



## Appeal Decisions

Inquiry opened on 26 February 2019

Site visits made on 25 February 2019 and 1 March 2019

**by Mike Robins MSc BSc(Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 1<sup>st</sup> May 2019**

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### **Appeal 1 Ref: APP/L5240/W/18/3203673**

#### **Queens Hotel, 122 Church Road, Upper Norwood SE19 2UG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Queens Crystal Palace Euro Hotel (Jersey) Limited against the decision of the Council of the London Borough of Croydon.
  - The application Ref 17/02192/FUL, dated 28 April 2017, was refused by notice dated 29 November 2017.
  - The development is described as the demolition of existing buildings to the centre and rear of the site and existing extensions to the roof, and the construction of a new spine building including glazed link to part retained mews building, an extension from the southwestern facing elevation of the existing locally listed building, a single storey extension to the restaurant, subterranean accommodation, parking, a swimming pool and servicing space, to create a total of 530 hotel rooms and 170 vehicle parking spaces, the recladding of the 1970's extension with ground floor canopy, provision of enhanced landscaping across the site including 3 coach parking spaces to the front, formation of a vehicle access and the adaption of existing entrance to the hotel
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### **Appeal 2 Ref: APP/L5240/W/18/3213506**

#### **Queens Hotel, 122 Church Road, Upper Norwood SE19 2UG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Queens Crystal Palace Euro Hotel (Jersey) Limited against the decision of the Council of the London Borough of Croydon.
  - The application Ref 18/00831/FUL, dated 14 February 2018, was refused by notice dated 7 August 2018.
  - The development is described as the demolition of existing buildings to the centre and rear of the site and existing extensions to the roof, and the construction of a new spine building including a glazed link to part retained mews building, an extension from the southwestern facing elevation of the existing locally listed building, a single storey extension to the restaurant, five subterranean levels which provide parking, a swimming pool and servicing space, to create a total of 495 hotel rooms and 207 vehicle parking spaces, the re-cladding of the 1970's extension, provision of enhanced landscaping across the site including 5 coach parking spaces to the front, and the adaption of existing entrance to the hotel.
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## **Decision**

### **Appeal 1**

1. I dismiss the appeal

## Appeal 2

2. I allow the appeal and planning permission is granted for the demolition of existing buildings to the centre and rear of the site and existing extensions to the roof, and the construction of a new spine building including a glazed link to part retained mews building, an extension from the southwestern facing elevation of the existing locally listed building, a single storey extension to the restaurant, five subterranean levels which provide parking, a swimming pool and servicing space, to create a total of 495 hotel rooms and 207 vehicle parking spaces, the re-cladding of the 1970's extension, provision of enhanced landscaping across the site including 5 coach parking spaces to the front, and the adaption of existing entrance to the hotel at Queens Hotel, 122 Church Road, Upper Norwood SE19 2UG in accordance with the terms of the application 18/00831/FUL, dated 14 February 2018, subject to the attached schedule of conditions.

## Procedural Matters

3. The original description of development set out in the application form for Appeal 1 differed from that above. However, the revised description, notably in relation to the retention of the rear Mews building, was agreed by the Council and the appellant, and the application was determined on the basis of that revised description and associated drawings.
4. The Inquiry sat for 4 days with an initial accompanied site visit to the hotel grounds on the 25 February. I was able to carry out two further unaccompanied visits to the surrounding area and a final accompanied site visit, which included visits to properties in Fitzroy and Wakefield Gardens and the opportunity to view the site from Regency Gardens. The Inquiry was closed in writing on the 11 March 2019.
5. The Fitzroy Wakefield Residents Association (the RA), were represented at the Inquiry<sup>1</sup>. In addition, at the Inquiry I received statements and evidence from a Member of Parliament, Assembly Members, local Councillors and local residents.
6. A Statement of Common Ground (SoCG), revised and dated 15 January 2019, was submitted as agreed between the Council and the appellant. A completed legal agreement for each scheme pursuant to section 106 of the Town and Country Planning Act 1990 was submitted after the close of the Inquiry. These deal with matters relating to local employment and training, sustainable car use, including a car club, contributions to signage, a Coach Parking Management Plan, including requirements for pre-booking, and a Car Parking Management Plan, including a sliding scale of parking fees upwards from zero. Both Plans having identified periods for review. If required following review, the agreements have provision for contributions to provide a Controlled Parking Zone. Phasing delivery is also identified in the agreements.
7. I have taken note of the statements of compliance with the Community Infrastructure Levy Regulations 2010, as amended (CIL Regulations), which was submitted at the Inquiry<sup>2</sup>. On the basis of the contents of the agreements and the compliance statements, I am content that all matters conform to the CIL Regulations and that the agreements can be taken into account in my determination of the appeals.

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<sup>1</sup> Under the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000 (SI 2000/1625) under Rule 6(6)

<sup>2</sup> Document 11

## **Main Issues**

8. I consider that there are two main issues relevant to both of these appeals, firstly, whether the proposals would preserve or enhance the character or appearance of the Church Road Conservation Area, and secondly, the effect of the proposals on traffic and parking and consequential effects on the road network and highway safety.

## **Reasons**

### *Background and Policy Position*

9. The Queens Hotel is a large building lying within the Church Road Conservation Area (the CA). Located on a prominent ridge, land falls sharply away to the rear of the hotel and then rises again where residential streets form the Harold Road Conservation Area (HRCA). Both CAs are designated heritage assets. The local centre lies a short distance away along Church Road, while the immediate area is characterised by large residential properties. The existing hotel is thus a prominent landmark building, identified as such in the Conservation Area Appraisal and Management Plan<sup>3</sup> (CAAMP), and is Locally Listed by the Council and therefore a non-designated heritage asset.
10. The hotel has a strong and resonant connection with the area having been established to support its growing popularity following the relocation of the Crystal Palace in the mid-19<sup>th</sup> century. Despite retention of much of the Italianate façade, it is clear that there has been evolution of the form of the hotel, including a significant change in the 1960s, when the southern range was demolished for access to a new development of residential properties, which now comprise Fitzroy and Wakefield Gardens, and the subsequent building of a new extension to the north of the site in the 1970s.
11. Permission was granted in 2015<sup>4</sup>, to replace the single-storey southern extension with a four-storey block for additional bedrooms, and in 2017<sup>5</sup>, for a rear extension comprising ancillary and restaurant space. The existing hotel is reported to currently provide 334 rooms and 63 parking spaces with 2 coach spaces.
12. Appeal 1 seeks to remodel the hotel through introduction of a larger southern extension and the replacement of much of the varied extensions to the rear. This would provide 530 rooms, with basement levels towards the rear of the site delivering accommodation, leisure and ancillary uses and parking for 170 vehicles; in addition, there would be 3 coach spaces to the front.
13. Appeal 2 relates to a proposal developed after the Council's refusal of this first scheme, which offers a reduced scale to the rear, with a revised design treatment to the new elements. This would provide 495 rooms and parking for 207 vehicles and 5 coaches, necessitating some further changes in the layout to the front of the site.
14. During the course of the applications, the Council adopted the Croydon Local Plan (CLP) in February 2018. Thus, the local policies relevant to both appeals are now

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<sup>3</sup> Conservation Area Appraisal and Management Plan – SPD 2015, Map 15, Para 6.1.2

<sup>4</sup> 14/03472/P

<sup>5</sup> 17/04332/FUL

from this, replacing those of the Unitary Development Plan (2006) and the Strategic Policies (2013), relied on when the first application was decided.

