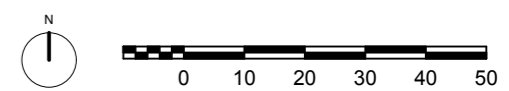




— Site Boundary

Revision	Issued	Issue Title
-	21/12/2016	Planning



**DO NOT SCALE FROM THIS DRAWING**

All measurements given are indicative, on site dimensions must be determined prior to the purchaser manufacture of any components. All discrepancies between indicative dimensions given and those measured on site to be brought to architect's attention.

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DRAWING TITLE:

## Site Location Plan

PROJECT:  
 Croydon Small Sites - Heathfield Gardens

CLIENT: Brick by Brick (Croydon) DATE: 21/12/2016

DRAWING STATUS: PLANNING SCALE: 1:1250 @ A3

Project	Project Stage	Site No.	Drawing No.	Revision
248	2	24	(EX) 001	-

248 2 24 (EX) 001 -

**PART 7. Planning Applications for Decision**

**Item 7.2**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: [16/06514/FUL](#) (*Link to associated documents on the Planning Register*)  
 Location: Land and Garages South West of the Junction Of Heathfield Road and Coombe Road Croydon CR0 1EL  
 Ward: Fairfield  
 Description: Demolition of the existing garages, relocation of existing substation and erection of one three-storey building comprising ten flats and one part three, part four storey building comprising seven flats and 1x3 bed house together with external stores and substation re-provision, car parking, landscaping and other associated works (AMENDED PLANS RECEIVED - BLOCK B REDUCED IN DEPTH, BLOCK A PART-INCREASED IN HEIGHT BY 1 STOREY, 2 ADDITIONAL PARKING SPACES, ALTERATIONS TO LANDSCAPING AND INTERNAL LAYOUTS)  
 Drawing Nos: (EX)001, (EX)010, (EX)011, 211, L-S-001-16141-24-PGA01 PL02, L-S-002-16141-24-PH02 PL01, L-S-003-16141-24-PP03 PL02, 212 01, 101 02, 100 01, 101 01, 102 01, 103 01, 104, 105 01, 106 01, 107 01, 108 01, 109, 200 -0, 201 -0, 202 -0, 203 -0, 206 -0, 207 -0, 208 -0, 209 -0.  
 Agent: Carter Jonas Ltd  
 Case Officer: Richard Freeman

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>
<b>Houses</b>			1
<b>Flats</b>	8	11	

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
30	36

1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received and Cllr Pollard has objected and has referred the application to Planning Committee.

**2 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission subject to:

A: Resolutions to grant planning permission by Planning Committee in respect of applications LBC Refs 16/06491/FUL (Station Road, South Norwood) 16/06508/FUL (Longheath Estate), 16/06505/FUL (Tollers Lane) 16/06514/FUL (Heathfield Gardens)

B: The grant of planning permission (to be determined under delegated powers) in respect of application LBC Refs 16/06469/FUL (Drummond Road)

Should either A or B above not be determined in accordance with the above outcomes, the planning application the subject of this report would be required to be referred to

Planning Committee for reconsideration (specifically around affordable housing delivery – in view of the tranche-wide nature of the affordable housing offer).

- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission, negotiate the legal agreement referred to in condition 1 and impose conditions and informatives to secure the following matters:

### **Conditions**

- 1) Legal agreement to secure the following planning obligations:
  - a) Offsite delivery of affordable housing
  - b) Provision of Travel Plan
  - c) Local employment and training strategy
  - d) Restrictions on selling or letting units with parking spaces, beyond wheelchair units
  - e) Restricting car parking permits associated with the development
  - f) Review mechanism regarding affordable housing delivery
  - g) Delivery of public route through site, to include route and steps to the eastern edge of Spices Yard carpark
  - h) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport
- 2) Development implemented in accordance with submitted drawings
- 3) Details of materials to be submitted and approved
- 4) Detailed design of entrance frames and balcony handrails to be agreed
- 5) Various side facing windows and sides to balconies to be screened
- 6) No windows other than as shown
- 7) In accordance with Lighting Strategy, Noise Report and Air Quality Report
- 8) Landscaping scheme including maintenance strategy to be submitted and approved
- 9) Full details of all proposed land level changes to be agreed
- 10) Noise from air handling units
- 11) Contaminated land assessment to be submitted and approved
- 12) Retention of car and cycle parking spaces in accordance with detailed design to be approved
- 13) Provision of electric vehicle charging spaces
- 14) In accordance with Travel Plan
- 15) Provision of car club space
- 16) Approval of construction logistics plan, low emissions strategy & detailed design of ecology measures
- 17) Provision of children's play space – full details to be submitted
- 18) In accordance with Tree Protection measures
- 19) In accordance with mitigation measures of ecological survey
- 20) Water efficiency
- 21) Sustainable development 35% carbon dioxide reduction
- 22) Approval of detailed design of a surface water drainage scheme
- 23) Development to commence within 3 years of the date of permission
- 24) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

### **Informatives**

- 1) Community Infrastructure Levy (CIL) – Granted
- 2) Details of donor site arrangement

- 3) Removal of site notices
  - 4) Code of practice on construction sites
  - 5) Any other informatives considered necessary by the Director of Planning
- 2.3 That the Planning Committee confirms that it has paid special attention to the desirability of preserving the Listed Building, its setting and any special features of architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.4 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

