rule** and will exacerbate the **overbearing nature and loss of daylight and sunlight** and **invalidate the daylight study assessments to 54 Woodmere Avenue**.

Please provide answers to the following:

- 1 Will building control investigate the current build state to evaluate whether the finished floor levels will meet the requirements of the AMBIENTAL's recommendation to raise the finished floor levels and threshold of the development to **at least 150mm above ground level or greater?**
- 2 Will the Condition 9 recommendation by AMBIENTAL's Report be likely approved?
- 3 If approved, what is your assessment and solution to this quandary, specifically as it relates to **54 Woodmere Avenue** with respect to **increased height** and the **Loss of amenity** as defined by the SPD2 **45-degree rule** and the **now invalidated results of the Daylight Studies by BaseEnergy?**
- 4 How do these proposals affect the investigation of our Stage 1 & Stage 2 complaints which is now the subject of an ongoing investigation by the LGO (Confidential: LGSCO Case ID – 19020965)?
- 5 In order to officially progress this enquiry, do we need to raise a further Stage 1 complaint or will this letter suffice?

We have informed the LGO Investigating Officer of the AMBIENTAL's recommendations in the event that they may require clarification which may be sought or be appropriate.

Kind regards



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Interested parties