15. In addition, relevant policies in the London Plan (MALP 2016) also bear. The weight I can give to emerging policies in the draft London Plan are limited as, although it was submitted in November 2017, it has yet to go through examination.
16. The MALP is supportive of the provision of additional hotel accommodation in appropriate locations<sup>6</sup>. The CLP addresses this in part through the requirement for a Sequential Assessment and it is common ground between the two main parties that there are no suitable alternative sites for the delivery of either scheme. Nonetheless, Policy DM8 of the CLP requires that development of this type, in an edge of centre location, should be accessible and well connected to the town centre, and should be compliant with other policy requirements.
17. Finally, although a recent revision<sup>7</sup> has been made to the National Planning Policy Framework (the Framework), this had limited relevance to the proposals before me and references to the July 2018 version remain appropriate in the submission of evidence. These included the Framework's national policy approach on design, heritage and transport matters.
18. An overarching concern in a case involving heritage assets is the statutory duty placed on me, principally through s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, where special attention must be paid to the desirability of preserving or enhancing the character or appearance of a CA. If harm is identified, it must be given considerable importance and weight.
19. The appellant argues in the first instance that any measure of harm would be outweighed by the benefits to the hotel and area through components of the schemes overall, resulting in preservation or enhancement of the heritage assets. In the alternative, that if harm is found it is outweighed by the public benefits of either scheme. Harm to the significance of the hotel and CA that is not outweighed by the benefits is argued by both the Council and the RA. Furthermore, these and other interested parties maintain concerns regarding highways safety on the basis of the intensification of use, the location and the traffic and parking implications of the enlargement of the hotel. I address further concerns expressed in my other matters section below.

### *Heritage Matters*

20. The Church Road CA was designated in 1974 due to its architectural interest and historical associations. These remain evident today in the intact Victorian architecture of the large houses, in particular those that line Church Road, and the two associated churches. The hotel also plays a key role in both the architectural interest, including its neo-classical façade, but also the historic associations, notably the development of the area as a tourist destination, associated with relocation of the Crystal Palace from Hyde Park in the 1850s, but also with famous figures of the day, including Émile Zola; a blue plaque on the building records this.
21. Further to this, the character of the area is heavily influenced by its topography aligned along the Norwood Ridge, and this, along with the large plots and

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<sup>6</sup> Policy 4.5 London's Visitor Infrastructure

<sup>7</sup> February 2019

spacious settings of many of the buildings, allows for far reaching views to the north and south in particular. Reinforcing this is the areas of open space, including that around the All Saints Church, the woodland area to the east and Westow Park, formally part of a large villa, but now a well-used public park. In this context, Regency Gardens, clearly associated with the hotel through its historic development, but now a semi-public space accessible to residents of Fitzroy and Wakefield Gardens, is a component and included along with the hotel in the CA boundary.

22. There has been more modern development, some of which represents an evolution of the importance of the area, such as the views available along Church Road towards the Crystal Palace transmitting station, but others being poorer quality additions, and in this I include the 1970s wing to the hotel.
23. Nonetheless, while these have a local influence, and unquestionably the 1970s range is a detractor to the hotel and the area, the overall Victorian grandeur, spacious character and quality of the area is retained, and the hotel plays a pivotal part in contributing to the significance of the area. It is the largest and tallest building in the area and is rightly identified as a landmark building. Its importance is emphasised by its visibility, in immediate views and those along the road and from public areas, as well as in longer distance views, such as across the valley from the HRCA.
24. Historical mapping and contemporary art and photography suggest that while the hotel may have had an essentially symmetrical façade with an L-shaped form stepping down the slope to the rear, its evolution, enlargement and alteration has resulted in significant changes. What remains is most of the central range, where the Italianate detailing has been mostly retained, providing a very important element of the character of the building and a notable contribution to the appearance of the area. The 1970s range, although set back, does not aid this, instead its height, strong horizontal elements and incongruous detailing sits uncomfortably alongside the original. Along with this there are other poor additions such as the further storey on top of the entrance range and the large entrance canopy.
25. The outcome of the removal of the original southern range and the introduction of the 1970s wing to the north means that the original historic core, which while having significant value visually, has nonetheless become unbalanced in form, with no semblance of the order and symmetry one might expect with such classical architecture. Furthermore, the removal of the original southern range leaving, or being replaced by, only the single-storey element has resulted in a large and blank gable to the hotel's southern elevation.
26. To the rear of the hotel, while there are clearly some elements that date back to the earlier periods of its development, much here is relatively incoherent, responding more to the functional needs of the hotel than to any design or architectural template. The hotel has also lost its historic L-shape, now having a larger and more central spine range extending in unreconciled heights and widths to the more domestic scale of what is referred to as the Mews Building, lying adjacent to the rear gardens of properties on Wakefield Gardens. Other than the block facing onto the spur road from Fitzroy Gardens, which would appear to have some architectural and historic merit, there is little here which contributes to the significance of the CA.

27. The evolution of the pleasure gardens associated with the hotel can also be traced through the historic sources again, to the point where the development of the Fitzroy and Wakefield Gardens estate in the 1960s and 70s significantly reduced its scale and severed its ownership from the hotel. Nonetheless, the gardens retain their association and lie in close proximity to the existing building, which provides enclosure to two sides with further enclosure by the later terraced properties to the south.
28. That the hotel remains an important part of the area is obvious through the passion and concern that local residents and elected representatives have for it. It has provided a strong and characteristic presence representing a direct link through its continuous, but evolving use as a hotel from the earliest development of the area; it is a key component of the architectural and historic significance of the CA.
29. When considering the effect of the proposed extension and enlargement of the hotel, in addition to the effect on the locally listed building as a whole, I am considering four particular aspects in relation to the effect on the character and appearance of the CA: the frontage, Westow Park, Harold Road Conservation Area and the relationship with Regency Gardens. These correspond for the most part with the agreed visual representations. I turn then to each scheme and its effects.

#### Appeal 1

30. The proposal would introduce a large southern wing, matched in width to the northern extension, the partial removal of the top floor element of the entrance range, a recessed top floor and recladding of the northern wing and complete remodelling of the rear spine.
31. In design terms the scheme seeks a cohesion to the new elements to the side and rear with the recessed top floor cladding extending down through dividing elements in the elevations providing breaks between old and new and relief to otherwise large sections of walling. A rather stark, contemporary approach to fenestration is proposed, which seeks to respond to the grouping and scale of windows across the historic core. While car parking would be taken from the forecourt to the underground car parks, parking would be provided across much of the historic core ranges for coaches.
32. A new southern extension, of similar scale in both schemes, would replace the existing single-storey extension, although it remains unclear whether this is a remnant of the original or a newer element reflecting the detailing of the older ranges. While I note the concerns of Historic England initially to the loss of this feature, it is not a prominent element of the façade, nor does it contribute notably to the visual qualities of the historic core ranges, or to their important contribution to the significance of the CA resulting from their landmark scale and detailing. In any case planning permission already exists for its replacement with a four-storey block.
33. To the rear, the large and entirely new spine range would extend from near the full height of the frontage, stepping down the slope but extending well beyond the residential properties on the Fitzroy Gardens spur, to terminate at the enclosed courtyard associated with the Mews Building, which is retained. In both schemes this would result in the loss of a small part of the rear extensions located adjacent to the Fitzroy Gardens Spur. This part, in its form and detailing,



is recognised in evidence as potentially providing guest accommodation from the earlier days of the hotel. As such it can be said to have a minor historic and architectural value.