- 3.1 Demolition of garages and storage and erection of two blocks to provide a total of 19 flats and one attached house.
- 3.2 Block A would be located fronting onto Heathfield Road on an existing communal open space. It would be part three storey, part four storey and accommodate 1 x 1-bed 1-person unit, 6 x 1-bedroom 2-person flats and 5 x 2-bedroom 4-person flats. Communal and ground floor unit entrances would be provided off Heathfield Road behind defensible space and all units would have private outdoor amenity space.
- 3.3 Block B would be located towards the rear of the site, close to the boundary with Spices Yard and properties backing onto South End. It would run parallel to the rear boundary and would also be part three, part four storeys and provide eight units as 1 x 1-bedroom 2-person flat, 2 x 2-bedroom 3-person flats, 4 x 2-bedroom 4-person flats and 1 x 3-bedroom 5-person house. All units would similarly have private amenity space and principal room windows would be located on the south or east facing elevation. Two disabled units are proposed.
- 3.4 30 parking spaces are proposed and existing bin stores would be re-provided, as well as a substation and bike store. A new pedestrian route through the site would be proposed from Heathfield Road to the front of Block B, with the intention to connect to Spices Yard in the future.
- 3.5 24 trees and one tree group have been surveyed either within or immediately adjacent to the site. 12 trees would be lost to the development and 16 replacement trees are proposed.
- 3.6 During the application, amended plans were received with regards to both blocks, increasing the height of Block A and reducing the width of Block B to limit its impact on the adjacent listed building. This reduction in width resulted in changes to the proposed parking layout. Amended plans were re-advertised.
- 3.7 This application has been submitted as part of a wider programme of approximately 50 sites ('Portfolio') across the Borough of Croydon. The applicant has stated that they aim to deliver 1000 residential units of which half are intended to be delivered within affordable housing tenures. Each site is the subject of a separate planning application with the Portfolio divided into tranches. To date, three tranches of applications have

been submitted, which amounts to applications on 28 sites for approximately 540 dwellings of which 235 are proposed as affordable housing tenures.

- 3.8 The affordable housing proposed is not balanced across all sites within tranches and Portfolios with some sites proposing more affordable housing and some less, with developments which are “minors” (which do not require affordable housing provision in policy terms) also proposing some affordable housing. As such, some sites act as “donor” sites in affordable housing terms and others are “beneficiaries” (i.e. they are sites which require affordable housing in policy terms which is being provided off-site or as a mixture of on and off-site).
- 3.9 The site is within Tranche 3. The applicant proposes to deliver 43% of affordable housing across Tranche 3 in accordance with the donor site arrangement summarised above. This development would provide units for market sale or rent with affordable housing being proposed on identified donor sites.
- 3.10 The planning consideration for the donor site arrangement is set out in greater detail below.

### **Site and Surroundings**

- 3.11 The site is located at the junction of Coombe Road (a London Distributor Road) and Heathfield Road (a Local Distributor Road). The existing buildings comprise a three storey flat block with accommodation in the roof fronting the junction, with decorative gables and detailing. An adjacent, less decorative block runs south into the site. A nine storey block is located towards the centre of the site with parking and landscaping surrounding it, including a ball court area. To the south of the site off Heathfield Road are two storey terraced houses with accommodation in the roof, with Spices Yard car park to the rear, accessed off South End. To the west of the site is the rear of properties on South End including the Grade II Listed Boswell Cottages and Grade II Listed Boswell House. A car showroom is also located adjacent to the western boundary. A locally listed building sits at the junction of Coombe Road and South End.
- 3.12 The site drops significantly to the south-west and the buildings off South End are approximately a storey lower than ground level within the site.
- 3.13 The north side of Coombe Road is the edge of Croydon Metropolitan Centre and the site forms part of the Opportunity Area within which the Croydon Opportunity Area Planning Framework seeks to manage significant growth, including for residential purposes. The built form of the wider area is generally two-storey terraced houses fronting on to roads, although there is more variety to the north and on South End where properties are generally in retail use at the ground floor. Part of the surrounding area is a Controlled Parking Zone with residents’ parking spaces and pay and display spaces.

### **Planning History**

- 3.14 The two three storey blocks on the estate appear to have been built between 1900 and 1930, with the taller block and parking added in approximately 1970. The following planning applications are of relevance:

02/00120/PR Provision of children’s play area with associated fencing.

This permission relates to the ball court area near to Block B.

03/00165/PR Provision of additional car parking spaces

Permission was granted for 11 additional parking spaces and has been implemented. The report on the application makes clear that the proposal was not related to an increase in units, but an increased demand for parking. It was calculated that overall parking spaces would remain below one space per unit for the estate.

16/04606/PRE Residential development of between 3 and 9 storeys located around a courtyard, fronting on to Spices Yard.

This pre-application enquiry relates to 39-41 South End, a car showroom immediately to the west of the site. A number of schemes have been shared with the local planning authority, the largest of which has not yet been commented on. All versions of development propose a building running along the site boundary with the Heathfield Gardens site.

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 4.1 There are no protected land use designations on the site and therefore the principle of residential development is acceptable, subject to assessment of other related planning considerations.
- 4.2 An area of communal open space would be reduced by the proposal. Some significant areas of communal open space would still be retained as would the ball court area. This would be acceptable when balanced against the need for housing accommodation.
- 4.3 The proposed development would contribute positively to borough-wide housing targets and alongside other sites coming forward (as part of an overall tranche-wide delivery of housing across the borough) will contribute positively to the delivery of affordable housing across the various affordable housing tenures;
- 4.4 Both buildings would be of acceptable mass and appearance. Whilst Block B would cause some harm to the listed building adjacent, this would be less than substantial and acceptable when weighed against the benefits of providing housing and a new public route.
- 4.5 The layout of development ensures that the proposal would not have an unacceptably detrimental impact on the amenity of the neighbouring residents. Whilst the rear elevation of Block A and the front of Block B would be close to the tower in the centre of the site, the separation distances are adequate to ensure that the impact on light is acceptable given the urban context. Whilst window to window distances would be challenged, units in the existing building generally have a second aspect. On balance this is considered to be acceptable;
- 4.6 The development would provide an acceptable standard of living for future residents of the development in terms of internal accommodation and external amenity space;

- 4.7 Considering the Public Transport Accessibility Level of the site, in planning terms it would be acceptable for the entire estate to be car free. As such, the proposed 30 spaces, mainly re-provision for the existing estate, is considered acceptable.
- 4.8 Some mature trees of value would be lost but the most important ones retained. This would be acceptable, given a replacement planting strategy.