34. Nonetheless, there are undoubtedly some positive aspects to this scheme, including the recladding and fenestration alterations to the northern range, providing a reduced scale and greater vertical emphasis, the improvement to the entrance canopy, resolution of some of the poorer elements of the rear extensions and the introduction of a sense of symmetry to the overall scheme. However, I have some significant concerns about the scale and detailing.
35. When assessing the effect on the frontage, the stepping back of the upper levels of the northern and entrance ranges would result in a more compatible scale to the historic core. Nonetheless, the overall height and width of the northern element would not be reduced and in combination with the proposed southern range, would represent a very significant amount of additional built form. It is vital then that these elements are regressive and do not swamp or outcompete the essential traditional quality and detailing of the historic core on which the significance of the building, and to a certain extent the CA, relies.
36. While in oblique views the two side extensions would not generally be perceived together, as both would be set back from the main façade, nonetheless the sheer scale of the hotel means that the front-on view remains an important element of how the hotel is experienced by visitors and by those passing along Church Road.
37. I consider that the simple inset treatment of the windows and the uncharacteristic use of the roof finishes to intersect and break up the spaces of the extensions is overtly contemporary. While this can be an effective approach to clearly differentiate old and new, here, with the new elements being of such a scale, I consider that it results in competition. Although balanced in part by the improvements I have set out above, for this scheme I consider that the proposal results in harm to the building and harm to the significance of the CA.
38. Concerns were raised about coach parking to the front. The existing hotel has coach parking to the side and car parking across much of the frontage, including vehicles crossing the main pedestrian entrance. This scheme proposes three coach spaces spread along the frontage up to the entrance range. In addition, enlarged entrances would allow for a single entrance and exit for coaches and private hire vehicles, avoiding the pedestrian entrance, with a small third entrance, which is already existing, providing for all car and van entry to the covered parking areas.
39. There is nothing uncharacteristic about hotels in the modern-day having coaches associated with them and there would only be some very minor reduction in the visibility of the lower storey of the historic core. I do not see this as contributing any further harm to that I have identified from the scale and detailing of the new extensions.
40. From Westow Park, views are available when walking through from Church Road. In these, the existing northern extension stands out as a large addition, out of scale with the domestic architecture generally visible here. However, the majority of the existing rear elements are not apparent until deeper within the Park. The proposed set back of the top floor and removal of the stair would be a benefit, but the large rear extension would significantly increase the bulk of the hotel and would be very prominent in views from the upper part of the Park and

would also increase the bulk perceived from the lower views, notwithstanding some intervening vegetation and the properties along Wakefield Gardens. With its strong contemporary detailing, it would take the hotel from being perceived as a landmark building to being an overly dominant one. Overall, I consider that this would also be harmful to the CA.

41. In longer views across from the HRCA, the hotel is a large feature standing on top of the ridge. It is a dominating element, but one that is appreciated from only limited views on the upper parts of the roads. The proposal would result in a slight increase in bulk and massing at this distance, but I consider that this would not be readily appreciated such as to result in any increased harm to the setting of this CA.
42. Finally turning to Regency Gardens, these are no longer for the use of hotel guests, nor are they open to the public. However, they are a semi-public space, and by all reports one that is well used by local residents. The gardens are included in the CA and their value as important open space remains.
43. It is clear when within the gardens that it has a historic and close relationship with the hotel. Currently, extensive views are available of the rear elevations of the hotel, including the very poor northern extension. Nonetheless, depending on your position within the gardens, the existing lower-level rear elements allow for open sky views over that part of the hotel, albeit punctuated by the quite dominant and uncharacteristic chimney. The proposal would provide greater enclosure of the gardens, which could reconcile its association with the hotel and provide a more consistent and coherent experience in terms of detailing and understanding of its function.
44. However, the continuance of the large scale and height from the frontage, with only a limited step-down to such a depth alongside the gardens, coupled with the relative lack of articulation on these elevations, would lead to a somewhat harsh and domineering presence. Rather than reconciling the relationship, it would, in my view, alter the balance and diminish the value of the gardens, not just to those who use them but to the CA as a whole. I consider that this would result in harm to the building and to the CA.
45. To conclude on design and heritage matters for Appeal 1, I consider that despite acknowledged enhancements that would arise, overall there would be harm to the locally listed building and to the CA. In assessing this harm, I consider that it would be less than substantial, but nonetheless harm to which I must give considerable importance and weight. I address the policy conflict and overall balance to be struck below.

## Appeal 2

46. All of the benefits I have set out above would also arise in relation to this scheme, and similarly there would be no harm to the setting of the HRCA. However, the reduced scale and enhanced detailing proposed in Appeal 2 would also, in my view, address some of the harms I have identified in relation to the first scheme.
47. When considering the frontage, while the scale would remain relatively unaltered from Appeal 1, the design treatment would be both more traditional and more recessive. The consistent set back of the roof, but use of fenestration to break up the elevation, would be more sympathetic, and the use of white window



surrounds and simplification of the material palette would result in a scheme where the large additional built form can be assimilated without unduly overpowering the historic core. Furthermore, the curtain wall glazing separating the old and new would provide a more acceptable transition and definition between the two.

48. Coach parking in this scheme involves three spaces in front of the southern extension and two in front of part of the historic core, otherwise circulation space and car entrances are similar to Appeal 1. As above, I do not consider that this would materially harm the appearance of the building, and coaches are a characteristic part of hotel activities. Some eight coaches a day are anticipated, but these are likely to be transient, with numbers changing throughout the day. Coach parking would be in spaces predominantly in front of the new extension or otherwise set back behind proposed landscaping, although I accept that the space tight to the front wall will reduce opportunities for landscaping at that point somewhat.
49. Overall, there remains some tension in the scale of the extension to the south and the retained height of that to the north, but taking into account the benefits, I consider that the building and the significance of the CA as experienced here would be preserved.
50. From Westow Park, the improvements to the northern extension would again be apparent, but, from the upper parts of the Park, the experience would remain that of increased bulk, albeit mitigated somewhat by the more subtle detailing and articulation of the elevation. The reduced scale to the rear would be beneficial, reducing the impact on the lower views. Overall, I consider that this proposal would not lead to the increased detrimental presence and dominance as Appeal 1, and would preserve the significance of the CA.
51. Turning to Regency Gardens, here the differences are most marked. The revised rear extension, while retaining the large scale adjacent to the rear of the main hotel structure, reduces by a full storey in steps to reach a far more acceptable domesticity of scale adjacent to the properties on the Fitzroy Spur. The elevations would retain the enhanced detailing from the front and have an additional level of articulation extending through to the roof line. The combination of reduced scale and increased articulation significantly address the concerns I had with Appeal 1 and the dominance of the space.
52. The existing mismatched extensions and mostly mediocre rear elevations overlooking the gardens at present can be considered as a poor foil to what was the pleasure gardens, compromising their historic links with the hotel. While I accept that the open aspect is valued, the historic relationship would be enhanced by the added enclosure and the more coherent form of the hotel to be presented under this scheme.
53. I fully understand the significant concerns of the current users of Regency Gardens. This would represent a major change and while the proposed landscaping will be an important element that will soften the presence of the enlarged hotel, this will not be established in the short term. However, change is not always harmful and here, where I am considering the effect on the heritage value of the hotel to the CA, this proposal represents a robust response to the historic characteristics of the hotel and the enclosed and more intimate space would perhaps present a more appropriate relationship in the terms of the significance of the CA. It is a fine line between dominance of a space and

enclosure and with its increased detailing and reduced scale, I consider that this scheme would represent a further stage in the hotel's evolution, which would not harm the building and would preserve the significance of the CA.