## **5 CONSULTATION RESPONSE**

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 The following were consulted regarding the application:

### **Lead Local Flood Authority (Statutory Consultee)**

- 5.3 Objection to the initially proposed drainage strategy. The strategy has been subsequently amended to address the LLFA concerns. In relation to the amended scheme, the LLFA do not object and are satisfied that a SuDs scheme can be provided on the site through the imposition of planning conditions.

### **Crime Prevention Officer**

- 5.4 No comments received

### **Waste Officer**

- 5.5 Confirmed access arrangements for waste are suitable and specified storage required.

### **Environment Agency**

- 5.6 No objections subject to conditions relating to contaminated land, sustainable drainage and piling methodologies due to the presence of controlled waters in an aquifer beneath the site.

## **6 LOCAL REPRESENTATION**

- 6.1 The application has been publicised by way of 6 site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 30      Objecting: 30      Supporting: 0

No of petitions received: 1 (objecting)      Signatures 65

- 6.2 Following receipt of amended plans, the application was re-advertised. 2 further representations have been received.

- 6.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

- Overdevelopment
- Existing estate already full to capacity

- Adverse impact on setting of listed building Boswell Cottage
- Overlooking, overshadowing and loss of light to existing properties
- Loss of outdoor recreation/green space
- Loss of mature trees
- Loss of car parking space for existing residents
- Exacerbate existing parking problems
- Reduce refuse facilities for existing residents
- Increase in traffic
- Increase in pedestrian traffic
- The footpath will encourage antisocial behaviour
- Increase in noise pollution
- Dust on cars and noise from construction
- Lack of infrastructure for extra houses
- Where will the electricity substation be moved to?

In response to amended plans:

- initial objections still stand
- The revised scheme is an improvement with regard to overlooking of Boswell Cottage
- Solar panels on the roof should be restricted
- No consideration of the security of Boswell Cottage

6.4 6.4 Councillor Pollard made representations (objecting) which are summarised as follows:

- The character of the area would be significantly changed
- The density of the development is inappropriate
- Important amenity space for neighbouring buildings would be removed

## **7 RELEVANT PLANNING POLICIES AND GUIDANCE**

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of quality homes;
- Section 7: Requiring good design;
- Section 8: Promoting healthy communities;
- Section 10: Meeting the challenge of climate change and flood risk;



- Section 11: Conserving and enhancing the natural environment;
- Section 12: Conserving and enhancing the historic environment.

7.3 The strategic and local policies that need to be taken into account as part of the Planning Committee deliberations are as follows:

7.4 Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.6 Architecture
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland

7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.2 Place Making
- SP1.3 Growth
- SP2.1 Homes
- SP2.3 & SP2.4 Affordable homes
- SP2.5 Mix of homes
- SP2.6 Quality and standard of homes
- SP4.1 & SP4.2 Urban design and local character
- SP4.5 Tall buildings
- SP4.13 Protection of heritage assets
- SP5.2 Health and wellbeing

- SP5.3 Protection of community uses
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding
- SP7.4 Biodiversity
- SP8.3 & SP8.4 Pattern of development and accessibility
- SP8.6 Sustainable travel choice
- SP8.12 & SP8.13 Electric charging infrastructure
- SP8.17 Parking outside of high PTAL areas

#### 7.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD1 High quality and sustainable design
- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 parking design and layout
- UD15 Refuse and recycling storage
- UC3 Development proposals in Conservation Areas
- UC9 Buildings on the Local List
- UC10 Historic Parks and Gardens
- RO8 Protecting Local Open Land
- NC4 Woodland Trees and Hedgerows
- EP1 Control of potentially polluting uses
- EP2 and EP3 Land contamination
- T2 Traffic generation from development
- T4 Cycling
- T8 Parking
- H2 Supply of new houses

#### 7.7 CLP1.1 & CLP2

- The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. Policies which have not been objected to can be given some weight in the decision-making process. However, at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

#### 7.8 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- The London Mayoral (Draft) Affordable Housing SPG. This document is currently out for consultation which seeks to provide a more robust, transparent and clear approach to the delivery of affordable housing (both on and off site). The SPG also

recognises a wider range of affordable housing tenures and how the value of these tenures might be maximised whilst ensuring overall affordability for Londoners to either rent a home or purchase a property. Whilst the London Mayor is encouraging all boroughs to adopt the approaches outlined by this draft SPG and it indicates a clear direction of travel, the weight to be afforded to this document is limited at present.

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development and density
2. Affordable housing and housing mix
3. Townscape, visual and heritage impact
4. Residential amenity
5. Living conditions of future occupiers
6. Highway safety and car parking demand and supply
7. Trees and biodiversity
8. Other planning matters

### **Principle of Development and Density**

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised, including providing a variety of housing types and unit mix.

8.3 The site is not subject to any policy designations that should be afforded weight in the determination of suitability of the land for use as residential, although the decision taker needs to also consider other related policies when considering the overall planning merits. As the site is in a predominantly residential area, the principle of further residential development is appropriate. The adopted and emerging local plan and the adopted alterations to the London Plan have challenging housing targets and it is important that the borough maintains its 5-year housing supply and contributes positively to the supply of new housing (across all unit sizes and tenures).