54. The more domestic scale of the rear spine realised in this scheme would also improve the perception from the rear garden areas of Wakefield Gardens, where the decision prior to the appeal to retain the Mews Building had already enhanced that relationship. Retention and sensitive incorporation of that part of the scheme is a requirement which can be secured by condition.
55. I have considered whether the addition of significant built form to both the sides and the rear would have other impacts. Unquestionably, it would represent a step change in the scale of the hotel, but the additional comings and goings associated with this would not fundamentally change the character of the CA here, which draws in part on the presence of the existing large-scale hotel.
56. I have also considered whether the increased scale overall would be out of character with the CA generally. I accept that the height of the residential elements of the CA is generally two or three-storeys, and clearly while there would be no overall increase in height of the hotel, there would be greater areas at five or six-storeys. The CAAMP notes that non-residential buildings display a range of height and massing, and here the existing hotel is a clear example of that. The increased scale of the rear ranges would not be appreciated from any of the key views identified in the CAAMP and would not be clearly seen from Church Road in association with the frontage. Overall, while I accept that LP policy seeks to control tall and large buildings in areas where they would be larger than the predominant surrounding buildings, in light of the presence of the existing hotel and its clearly read landmark status I am satisfied that no harm would arise in this regard.
57. To conclude on design and heritage matters for Appeal 2, while there are some detracting elements, notably in the overall width of the front extensions and the scale of the rear spine closest to the main ranges, these partly result from the scale of the northern extension, which is an existing feature. Nonetheless, these must be balanced against some clear enhancements the proposal would bring to the building.
58. I note the argument over whether harm should be given greater significance and importance than benefits when addressing the heritage aspects of a building or asset. However, while I have considered individual elements above, I have to conclude on the overall impacts to the building as a whole and indeed the effect that would have on the significance of the CA as a whole, in terms of its character and appearance.
59. The hotel building itself exhibits a hierarchy of formal frontage and utilitarian rear elements, and the enlarged spine building would alter this somewhat. However, as I have set out above this is a hotel that has evolved over the years. The formal hierarchy to the front would, in the case of Appeal 2, be retained with the prominence of the historic core to the fore. The enlarged spine building, which I found to be overtly dominant in Appeal 1, would be of acceptable scale in Appeal 2, and with the very limited inter-visibility between front and rear, I consider that the fundamental hierarchy would be retained, and the proposal would provide a more coherent overall design for the hotel.

60. In conclusion therefore, I find that for this scheme, there are a number of significantly positive elements that provide a robust response to the existing detractors that are harming the building and the CA currently. While some of these are common to both schemes, here the enhanced detailing, improved transition, fenestration and, in places, scale, all lead me to conclude that this proposal would preserve the character and appearance of the building as a whole and preserve the significance of the CA.

### *Highway Matters*

61. There are two strands of argument put forward by the Council, the RA and interested parties in this case, which are interlinked. Principle concerns over the locational suitability of the hotel lead on to concerns regarding increased vehicular traffic, albeit this point was not taken forward by the Council, increased pressure on local parking, proposed coach management and potential risks associated with the layout of the forecourt area.
62. The proposals have passed a sequential test, as agreed by the Council, but this finds only that schemes are acceptable in principle, provided the site is accessible and well-connected to the town centre. I am content that the hotel is located in an area with a PTAL<sup>8</sup> rating of 3. I accept that within the development plan, notably CLP Policy DM8, there are various references to 'well-connected', but do not accept that this means a minimum of PTAL 4, the footnotes relating to such a definition refer only to A5 uses. Nor do I consider a reduction in the PTAL rating is appropriate because parts of the site away from the entrance are shown to be less than 3. Users of a hotel will access and leave it from the entrance; this is the correct point to assess its accessibility.
63. Furthermore, I was able to walk the route into the local centre. It is a relatively short walk on a level pavement and would provide an eminently suitable route for the majority of those staying in the hotel to access local services, including shops and restaurants, as well as the extensive bus network available there.
64. Where the site is less well served is in relation to the tube stations. Both the Gypsy Hill and Crystal Palace stations are within walking distance if they were on level routes. For people visiting a hotel, potentially carrying luggage, the steep gradients up from the stations to the Norwood Ridge would be a significant disincentive to walk from these sites. Nonetheless, the hotel would be accessible via bus or taxi from both stations, and I note that this has been addressed in the traffic assessments and evidence presented to the Inquiry.
65. Clearly there is a large hotel already in operation here and both proposals would increase its size to make it one of the largest hotels in the area. I can understand concerns that such provision should be made in the highest areas of accessibility, and that there are arguments that the visitors that it may attract seeking to enjoy the sites of London for example, may not be well placed to make convenient and regular trips into the centre. Nonetheless, it is clear that the MALP<sup>9</sup> indicates a significant demand for greater numbers of hotel rooms in London, and the findings of the sequential test would suggest that alternative provision in this area is not readily available.
66. Overall, I consider that the hotel, while not presenting the highest level of accessibility, is and would remain well-connected and accessible. However, the

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<sup>8</sup> public transport accessibility level

<sup>9</sup> Policy 4.5

moderate level of accessibility, albeit with a short walk providing access to facilities and more extensive, public road transport options, would mean that there will still be significant demand for coach and vehicular access to the site, including taxis and minibuses. While I note that Transport for London (TfL) and the Greater London Authority (GLA) in their earlier responses sought reductions in parking provision, I am content that these factors do mean that such provision is necessary.

67. The proposed enlargement of the hotel under both schemes would lead to an increased number of visitor and logically, an increased amount of traffic, be that coaches, taxis or private hire vehicles, minibuses or private cars. The extent to which this could lead to highway safety risks is dependent on the magnitude of change across these transport modes compared against the existing situation, and indeed against the position associated with permissions that have been granted and implemented on the site. The following table is taken from the SoCG and helpfully illustrates the different schemes.

	Existing	Permitted and Extant*	Appeal 1	Appeal 2
Hotel Rooms	334	366	530	495
Car parking Spaces (including disability spaces)	63	65	170	207
Disability spaces	2	4	17	21
Car parking ratio	0.19	0.18	0.32	0.42
Coach parking spaces	2	2	3	5
Coach parking ratio	1 for 169 rooms	1 for 185 rooms	1 for 177 rooms	1 for 99 rooms
Cycle parking	0	8	40	40
Total Floorspace (sqm)	10,015	10,844	24,199	24,310

\*Comprising 14/03472/P, 17/0615 and 17/04332/FUL

*Taken from the Statement of Common Ground – revised 15 January 2019*

68. To my mind there are therefore three issues that need to be considered: the increase in traffic, both cars and coaches on Church Road and the nearby local road network, including the local centre where a one-way gyratory operates; the effect on pedestrians and vehicles of the proposed access arrangements; and the effect on local parking.
69. The applications were supported by Transport Statements, including Travel Plans, Delivery Service Plans, Car Park Management Plans and Coach Park Management Plans for both schemes, dated April 2017 and February 2018 respectively. The findings from these were updated to reflect concerns raised by TfL and were subject to a number of sensitivity tests, including the use of more recent TRICS<sup>10</sup> data, for the evidence presented to the Inquiry.

<sup>10</sup> Trip Rate Information Computer System

70. Church Road is part of the Strategic Road Network (SRN) and information on annual average daily flows is available. This suggests approximately a 14% decrease in flows along the road since 2008. I noted that while there is some parking remaining on the Church Road, other parking spaces, notably immediately outside of the hotel, have been recently removed to facilitate cycle routes and presumably to assist in traffic flows.
71. There is general agreement between the main parties on the likely level of traffic generation, and the appellant's own figures suggest that this would be of the order of a 1.5% increase based on Appeal 1, proportionately less for Appeal 2. I do not underestimate the fact that on occasions there will be heavy traffic on this road and congestion will occur. However, traffic arriving at the hotel would be spread throughout the day and evening with no direct correlation with peak hours, associated with school and commuter traffic for example, and with the relatively limited additional change in flows, I find that the traffic associated with these proposals would not lead to severe impacts on the existing situation.
72. That there would be an increase in coach traffic is accepted, but the appellant's assessment of a maximum eight coaches per day, seven for Appeal 2, has not been challenged. Appeal 1 allows for parking for three coaches and Appeal 2 for five, neither providing for the full anticipated demand nor for the policy figure, of one per 50 rooms, derived from parking standards associated with the MALP<sup>11</sup>. Nonetheless, it is clear from the responses of TfL that this is not a standard that they are applying rigidly, and it was reported that it is not continued into the emerging draft London Plan. TfL's recommendation was that any shortfall should be addressed through a Coach Management Plan for parking offsite. Such a Plan has been submitted, and secured in the legal agreements, leading me to conclude that, in this regard, both schemes would be compliant with MALP Policy 6.13.
73. However, that coaches will enter and leave the site regularly throughout the day, including any additional manoeuvres necessary to reach off-site parking where necessary, does have implications for the road network. I observed the gyratory system around the local centre and the junction with the A214, Central Hill. It is clear that there is a difficult manoeuvre for large vehicles at this junction, and the stopping point for vehicles approaching it has been set back to allow for overrun across the lanes. The opportunity for conflict where the stop line is not respected is entirely possible, but it is an existing problem, and one that is presented to the large number of buses using that route every day. The additional contribution from the increased coach numbers associated with these proposals would not materially alter that risk.
74. To provide full coach parking on site, if even possible, would require at least that that the forecourt be opened up with space transferred from landscaping or pedestrian circulation to coach spaces; this has implications in terms of the effect on the heritage value of the building and its overall appearance. In my view this is not justified, even were it to be possible, and while I accept that there will be additional travel by coaches to access off-site parking on occasions, I am satisfied that such provision is available. Nonetheless, the provision for five coaches in Appeal 2 represents a positive improvement over the provision for three in Appeal 1.

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<sup>11</sup> Policy 6.13

75. The current arrangements for accessing the forecourt of the existing hotel would appear to be poor. Not only is there potential conflict between the car parking, coach drop-off and pedestrians, but the relatively narrow entrances would appear to have led to occurrences of lane overrun and delays. These delays are associated with coaches attempting to access the forecourt, or even with coach drop-offs taking place on the road. Such occurrences are highlighted by residents and in the evidence of the RA, and my own observations would support them. Furthermore, the existing zebra crossing is not logically positioned on the desire line for pedestrians. However, the forecourt of the hotel would be changed to accommodate the increased traffic associated with both schemes.
76. In the case of Appeal 1, this would include enlargement of the existing and a new entrance to allow for coach and taxi drop-off, and the reuse of the existing northern entrance for all car and delivery access to the rear and underground car parks. For Appeal 2, there would be repositioning of these two main entrances and the relocation of the zebra crossing. In both cases, these changes would provide for some coach parking, the removal of car parking to the front, the removal of conflict with the pedestrian entrance to the hotel and the potential for improved manoeuvres with a dedicated entrance and exit.
77. Swept path analysis, showing the routes taken by coaches for both schemes shows the potential for small areas of overrun associate with the taxi drop-off area and across the lanes of Church Road, my attention has also been brought to the potential for conflict with guidance on the positioning of junctions to zebra crossings<sup>12</sup>.
78. The arrival and departure of coaches will take place throughout the day, but their numbers would be limited. That a coach may overrun on exit is a matter of some concern, but any delays engendered would be short-lasting and limited; it is, to my mind, a matter of convenience rather than safety. Any conflicts with the taxi rank will be a matter of one or other party waiting for the area to clear, the drop-off point is, after all, not a permanent parking area.
79. In relation to the zebra crossing, I note the suggested requirement of an 'absolute minimum' of five metres, measured from the position of the driver waiting at the give-way line. For left-hand drive vehicles, the driver may be positioned very close to this guideline distance. However, while there are other constraints to the position of the zebra crossing, it would appear to be feasible to reposition it slightly and in agreement with the relevant highway approvals. The use of this proposed exit would be solely for the occasional coaches or other private hire vehicles dropping off guests and not associated with more general traffic or indeed car parking at the site.
80. On balance, and particularly when compared with the existing situation, the enhanced layout, particularly for Appeal 2, would allow for the better management of visiting coaches. While further detail may be needed to position the zebra crossing, it would provide a more logical desire line for access to bus services or guest arriving from that side of the road, taking away risks associated with other crossing areas. Both layouts would remove the conflict between pedestrians entering the hotel and cars entering or leaving the parking areas. Similarly, while I accept that the enlarged entrances would present a slightly longer crossing for pedestrians using Church Road, they would be similar to the numerous side roads in the area and are likely to have relatively low traffic use

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<sup>12</sup> LOCAL TRANSPORT NOTE 2/95 – The Design of Pedestrian Crossings – Department for Transport, April 1995



with good visibilities of approaching turning traffic. Overall, I consider that the proposals, particularly in relation to Appeal 2, would not lead to increased risk to highway safety in this regard.

81. Turning then to parking. The Council accept that parking ratios are a recognised way of considering hotel parking provision. For both schemes, but particularly Appeal 2, the parking ratios are greatly improved from the existing situation. That there is an existing parking problem in the surrounding streets with cars and vans associated with the hotel, is borne out not just by the clear statements of local residents and the RA, but by the hotel's own survey data, which showed a high proportion of visitors utilising off-site parking.
82. However, it is apparent that there has been ongoing renovation works at the hotel for a considerable period. The low level of parking provision, coupled with this and with the parking fee, is likely to have exacerbated pressures on the local roads. It is clearly a problem as I observed in my visits to the site. Indeed my own observations support that, as highlighted in the 2016 survey, there is pressure on parking spaces in the local roads, and while this is not entirely supported by the 2018 surveys, nonetheless, I am entirely sympathetic to the local residents who have seen large numbers of cars and vans utilise the free parking areas local to the hotel. Such pressures can lead to increased instances of dangerous and obstructive parking, such as on yellow lines, at road junctions, on footways or across driveways, to the detriment of the free and safe flow of traffic, and where cars are searching for spaces, a lack of attention that can also lead to safety risks.
83. The question before me is whether the proposals would exacerbate or address this issue. The significant improvement, particularly for Appeal 2, in the provided car parking ratio would suggest that the proposals should present an improvement to the existing situation. However, both schemes represent a very significant increase in the total numbers of cars visiting and there is an element of subjectivity, even when considering the TRICS data, as to what ratio would successfully provide for all likely visitors by car to the site. Indeed, the additional factor is the existing process of charging for parking, which, while an acknowledged method of discouraging such access, is a further driver to encourage use of alternative free provision.
84. My own experience confirms that many hotels charge for parking, and those in city centres may have little or no provision of spaces. However, in those circumstances there is often no alternative options and the public transport provision is generally of a high level. It is not reasonable to suggest that all visitors to this site would be arriving by car, indeed the public transport provision and the potential of a proportion of guests to be visiting London from abroad, means that many are unlikely to have a car.
85. I have also considered the implication of demand for van parking spaces. I note the alternative survey work done by a local resident but am conscious also that there has been a higher proportion of vans present at the hotel in relation to the renovation work. Spaces will be provided specifically for vans in the new proposals, and existing car parking spaces can provide for smaller vans also. Overall, there is insufficient evidence in front of me to suggest that there will be parking requirement for vans that significantly outstrips the provision.
86. Nonetheless, while somewhat concerned at the levels proposed for Appeal 1, I am much more reassured by the levels proposed for Appeal 2. However, the