8.4 The building at the rear would be located on existing garages which are not protected. The highway implications of the proposal are discussed below.

8.5 Block A would be located on an area which forms a communal amenity space and open area within the estate. UDP Policy RO8 Protecting Local Open Land states that sites of less than 0.25 hectares that are too small to show clearly on the Proposals Map will be treated as Local Open Land if they meet one or more of the designation criteria outlined in supporting text to Policy RO8. Whilst the site overall is more than 0.25 hectares, the front plot of land is not. Of the designation criteria, it could be argued that the site could fall under criteria: e) open land in the area of the Borough with residential densities of more than 150 habitable rooms per hectare because of their amenity value, being situated in heavily built-up areas h) sites with valuable functions such as amenity, sports, recreation or kick-about areas, or allotments; or j) open land within or on the edge of the built-up area which adds character to the fabric of the urban area.

- 8.6 In terms of the above criteria, whilst it is acknowledged that the site is of some amenity value, its value is relatively limited in view of the relationship of the existing buildings to the area of grass at the front of the site and some noise and disturbance caused by the close proximity of a busy highway. Developing this area of the site however would result in some loss of amenity value to local residents. However, over 850m<sup>2</sup> of open space would be retained around the existing and proposed block at the front of the site and the existing ball court would not be affected by the proposal. Additionally, three urban parks are within a 20 minute walk of the site. On balance, therefore, whilst some loss of amenity would result from the proposal, this would be acceptable given the existing good provision and availability of alternatives.
- 8.7 Table 3.2 of the London Plan and the related Policy 3.4 deals with density of development (linked to PTAL levels). The policy suggests that an urban area such as this should be developed at densities of between 200 and 700 habitable rooms per hectare. The proposed density would fall at the very lowest end of this bracket, at approximately 210 habitable rooms per hectare. The existing estate appears to have a density of approximately 250 habitable rooms per hectare, although it should be noted that this includes the existing 9 storey tower. The existing and proposed together would have a density of approximately 470 habitable rooms per hectare – around the mid-point of the London Plan’s density matrix. The density of the development falls within the range of the London Plan and is considered appropriate given that most the surrounding area consists of low rise buildings.
- 8.8 20 units are proposed, which includes one 3-bed 5-person house and nine 2-bed 4-person flats. Therefore half the accommodation could be suitable for families, resulting in an acceptable housing mix.

### **Affordable Housing and Housing Mix**

- 8.9 The provision of affordable housing is a necessary pre-requisite to providing a diverse variety of homes that meets a range of housing needs. All major schemes should provide affordable housing and where the maximum policy compliant affordable housing level is not 50%, a viability appraisal should be undertaken to justify the more limited levels proposed. CLP Policy SP2 makes a presumption, outside of the Metropolitan Centre, that affordable housing will be delivered on site. However, the London Plan envisages that there may be circumstances where affordable housing is provided off-site as part of a donor site arrangement where it allows for the delivery of higher levels of affordable housing, or other benefits. Overall the London Plan acknowledges that it may be necessary for a flexible approach to be taken towards the provision of affordable housing to encourage residential development.
- 8.10 The applicant has so far submitted 28 planning applications across the Borough, seeking to deliver an ambitious and progressive housebuilding programme (including the delivery of significant levels of affordable housing) across the Portfolio and has indicated that it intends to deliver these schemes across a series of tranches. The applicant has confirmed their intention to adopt a donor site arrangement across the Portfolio to deliver affordable housing, with the sole purpose to maximise the amount of affordable housing that can be delivered across each tranche. This approach can be supported if it secures the delivery of more affordable housing than the normal policy approach.

8.11 This site forms part of Tranche 3 which comprises of 6 sites, all of which are “major” developments requiring up to 50% affordable housing, subject to viability. The sites in Tranche 3 are as follows:

Applicant’s affordable housing proposal – Tranche 3		Proposed tenure			
Application Number	Name	Private units	Affordable Rent units	Shared Ownership units	Total No of Units
16/06505/FUL	Tollers Lane	22	0	18	40
16/06514/FUL	Heathfield Gardens	20	0	0	20
16/06512/FUL	Auckland and Sylvan Hill	38	0	19	57
16/06508/FUL	Longheath Estate	0	24	29	53
16/06469/FUL	Drummond Road	28	0	0	28
16/06419/FUL	Station Road, South Norwood	14	0	0	14
	TOTAL	122	24	66	212

8.12 As all the sites in Tranche 3 are major sites, the total maximum amount of affordable housing that policy would require would be 106 units, of which 64 would be affordable rent accommodation and 42 would be shared ownership.

8.13 Affordable housing policy makes clear that the delivery of affordable housing should consider site viability considerations to ensure that affordable housing requirements do not result in schemes overall being undeliverable (in viability terms). In such circumstances, it can be acceptable to deliver less than 50% affordable housing (including delivery of an alternative affordable tenure mix).

8.14 The schemes were reviewed by an independent viability consultant. This concluded that, after considering several different factors and contingencies, the sites might well be able to support the following provision of affordable housing at a policy compliant mix (60:40 in favour of affordable rent):

Viable levels of affordable housing – Tranche 3		Proposed tenure			
Application Number	Name	Private units	Affordable Rent units	Shared Ownership units	% Affordable provision
16/06505/FUL	Tollers Lane	35	3	2	13%
16/06514/FUL	Heathfield Gardens	20	0	0	0%
16/06512/FUL	Auckland and Sylvan Hill	14	26	17	75%
16/06508/FUL	Longheath Estate	22	19	12	58%
16/06469/FUL	Drummond Road	28	0	0	0%

16/06419/FUL	Station Road, South Norwood	14	0	0	0%
	TOTAL	133	48	31	37%

8.15 The applicant has challenged several the assumptions that informed this independent review, including the value of affordable rent units, existing land values and the final sales values. Notwithstanding the applicant's concerns, officers consider that the review output is a reasonable position and should not be as easily discounted. However, as with all such exercises, there are several assumptions made which are invariably open to interpretation and further analysis (especially where sales values and land values are difficult to determine, with general lack of comparables). In this instance, there is a fair degree of uncertainty, as some of the sites are in locations where there have not been a high number of sales of comparable units to use to benchmark valuations. Consequently, whilst officers are broadly content at this stage to accept the applicant's viability case, with such uncertainty, it is recommended that a review mechanism be utilised to allow for a review of the scheme viability at the point of commencement, to determine whether there is scope to either increase the level of on-site delivery and/or to modify the mix of affordable housing accommodation to bring delivery closer to the 60-40 affordable housing split (in favour of affordable rent) as envisaged by policy.

8.16 Notwithstanding the applicant's concerns, the independent viability review has demonstrated significant differences in levels of viability for the different sites, based in part on their location, site constraints and the prices which tend to be achieved in the local area. It shows that some sites could support a fair amount of affordable housing and half could not support any. The appraisal shows that some sites could support more than 50% affordable housing which, if considered individually as opposed to as a tranche would not be necessary in policy terms. Therefore taking viability and the maximum policy position into account, the amount of affordable housing which the sites could support, if assessed individually as opposed to as a tranche, would be 36 units of affordable rent and 23 units of shared ownership, which would equate to an average of 28% affordable housing (across the major applications).

8.17 Taking this information, it can be compared against the applicant's tranche-wide affordable housing offer.

Name	Affordable rented units	Shared ownership units	Total affordable units	% Affordable provision
Viable major sites (capped at 50%)	36	23	59	28
Tranche-wide offer	24	66	90	43

8.18 Whilst the tranche-wide approach would deliver 12 fewer affordable rent units and would be reliant on delivery across a range of donor sites, it would also result in an additional 31 affordable housing units overall (although all of this uplift would be shared ownership tenures rather than affordable rent tenures). This would represent a 50% increase over and above what would be expected for the major applications (albeit with a very different tenure split).

- 8.19 It is considered that this increased supply of shared ownership affordable housing would meet an identified need for affordable accommodation and would go some way towards meeting the affordable housing requirements set out in the development plan and as such, the supply of an additional 31 shared ownership units would outweigh the deficit of 12 affordable rent units.
- 8.20 The donor sites in Tranche 3 are spread throughout the Borough and support the delivery of “mixed and balanced communities” which is one of the objectives of the London Plan policy requiring on-site delivery. The applicant has demonstrated on a Ward by Ward basis that the provision of shared ownership tenure accommodation would be desirable, especially as shared ownership tenures are under-represented in the application areas. The Longheath scheme, which would provide most of the affordable units would have the units spread out throughout an estate and would include a good proportion of shared ownership units, which could over time become private for sale units (following potential stair-casing) adding to the tenure mix of the local area.
- 8.21 This method of delivery of affordable housing is innovative and demonstrates a flexible approach to securing affordable housing which is supported by the London Plan. Whilst it is not fully in accordance with the provisions of the development plan, off site affordable housing provision is anticipated by planning policy documents. Taking this approach would facilitate a significant uplift in affordable housing delivery, over and above standard policy requirements. These benefits of a tranche-wide, donor site approach to affordable housing provision in this case (being the provision of an amount of affordable housing above policy requirements, a demonstration that the maximum viable amount and mix of affordable housing on major sites is being secured and that this approach allows sites to be developed that would otherwise be unviable) would outweigh any harm caused by the failure to deliver affordable housing on a site by site basis. Subject to the use of a subsequent viability review (prior to commencement of development), officers find the approach proposed by the applicant to be acceptable.
- 8.22 As the applicant currently has no ownership interest in the land the subject of this proposed development, it is recommended that a planning condition be imposed preventing any development from taking place on site unless and until all parties with a legal interest in the land (including the applicant) have been joined as parties to a legal agreement under S.106 of the Town and Country Planning Act 1990, with specific covenants specified to prevent occupation of a percentage of private sale units on site until such time as prescribed levels of on and off site affordable housing across Tranche 3 have been completed and are available for occupation/hand-over. The required heads of terms (including the requirement for a viability review) will be set out within any condition. This recommended approach (using a planning condition to require a later S.106 Agreement to be completed) has been successfully tried and tested by the London Legacy Development Corporation in relation to sites near the former Olympic Stadium and a similar approach was recommended by your officers in relation to the College Green/Fairfield Halls submission, which was accepted by the Planning Committee in February 2017. This approach will ensure that this important tranche of developments and the significant amount of affordable housing will be delivered.
- 8.23 Planning applications have been submitted for all sites within Tranche 3. Four applications are being reported to Planning Committee concurrently, with others proposed to be determined under delegated powers or at a later Planning Committee. The affordable housing analysis set out above covers all the sites in the tranche, so

should an application be refused by Planning Committee or under delegated powers, the figures above would change. The RECOMMENDATION to Committee sets out a mechanism for reporting applications back to the Committee, should this be necessary.