success of such provision is intrinsically linked to the attractiveness of the spaces provided on site, and this links to incentives and I note the provision of two mechanisms within the legal agreements; that of a sliding scale of charging linked to local road pressures and the opportunity to provide Controlled Parking Zones (CPZ) local to the hotel. Were charging to remain a disincentive to use of the hotel car park, the sliding scale, in agreement with the Council now accepted to range from zero upwards, could directly address this. Should this still not address the matter of the use of local roads, a CPZ could be introduced. Accepting possible issues of enforcement in the evening or overnight, this would nonetheless, add a further disincentive to those who may still seek to use alternative parking.

87. Such responses are more likely to be needed in relation to Appeal 1 than Appeal 2. However, with these matters agreed in the undertakings, I am satisfied that the proposals could be delivered without increasing the pressures on local roads and consequently contributing to increased highway safety risks. The proposals would therefore comply with MALP Policies 6.12 and 6.13 and LP Policies DM29 and SP8.17. These policies seek development that will not result in a severe impact on transport networks, both strategic and local to the site, have an adverse impact on congestion or provide a lack of on- or off-site parking.

### **Other matters**

88. I have noted the concerns of other interested parties with regard to these proposals, including noise, overlooking, air quality and structural risk.
89. While I have addressed the matter of the effect on the historic heritage and character of the area above, the enlargement of the hotel and introduction of a larger rear building has raised concerns regarding noise, overlooking and dominance, particularly of Regency Gardens, but also of the nearby houses. I accept that both schemes would introduce an increased number of windows at higher level to the rear. However, subject to control over obscured glazing, I am satisfied that there would be no significant overlooking of private garden areas or properties. While I accept some views would change, and I have noted above the harm I consider is associated with the larger spine building within Appeal 1, I consider that there would be no harmful effect from the smaller scale of Appeal 2.
90. The positioning of the buildings to the north and the east of properties on Fitzroy Gardens and the shared space of Regency Gardens would limit effects on daylight and sunlight sufficiently. Taking into account conditional control of hours of operation, amenity use and hotel services, I am satisfied that there would be no material increase in noise and any significant alterations in activity and potential disturbance would be limited to the front of the hotel. I note that the Council raised no concerns on these matters, subject to conditions.
91. I have set out above that there will be increased traffic associated with both of these schemes. This will contribute to some very minor increase in emissions when measured against the existing traffic movements, which have shown a general trend of reduction on Church Road. I appreciate the concerns regarding waiting times for coaches and taxis on the forecourt, but despite the increased numbers associated with the proposals, I consider that the revised forecourt layout, in particular that of Appeal 2, would result in improved circulation and the separation of pedestrians and vehicles. The coach management included in both

schemes would assist in significantly reducing the likelihood of coaches stopping and waiting on Church Road.

92. An Air Quality Assessment was submitted for both schemes. While I note that this addressed pollutant concentrations from traffic at the façade of the hotel, for reasons set out above, the additional contribution to pollutant levels along the road would be negligible. I note no objections were raised by the Council or the GLA on this matter.
93. Turning to structural issues, considerable excavation for basement levels is proposed. However, Basement Impact Assessments were included for both schemes and conditions can address any further requirements for ground investigations and engineering oversight, sufficient to address risks to neighbouring properties.

### **Planning Balance**

94. While I have found Appeal 2 would preserve the character and appearance of the CA and would therefore comply with LP Policies DM18 and DM10, MALP Policy 7.8 and the Framework in this regard, I have found that less than substantial harm would arise in relation to Appeal 1. Notwithstanding the approach set out in LP policy, the Framework confirms that such harm should be balanced against public benefits that would result from the development.
95. I have noted the need for hotel rooms in London and Appeal 1 would provide a significant increase. The appellant draws my attention to further benefits, including rationalisation and enhanced quality of facilities for guests and economic benefits, both employment and regeneration, in the area.
96. The increase in number and quality of hotel rooms is accepted by the Council and I confirm that I give significant weight to this. I note concerns raised by local representatives over historic association between the hotel and local businesses, but ultimately an increase in the scale of the hotel will result in more employment, and while engagement with local businesses by guests cannot be guaranteed, some enhanced spending is likely to arise. I further note that the legal undertaking would commit the developer to local employment and training. There will be moderate benefits in this regard associated with the increase in scale proposed under Appeal 1.
97. Nonetheless, while I have given such benefits significant and moderate weight respectively, I must set this against the considerable importance and weight I give to any harm to heritage assets. In this case, in relation to Appeal 1, I find that these benefits would not outweigh the harm I have identified, and this proposal would therefore conflict with LP Policies DM18 and DM10, MALP Policy 7.8 and the Framework in this regard. These policies seek to conserve the significance of heritage assets through the requirement for a high quality of design.

### **Conditions**

98. In light of my findings in relation to Appeal 2, I have considered the conditions, put forward by the Council and agreed with the appellant, in light of the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timescale condition (1), I have imposed a condition specifying the relevant drawings and plans as this provides certainty (2).

99. To protect the character and appearance of the area and the building itself I have imposed conditions relating to landscaping (3), tree protection (4), retention of the Mews building (5), temporary external treatments (6) and materials (19). To address the living conditions of neighbouring residents, a plan for the construction period is necessary (7) and I am imposing conditions relating to external lighting (21), ventilation equipment (22), obscure glazing (23, 24, 25, 26), restrictions on use and opening hours (27, 28, 29, 30), noise (31) and air quality (32).
100. To address traffic in the area, in addition to the construction logistics plan (7), it is necessary to require a delivery and servicing plan (15) and the agreement on further details on layout and signage (16). To support an environmentally sustainable development, in accordance with policy, conditions are necessary regarding a Travel Plan (17), electric charging points (18), an overheating strategy (10) and a Combined Heat and Power system (14). To support sustainable construction, I have imposed conditions regarding BREEAM ratings (33) and reduction in Carbon Dioxide emissions, (34).
101. To address below ground works, it is necessary to require engineering oversight (8), and to maintain a record of the historic evolution of the hotel through a written scheme of recording (9). Finally, to address flooding, infrastructure and pollution risk, I have imposed conditions regarding surface water (11), drainage (12), contaminated land (13) and piling (20). Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance.
102. It is essential that the requirements of conditions 3-14 are agreed prior to development commencing to ensure an acceptable form of development in respect of the character and appearance of the building, living conditions and ground stability during the construction period, sustainable construction, drainage, contamination and historical recording. The appellant has confirmed acceptance of the pre-commencement conditions at the Inquiry and in writing.