### **Townscape, Visual and Heritage Impact**

- 8.24 The overall estate layout is a frontage block to the junction of Coombe Road/Heathfield Road, with a similar block running along the western site boundary, with a nine-storey tower in the centre.
- 8.25 The proposed block layout follows the urban form to the extent that it continues the line of the block running along the western site boundary and continues the frontage block to Heathfield Road. As such, the overall estate layout is supported in terms of townscape. It is noted that blocks would be near the existing tower and the site boundaries. The proximity to the tower would be no closer than the relationship of the two existing blocks, although those present a flank to a front elevation. In terms of urban grain this relationship however is acceptable – residential amenity impacts are discussed below.
- 8.26 The massing of the amended blocks is as part three and part four storeys. The existing buildings are four and nine storeys in the estate and three storeys to the south east. Buildings off South End vary between single and three storeys. There is therefore significant variation in height in the area. The massing of Block A and the step in the block provides a transition from the three storey terraced houses to the four storey flats. With a flat roof, the proposal would sit below the height of the feature corner block, which is considered appropriate. The rear Block B would be three and four storeys, with the taller section located further away from the existing four storey building. This massing and the gap between the buildings would provide visual relief and would ensure that the proposal would not become an unrelieved mass of development with the existing building. The massing is therefore considered appropriate.
- 8.27 As set out in the history above, a pre-application enquiry has been received with regards to the site to the west, currently occupied by a car showroom. A number of schemes have been submitted for review, although the largest of these, ranging from 3 to 9 storeys, has not been commented upon. All versions of the scheme propose a building running along the communal boundary, in a similar orientation to Block B. These two building would be close together and would potentially create an area with a dense urban form. Considering the location of the site within the Opportunity Area and an area of high Public Transport Accessibility, in close proximity to the Metropolitan Centre, this is not considered to be unacceptable in townscape, urban grain and massing terms. As such, the proposal would not prejudice the neighbouring site.
- 8.28 The detailed design of the blocks references buildings in the local area in terms of the proposed brick colour and the use of terracotta tiles at entrances in a similar detail to the existing building entrances on the estate. The design is understated with an irregular pattern of windows which complements the modern appearance of the block and contrasts with the local area. A linear feature of brickwork between floors emphasises the horizontality of the block and ties the building together, balancing the irregular window openings. The flat roofs complement the modern appearance of the proposal and ensure that Block A does not compete, in terms of height, with the more decorative building to the north, or the house to the south. Individual entrances on to Heathfield Road create interest at street level, a sense of activity and a sense of rhythm



which is similar to the houses to the south. The proposed brick colour would be acceptable and the development would add to the interest of the streetscene.

- 8.29 Block B would be near to the listed Boswell Cottages. These cottages include a side mews which relates to the historic use of the building. The setting of the building and mews is protected by their listing and includes the open character of the mews, when viewed from South End. Whilst this is partially interrupted by the existing tower and garages, it adds significantly to the setting and special interest of the building.
- 8.30 The originally proposed width of Block B would have visually enclosed the courtyard to an extent that the built form would have merged with the cottage and changed the setting of the building significantly. The amended drawings have reduced the width of Block B so that the side elevation is now well beyond the plot boundary to Boswell Cottages. The impact has therefore been significantly reduced. A bin store is proposed in this location and the amended substation and bike store would also be close by. A condition on detailed design and layout of this area is proposed to manage this impact. These elements of the proposal would have an impact on the designated heritage asset but the harm would be less than substantial. Paragraph 134 of the National Planning Policy Framework sets out that less than substantial harm to a designated heritage asset could be acceptable when weighed against the public benefit of a scheme. In this instance, the proposal would enable housing delivery and meeting of the Borough's housing targets. It would also enable affordable housing delivery on other sites by taking a tranche wide approach to affordable housing. In addition to these benefits, the public benefit of providing a public route through the site is considered necessary to ameliorate the harm identified above. The applicant has indicated that they intend to deliver the connection to Spices Yard later as part of a separate proposal. It is recommended that this route be secured as part of this application to provide a benefit to residents of the local area to outweigh the harm to the setting of the listed building. Conditions and Heads of Terms are recommended to secure this

### **Residential Amenity**

- 8.31 Block A broadly follows the building line of the existing frontage block to the north. As such, the block would be appropriately sited. There are a number of small windows in the side elevation of the block to the north, however these are small and appear to be secondary. They are located over 21m from the flank elevation of the proposal. The house to the south has a number of side facing windows. Its main orientation was originally east-west, to address the road, but alterations have occurred, including the installation of a large bay window facing north, towards the site. This window would be located off the boundary and due to its projecting nature, light and outlook would be available to the side. The rear elevation of the main front section of the house would be overlapped by the rear elevation of the proposal by approximately 3m. However, with a separation distance of 3.5m, a route and boundary treatment between them, and given the orientation to the north, the impact of this is considered to be acceptable.
- 8.32 The window to window separation distance from the existing tower and Block A is approximately 13m. This is closer than is typically found in the local area where the relationship includes habitable room windows. The existing tower has one large window located in the northern section of the facing elevation. Due to its location, it would be opposite the northern end of Block A which contains a bedroom window and a balcony area. As such, some overlooking would occur between the window and the proposed block. Given the urban setting of the site, in the Opportunity Area and just beyond the edge of the Metropolitan Centre, some degree of overlooking is expected.

Whilst this is a negative element of the scheme, it is on balance considered to be acceptable given the site context and as the unit affected would have outlook in other directions, including a balcony on a flank wall which would not be affected. The ground floor window facing the proposed Block A would have a level of daylight slightly below the guidance recommended by the BRE, having 0.7 times the former amount of daylight, when the recommended amount is 0.8 times the former amount. This reduction below the standard is considered to be minimal and it is noted that the window would currently enjoy very good levels of daylight, so the reductions would be from a high starting point. On balance, the impact of Block A on the tower is considered to be acceptable.

- 8.33 Block B would be 14m from the opposite side of the tower, although due to the orientation this would increase to 17m. This proposed block would be lower due to the land levels of the site, with a parking court and route in between, which would result in some levels of activity between the blocks. The impact on privacy is therefore not considered to be as great as Block A, although it is noted that there are more windows which face the Block. The majority of the windows would be to the north of the proposed block, including the balcony for the units which face the block and so there would not be direct overlooking between windows. The more southerly section of the block is recessed and most of the windows are located in the south elevation and would not be affected by the proposal. The impact on these units in the existing block is therefore considered acceptable. Only two windows in the elevation of the block fail daylighting tests, with one due to its recessed nature on a balcony. The other window would be 16m from the block and the element impacting it would be at an angle to the south. The daylight level, at 0.77 times the former amount is only marginally below the BRE guidance.
- 8.34 In conclusion, the proposal would have some impact on residential amenity of existing occupiers, primarily an impact on the privacy to a small number of windows located in the existing tower. This is on balance considered acceptable given the urban nature of the site and that the units affected have outlook or principal room windows located on other elevations of the building not significantly affected by the proposal. The impact in daylight and sunlight terms is generally acceptable with a very minor number of transgressions, and so similar to what would normally be found in an urban area. The proposal would

### **Living Conditions of Future Occupiers**

- 8.35 Policy SP2.6 requires that all new homes meet the needs of the residents over a lifetime by achieving the minimum standards set out in the Mayor of London's Housing Supplementary Planning Guidance. The Nationally Described Space Standards (NDSS) provide minimum technical space standards for new dwellings in terms of the internal amenity space. All the proposed units meet the minimum required internal space standard.
- 8.36 The Daylight/Sunlight Report states that in terms of daylight all units would have an acceptable level of daylighting. Some units would receive less sunlight than standards suggest should be achieved, but this is generally with regards to block orientation which follows the urban grain of the area.
- 8.37 The rear elevation of Block B would be 1.5m from the boundary with the car showroom to the rear. It has been designed with circulation space and non-habitable rooms facing the boundary as it is likely that the site could be developed at some point in the future.

The lack of primary windows ensures that the development of that site would not be prejudiced and ensures adequate amenity to the proposed units. Ground floor amenity space and rear facing balconies to three units could be overshadowed by a future building. The balconies are located at the point at which the building cranks, so even if a building were developed on the opposite side of the boundary, some relief would be available in terms of outlook to the north. Both these balconies and the ground floor amenity space would be affected but given the provision of communal space within the site and that the site falls within the Opportunity Area where high density urban living is anticipated, overshadowed private amenity space to a small number of units is not considered significant enough to refuse planning permission for the scheme or prejudice the development of the adjacent site in a suitable fashion.

- 8.38 As regards external amenity space, the London Housing SPG states that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an additional 1 sqm added for each additional occupant. UDP Policy UD8 requires development proposals to provide residential amenity space to be considered as an integral part of the design of the overall development concept. Each unit has a separate garden, courtyard or balcony which accords with the required space standard.
- 8.39 A Contaminated Land assessment has been undertaken and assessed. The submitted report was based on only partial site investigations so further studies are necessary, which can be secured by condition. The investigation also found contaminants present so a remediation strategy will be required, which can also be secured by condition.

## **Highway Safety and Car Parking Demand and Supply**

### Access

- 8.40 The number of trips expected to be generated by mode by the proposed scheme has been calculated using a combination of trip databases TRICS and TRAVL together with 2011 Census information. The trip generation analysis has indicated that the proposed scheme would generate a moderate level of vehicular traffic in the peak periods: 15 car trips in the AM peak and 14 in the PM peak. This would equate to a one vehicle every four minutes during the peak hours. Vehicle movements would be less frequent outside of peak hours. This level of trip generation is expected to be able to be accommodated within the existing highway network.
- 8.41 Vehicular access would be provided in the same manner as existing which is considered acceptable. Pedestrian access is available at each vehicular access which is appropriate.
- 8.42 The proposal includes a new pedestrian route along the southern edge of the site to Block B, with potential to be connected to Spices Yard. The applicant has indicated that their potential intention to bring forward a development on Spices Yard which would deliver this route. It is considered that the route, at least in temporary form, should be delivered as part of this development. The proposal would result in an increase in residents. They and current occupiers, are likely to wish to use South End services and the route would provide a significant short cut. The provision of a public route would also be of benefit to the wider public, reducing the size of a currently impermeable urban block significantly. The blocks have been designed to overlook the route and ensure that it would be safe, which would be satisfactory. The currently proposed route terminates at Block B. A sketch of how it could be continued, which would require some works to the wooded area to the south of the site, use of some of

that land and the installation of a set of steps, has been produced. A condition and Heads of Terms are recommended to secure the provision of this as a route prior to occupation of this development to secure a public amenity improvement, the need for which is discussed above.

- 8.43 A preliminary Construction Logistic Management Plan has been submitted with the application. As the development is at planning application stage, a contractor has not yet been appointed and the applicant has not been able to provide full details of site layout and management or the numbers or timing of deliveries. Prior to the appointment of the Principal Contractor a Construction Management Plan should be developed alongside the pre-commencement Health and Safety Information (PCI), also required by the Construction (Design and Management) regulations 2015 (CDM 2015).