## **Conclusion**

### **Appeal 1**

103. For the reasons given above and having regard to all other matters raised, I dismiss the appeal.

### **Appeal 2**

104. For the reasons given above and having regard to all other matters raised, I allow the appeal.

*Mike Robins*

INSPECTOR

## **APPEARANCES**

### **FOR THE APPELLANT:**

Rupert Warren, of Queens Counsel	Instructed by Town Legal.
He called:	
Dr Miele IHBC MRTPI	Montagu Evans
Mr Pitt RIBA	Director – Assael Architecture
Mr Cole MA MSc CILT	Director - Steer
Mr Quelch Dip MRTPI	Director - GVA

### **FOR THE LOCAL PLANNING AUTHORITY:**

Stephen Morgan, of Counsel	Instructed by Sean Murphy, Legal and Governance Team, London Borough of Croydon
He called:	
Mr Kennedy	Strategic Transport Manager London Borough of Croydon
Mr Gentry MRTPI	Strategic Applications Team leader London Borough of Croydon

### **FOR THE FITZROY AND WAKEFIELD RESIDENTS ASSOCIATION**

Matthew Henderson, of Counsel	Instructed by the Fitzroy Wakefield Residents Association
He called:	
Mr Hayes	Local resident

### **INTERESTED PARTIES:**

Steve Read	Member of Parliament - Croydon North
Councillor Mann	Ward Councillor
Councillor Ryan	Ward Councillor
Councillor Degrad	Ward Councillor
Councillor O'Connell	London Assembly Member
Francis Bernstein	Local Resident
Annette Prosser	Local Resident

## **DOCUMENTS SUBMITTED AT THE INQUIRY**

1. Transport Evidence rebuttal bundle
2. Draft S106 legal Agreements
3. Additional Historic Plan
4. Opening Statement - Appellant
5. Opening Statement - Council
6. Opening Statement - Fitzroy Wakefield Residents Association
7. Appellant's Revised version, Fig. 1 - Mr Hayes
8. Written Submission – Fiona Twycross London Assembly Member
9. Ground Floor Plan Existing/Proposed Overlay
10. Forecourt Layout Plan – Appeal 2
11. CIL Compliance Reports
12. Closing Statement - Fitzroy Wakefield Residents Association
13. Closing Statement - Council
14. Closing Statement - Appellant

## **DOCUMENTS SUBMITTED AFTER THE INQUIRY**

15. S106 legal Agreement Appeal 1 dated 28 March 2019
16. S106 legal Agreement Appeal 2 dated 28 March 2019



## **SCHEDULE OF CONDITIONS:**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) Unless otherwise previously agreed by the Local Planning Authority in writing the development shall be carried out entirely in accordance with the following approved drawings;  
A2702 100 – R7, A2702 101 – R7, A2702 102 – R7, A2702 103 – R7, A2702 104 – R7, A2702 105 – R7, A2702 106 – R7, A2702 107 – R7, A2702 108 – R7, A2702 109 – R7, A2702 110 – R7, A2702 140 – R7, A2702 141 – R7, A2702 199 – R8, A2702 200 – R16, A2702 201 – R16, A2702 202 – R16, A2702 203 – R17, A2702 204 – R18, A2702 205 – R18, A2702 206 – R19, A2702 207 – R17, A2702 208 – R17, A2702 209 – R17, A2702 210 – R17, A2702 211 – R17, A2702 212 – R17, A2702 400 – R15, A2702 401 – R15, A2702 402 – R1, A2701 SK 01 180606 and other documents submitted with the application.
- 3) Prior to the commencement of development (excluding demolition) of each Phase, full details of both hard and soft landscape works for that relevant Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details for each Phase shall include, but not be limited to:
  - 1) details and samples of hard landscaping materials (which shall be permeable as appropriate), including dimensions, bond and pointing.
  - 2) all boundary treatments within and around the development.
  - 3) species, planting density and size of proposed new planting, including girth and clear stem dimensions of trees.
  - 4) All roof treatments including green roofs

All landscaping works within the site shall be provided in accordance with the approved details on site before any relevant Phase of the development is occupied or within such longer period or periods as the local planning authority may previously agree in writing. All planting shall be maintained for a period of fifteen years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided.
- 4) Prior to the commencement of works including demolition, to provide hard surfacing/retaining walls/permanent fencing within tree root protection areas for those trees to be retained in the hereby approved Arboricultural Appraisal and Implications Assessment document (ref: ha/aiams2/queenshotel for 18/00831/FUL) and for these to be in place for the duration of the works.
- 5) Prior to commencement of development, a scheme for the protection of the partially retained Mews building during the demolition of the existing buildings and the construction of the Development, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to demolition and retained for the period of the demolition of the existing buildings and construction of the development.

- 6) Prior to the commencement of the development of each phase, details of treatment to temporary external elevations and temporary landscaping during demolition and construction shall be submitted to and approved by the Local Planning authority in writing. The approved details shall be in place until later phases of the development are brought forward
- 7) Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amendment or replacement thereof), prior to the commencement of any demolition, building or engineering operations, a Construction Environmental Method Statement and a Construction Logistics Plan (which shall include a site waste management plan) shall be submitted to the Local Planning Authority for approval. The documents shall include the following information for all phases of the development, which shall only be implemented as approved:-
  - 1) hours of deliveries,
  - 2) parking of vehicles associated with deliveries, site personnel, operatives and visitors,
  - 3) facilities for the loading and unloading of plant and materials,
  - 4) details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway.
  - 5) details outlining the proposed range of dust control methods and noise mitigation measures during the course of construction of the development, having regard to Croydon Councils 'Code of Practice on Control of Pollution and Noise from Construction sites', BS 5228, Section 61 consent under the Control of Pollution Act 1974, and the 'London Best Practice Guidance to Control Dust and Emissions from Construction and Demolition'.
- 8) The development hereby approved shall not commence (other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition) until such time as a suitably qualified engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.
- 9) No development shall commence until such times as a Written Scheme of Investigation (WSI) for historic building recording has been submitted to and approved in writing by the Local Planning Authority.

No alterations or demolition shall take place until the historic building recording has been undertaken in accordance with the approved WSI and the completed survey report has been submitted to the Local Planning Authority.
- 10) Prior to the commencement of works, an overheating strategy, with details of cooling equipment, shall be submitted to and approved in writing by the local planning authority. Once approved, the works shall be implemented as specified in the strategy and retained thereafter.

- 11) Development shall not commence until a detailed scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The final drainage scheme shall be designed in accordance with the submitted Flood Risk Assessment / Drainage Strategy (XCO2 Flood Risk Assessment and SuDS strategy) dated February 2018 (for 18/00831/FUL) and incorporate the following measures;
  - a. Calculations to show the maximum water storage requirements of the site;
  - b. A fully labelled network diagram of the proposed drainage scheme including levels, pipe sizes, gradients and flow control features. A description of SuDS and drainage features included in the proposals (permeable paving, green roof storage and rainwater harvesting) and how these relate to submitted calculations should be included;
  - c. Consideration of how exceedance flows for events greater than the 1 in 100 year +40% climate change event will be managed and mitigated on the southern side of the site without significantly increasing flood risks (both on site and outside the development);
  - d. Evidence should be provided that Thames Water has been consulted as part of a pre-development enquiry and they agree in principle with the proposed strategy (discharge rates and location).

The approved scheme will be implemented prior to the first occupation of the development.
- 12) Prior to commencement of development a detailed drainage strategy detailing on and/or off-site drainage, shall be submitted to and approved in writing by the Local Planning Authority. No discharge of foul or surface water from the Site shall be accepted into the public system for part of the Site until the relevant drainage works have been constructed and completed in accordance with the details approved pursuant to this condition and such works shall be thereafter retained in accordance with the details approved pursuant to this condition for the life of the Development.
- 13) Before the development is begun an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority. The investigation report shall include a risk assessment and details of remediation if required. Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building. A validation report detailing evidence of all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority at the conclusion of the work and before any occupation of the properties.

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.
- 14) Prior to the commencement of development, excluding demolition, details of the size and specification of the Combined Heat and Power System (CHP)

shall be submitted to and approved by the Local Planning Authority. The details shall include full energy calculations to justify the size of the CHP.

- 15) Prior to first occupation of each Phase, a Delivery and Servicing Plan for vehicles in relation to that Phase shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London. The details for the final Phase shall also include the development as a whole. Vehicles servicing each Phase shall do so in accordance with the details approved pursuant to this condition, from first occupation in any Phase and shall continue to do so for the life of the development. The approved Servicing Plan may be revised with the written approval of the Local Planning Authority and vehicles serving any Phase that is subject of a revised Servicing Plan approved pursuant to this condition shall do so in accordance with the details approved pursuant to this condition.
- 16) Prior to the first occupation of the development (or within such other time period or periods as has been previously agreed in writing by the Local Planning Authority) the following matters shall be provided in accordance with the approved planning drawings or those drawings subsequently approved:
  - 1) CCTV
  - 2) Traffic signage
  - 3) External cycle stands
  - 4) Pedestrian visibility splays
  - 5) Vehicle access and egress arrangements.
  - 6) Drop-off/pick-up loop dedicated to coaches and taxis
  - 7) Vehicle parking spaces
  - 8) Refuse storage arrangements
  - 9) Courtyard area to the front

These matters shall be provided before any part of the development is occupied and shall be retained for so long as the development remains in existence.

- 17) Prior to the first occupation, a Travel Plan (TP) in relation to the occupiers of all Phases to encourage sustainable modes of transport, including a cycle strategy, shall be submitted to and approved in writing by the Local Planning Authority. The TP shall be in accordance with TfL best practice guidance at the time. The TP shall be implemented fully in accordance with the details approved pursuant to this condition prior to first occupation of each Phase and shall thereafter continue to be implemented in full in accordance with the details approved pursuant to this condition for the life of the development. The TP may be revised with the written approval of the Local Planning Authority and any revised TP approved pursuant to this condition shall be implemented in full in accordance with the details approved pursuant to this condition.
- 18) Prior to the first occupation of the development (or within such other time period or periods as had been previously agreed in writing by the Local Planning Authority) electric vehicle charging points to serve 20% of the car parking spaces, and passive provision for electric vehicle charging points

for a further 20% of spaces shall be provided as specified in the application. These shall be retained for the life of the development.

- 19) Prior to above ground works taking place on each Phase full details of the following for each Phase shall be submitted to and approved by the Local Planning Authority:
- i) External facing materials including sample boards of all facing materials and finishes;
  - ii) Sectional drawings at 1:20 through all typical external elements/details of the facades including detailing of all: doors and windows (including thresholds, cills, lintels and reveals), parapets/eaves, boundary treatments to basement lightwells, junctions between existing and new;
  - iii) Details of proposed replacement canopy and shelter at 1:20;
  - iv) Roof details in plan and section showing the detail of and relationship between plant, extracts and parapets;
  - v) Details of mechanical ventilation systems (where they appear on any of the development's elevations)
  - vi) Details of rainwater goods and service runs
  - vii) Details of cycle parking facilities to the front of the site
  - viii) Details of platform lifts to front of building

Each Phase of the development shall be undertaken and completed in accordance with the approved details prior to first occupation of the relevant Phase.

- 20) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 21) Prior to the installation of any external lighting, a scheme for the night time illumination of the exterior of the buildings, including details of fixtures, fittings and operation, shall be submitted to and approved by the Local Planning Authority in writing. Any night time illumination shall only be installed and completed in accordance with the details approved pursuant to this condition prior to first occupation of the relevant Phase of development and the night time illumination shall thereafter be retained in accordance with the details approved pursuant to this condition for the life of the development.
- 22) Prior to the installation of any food ventilation equipment, details of the equipment including extracting duct, shall be submitted to and approved by the Local Planning Authority in writing, and the equipment shall be installed as approved before the use commences and shall be retained for so long as the development remains in existence.

- 23) The corridor windows on the north-west and north-east elevations shall be obscure glazed. The obscure glazing shall be provided prior to occupation of the building and retained for the life of the development.
- 24) The ground floor rear windows serving the dining hall shall be obscured up to a height of 1.4m from the finished floor level. The obscure glazing shall be provided prior to occupation of the building and retained for the life of the development.
- 25) The windows at -1 lower ground floor level and above on the south-west elevation shall be obscured glazed up to a height of 1.6m from the respective finished floor levels. The obscure glazing shall be provided prior to occupation of the building and retained for the life of the development.
- 26) The ground and first floor windows on the north-west elevation serving the Mews Building (adjacent to Wakefield Gardens) shall be obscure glazed and fixture shut. The obscure glazing shall be provided prior to occupation of the building and retained in this form and fixed shut for the life of the development.
- 27) The function spaces and restaurant/dining areas shall not be open to the public (or hotel residents) except between 06.00 and 23.00 hours and the bar shall not be open to the public (or hotel residents) except between 08:00 and 23:00.
- 28) The gym, restaurant and bar facilities hereby permitted shall be used ancillary to the hotel use only.
- 29) The roof areas of the development hereby permitted shall not be used as a balcony or roof garden for use by hotel guests and no alterations at upper floor levels shall be carried out to create access to it other than for maintenance.
- 30) Notwithstanding the contents of the Town and Country (General Permitted Development) Order 2015 the application premises shall be used for Hotel purposes only and for no other purpose within Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 as amended.
- 31) The development shall be carried out entirely in accordance with the recommendations made within the Environmental Noise Assessment by XCO2 dated February 2018 for 18/00831/FUL (project ref: 8.735).

The noise level from any air handling units, mechanical plant, or other fixed external machinery on any Phase shall be at least 10dB below existing background noise levels when measured from the nearest sensitive receptor.
- 32) The development shall be carried out entirely in accordance with the recommendations made within the Air Quality Assessment by XCO2 dated February 2018 for 18/00831/FUL (project ref: 8.735).
- 33) All new buildings hereby permitted shall be constructed to achieve a BREEAM 'Excellent' rating in accordance with the submitted BREEAM pre-assessment. The approved scheme shall then be provided in accordance with these details. A certificated BREEAM Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, within 3 months of the first occupation of Phase 4.



- 34) The development shall be constructed to achieve a reduction in carbon dioxide emissions of 50% over the Target Emission Rate in accordance with the submitted Energy Statement. Prior to the first occupation of the development full details of the energy and strategy shall be submitted to and approved by the Local Planning Authority.