### Parking

- 8.44 The area forms part of a controlled parking zone and is located within an area with a public transport accessibility level (PTAL) rating level of 6a which is considered to be highly connected, with 6b being the highest level. As such, it would be appropriate in planning policy terms for the entire estate to be car free. This would however have some impact on the residential amenity of existing occupiers. The proposed development would be car free apart from two disabled parking spaces for wheelchair units. As such, 28 spaces would be available for existing residents. There are currently 27 spaces available within the estate. The proposal represents a slight increase in provision of parking spaces. Controls are recommended to ensure that future residents cannot purchase or rent a parking space (except for disabled spaces) or apply for parking permits.
- 8.45 There are 20 existing garages on site which would be removed. These garages are not modelled on the current optimal car dimensions and are less than 5m deep and/or 2.8m wide and are therefore likely to be too small to be used for the parking of modern vehicles although it is possible that several vehicles do park in them.
- 8.46 A parking stress survey has been undertaken for both the site and the wider area. This concluded that all existing spaces on the site were normally occupied but that 11 pay and display/residents parking spaces on street were available at times of peak stress.
- 8.47 The proposal would result in a similar number of parking spaces being available as currently. Whilst garages would be lost, considering the very high level of public transport accessibility and some parking availability on street this would be acceptable. The proposed development would be marketed as being car free, with a Green Travel Plan to reduce use of private cars. Conditions and Heads of Terms are recommended to secure this along with restrictions on residents of the new development applying for residents permits.
- 8.48 The London Plan cycle parking standard for residential development is one space per one bed units and two spaces per unit for all other dwellings resulting in a requirement of 32 spaces. A condition is recommended to secure these spaces.

### **Trees and Biodiversity**

- 8.49 The Arboricultural Report identifies that there are 24 trees on the site and one tree group. These trees range from Category A to Category U, including two A Grade trees and six B Grade trees. The proposal would result in the loss of 12 trees including two

B grade trees. Development would impinge on four Root Protection Areas including one Category A tree, T2 a lime at the front of the site, and two Category B trees.

- 8.50 Tree officers consider that the only tree of high value which would be significantly affected by the proposal is tree T2, which is to be retained but crown reduction would be required due to the proximity to Block A and works would occur within its Root Protection Areas. These impacts would however be acceptable subject to conditions relating to construction management so the impact on the tree from construction and location of the block is considered likely to be acceptable.
- 8.51 Beneath the tree are a number of parking spaces. Pressure for it to be felled in the future could result from sap and leaves dropping on cars. Whilst it would be preferable for parking to not be located beneath its canopy to reduce demand for future felling of the tree an appropriate balance between this issue and retention of existing amounts of parking needs to be struck so the parking beneath the tree is on balance acceptable. 16 replacement trees is considered appropriate for the loss of 12 trees. A condition is recommended to ensure their located enhances privacy to ground floor windows whilst not reducing outlook further.
- 8.52 An Ecological Assessment has been submitted with the application. It has identified some potential for bat roosting in T2 and trees to the south of the site, although the potential is low. A further survey is proposed prior to crown works to tree T2 and three artificial bat habitats. These are considered to acceptably manage the risk of impact on protected species. Other habitat creation is also proposed in the form green roofs, meadow grassland planting, bird and bat nesting features, invertebrate hotels, brashpiles and “hogitats” (hedgehog homes).

## **Other Planning Matters**

### Flood Risk

- 8.53 The site is located within Flood Zone 1. A Flood Risk assessment has been undertaken which concludes that the scheme is at low risk of flooding from all sources.
- 8.54 To ensure that the proposed scheme does not detrimentally affect surface water flood risk in its local drainage catchment a drainage strategy is proposed that will implement forms of SuDS appropriate to site specific constraints.
- 8.55 The Lead Local Flood Authority (LLFA) initially raised an objection to the originally proposed scheme which did not provide sufficient information to demonstrate that the proposal would not cause surface water drainage concerns. The drainage strategy has therefore been amended and the LLFA has removed their objection. The overall strategy proposed is to use green roofs, permeable paving beneath some parking to connect to subterranean tanks to control water flows prior to connection to the existing surface water infrastructure. It is noted that there are opportunities with block A to make use of the retained communal open space to keep water at ground level and integrate it into the landscaping to provide flow control, amenity and water quality benefits prior to being stored in a tank and discharged to the sewer network. A condition requiring full details of the SuDS system is recommended, which can ensure that the above option is fully investigated.

## Energy Requirements

- 8.56 The applicant has submitted an Energy Statement and Sustainability Statement which outlines that sustainable design and energy management measures can be incorporated to meet the requirements of Policy SP6 and achieve a reduction in carbon emissions over Building Regulations 2013 by 35%. Energy use would be minimised through demand reduction and passive measures such as high levels of insulation and high efficiency glazing and the use of natural ventilation, with solar panels and other measures as required and controlled by a condition relating to detailed design.
- 8.57 A Low Emissions Strategy would be required with regards to emissions during construction and air quality and to ensure that vehicles generated by the development do not contribute significantly to air quality issues.

## Community Infrastructure Levy

- 8.58 The development would be CIL liable. The levy amount has been calculated to ensure that the development contributes to meeting the need for physical and social infrastructure, including educational and healthcare facilities.

## **Conclusions**

- 8.59 It is recommended that planning permission should be granted.
- 8.60 The scheme maximises the housing potential of the site (including the delivery of a high level of family housing and off-site affordable housing) in a fashion which is considered acceptable. Some harm would occur to heritage assets but this would be less than substantial which the NPPF advises is acceptable if there is a public benefit to the scheme. Some impact on residential amenity would also occur regarding the reduction in open space and separation distances between properties. On balance this is considered acceptable given the urban grain of the area and the orientation of the proposed and existing blocks. Whilst the loss of landscaped spaces and mature trees is acknowledged, the scheme provides a new children's play space and retains wide green verges which would be enhanced by replacement trees and soft landscaping. W
- 8.61 Whilst residents' concerns about parking and highway safety are noted, officers are satisfied that a robust Transport Assessment has been provided which demonstrates that there is adequate available on-street parking in the surrounding area and mitigation measures, including a new car-club space can be secured by condition.
- 8.62 All other relevant policies and considerations, including equalities, have been taken into account.