

Planning Committee Agenda



To: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Luke Clancy, Bernadette Khan, Jason Perry, Joy Prince, Wayne Trakas-Lawlor, Susan Winborn and Chris Wright

Reserve Members: Jeet Bains, Simon Brew, Richard Chatterjee, Patsy Cummings, Sherwan Chowdhury, Pat Clouder, Steve Hollands, Shafi Khan, Maggie Mansell and Manju Shahul-Hameed

A meeting of the **PLANNING COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 5th October 2017 at the rise of Planning Sub-Committee but no earlier than 6:30pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
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26 September 2017

THIS MEETING WILL BE WEBCAST LIVE - Click on link to view:

<https://croydon.public-i.tv/core/portal/home>

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact MARGOT ROHAN, as above.

To register a request to speak, please either e-mail Planning.Speakers@croydon.gov.uk or call MARGOT ROHAN by 4pm on the Tuesday before the meeting.

N.B: This meeting will be paperless. The agenda can be accessed online via the mobile app: <http://secure.croydon.gov.uk/akscroydon/mobile> - Select 'Meetings' on the opening page

AGENDA - PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee

2. Minutes of the meeting held on Thursday 21st September 2017 (Page 1)

To approve the minutes as a true and correct record.

3. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency

5. Development presentations (Page 9)

To receive the following presentations on a proposed development:

5.1 17/02952/PRE 17-21 Dingwall Road, Croydon CR0 2NA Residential-led redevelopment of site to provide approx 172 units in two blocks ranging in height from 8 to 21 storeys above ground level, with commercial use at ground and first floor level fronting onto Dingwall Road
Ward: Fairfield
Recommendation: Grant permission

6. Planning applications for decision (Page 27)

To consider the accompanying reports by the Director of Planning & Strategic Transport:

6.1 17/02795/FUL 29 Russell Hill, Purley CR8 2JB

Alterations, erection of single/two storey rear extension, dormer extensions in front and rear elevations and conversion to form 5 two bedroom and 4 one bedroom flats. Provision of associated parking, cycle and refuse stores

Ward: Purley

Recommendation: Grant permission

6.2 17/03241/FUL 60 Outram Road, Croydon CR0 6XE

Demolition of existing dwelling : erection of a two storey building with accommodation in roof level and basement comprising 4 two bedroom and 2 one bedroom flats: formation of associated access, 3 parking spaces, integrated cycle storage and refuse store.

Ward: Addiscombe

Recommendation: Grant permission

6.3 17/02998/FUL 23 Tavistock Road, Croydon CR0 2AL

Erection of four storey building at rear to provide 8 two bedroom and 1 one bedroom flats

Ward: Fairfield

Recommendation: Grant permission

6.4 17/04278/FUL 13 Tindale Close, South Croydon CR2 0RT

Erection of single/two storey front/side/rear extensions and alterations for subdivision into a pair of 4 bedroom semi-detached dwellings

Ward: Sanderstead

Recommendation: Grant permission

7. Items referred by Planning Sub-Committee

To consider any item(s) referred by a previous meeting of the Planning Sub-Committee to this Committee for consideration and determination:

There are none

8. Other planning matters (Page 75)

To consider the accompanying report by the Director of Planning & Strategic Transport:

8.1 Lombard House, 2 Purley Way, Croydon, CR0 3JP

Deed of Variation to the affordable housing provision in the s106 agreement attached to permission 15/01236/P for Demolition of existing buildings; redevelopment of site to provide new buildings ranging from three to six storeys in height comprising 32 one bedroom, 48 two bedroom,

13 three bedroom and 3 four bedroom residential units and 2,296sqm of commercial floorspace (within class B1a & B1c) provision of associated parking, open space and landscaping
Ward: West Thornton

9. Exclusion of the Press & Public

The following motion is to be moved and seconded as the "camera resolution" where it is proposed to move into part B of a meeting:
"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended"

AGENDA - PART B

None

Planning Committee

Meeting held on Thursday 21st September 2017 at 6:30pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES - PART A

Present: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Richard Chatterjee, Luke Clancy,
Bernadette Khan, Jason Perry, Manju Shahul-Hameed, Wayne
Trakas-Lawlor and Susan Winborn

Also present: Councillors Maria Gatland and Andrew Pelling

Absent: Councillors Joy Prince and Chris Wright

Apologies: Councillors Joy Prince and Chris Wright

A147/17 Minutes of the meeting held on Wednesday 6th September 2017

RESOLVED that the minutes of the meeting held on Wednesday 6 September 2017 be signed as a correct record.

A148/17 Disclosure of Interest

There were no disclosures of a pecuniary interest not already registered.

A149/17 Urgent Business (if any)

There was none.

A150/17 Development presentations

A151/17 Planning applications for decision

6.1 16/05434/FUL 236 Selsdon Road, South Croydon CR2 6PL

Demolition of existing buildings. erection of three storey building comprising 2 studio, 5 one bedroom and 2 three bedroom flats. Formation of associated access and provision of parking
Ward: Croham

The Committee queried how it would be ensured that high quality art work would be delivered and were informed by officers that it was intended that old brickwork would be salvaged and used within the art work to create a relief of a train. Officers assured the Committee that details of the art work would be secured as it was important to ensure that the work was a high standard. It was further agreed that ward councillors could be involved in an advisory form when assessing the art work proposals.

Mr Rob Turner (Senior Land Manager, Turnbull Land) spoke in support of the application, and the principle issues raised were:

- That the massing of the development would remain the same as the current building;
- The design and scheme had been revised and improved with London stock brick to be used;
- The scheme would acknowledge the historic importance of the area and the art work would be of subtle design and made out of blended and sculptured brickwork; and
- The development would positively contribute to the street scene.

Councillor Maria Gatland, ward Member for Croham, spoke in objection on behalf of local residents and the principle issues raised were:

- The amendments to the proposal were minor only;
- Regret the loss of a locally listed house that features in publications on the history of the local area;
- Small narrow site and the proposal would led to overdevelopment;
- The development would change the character of the local area which was predominantly Victorian;
- Speed of traffic in the local area was a concern and providing a further exit from the site would cause further problems; and
- Parking stress was experienced in the local area and the provision of four parking spaces was not sufficient.

The Director of Planning and Strategic Transport reassured the Committee that officers had adequate experience on identifying and commissioning public art. Officers would work closely with the developers to ensure that a piece of work was commissioned that would be a positive contribution to the local area.

Some Members felt that the loss of a locally listed building should be resisted. Furthermore, while it was felt that the design had been improved it still remained too large and would cause further highways issues at a busy junction. Concerns regarding the public art were also raised and it was suggested that a permanent display detailing the history of the site would be more appropriate.

In response to Member questions, officers confirmed that the building was currently occupied.

The Chair stated that the Committee should look to protect locally listed buildings but that the building, in this case, had undergone significant changes since being built and so the heritage value had been degraded.

It was stated by some Committee Members that the development of eight homes on the site was sustainable, particularly as there would be two 3 bedroom flats provided which could be inhabited by families. It was further stated that, while it would be preferable for 1:1 parking spaces to be provided, 50% was sufficient. It was felt by some Councillors that the design had been improved with the introduction of London stock brick and the public art.

After consideration of the officer's report, Councillor Jason Perry proposed and Councillor Richard Chatterjee seconded **REFUSAL**, on the grounds of overdevelopment, size and massing and the loss of a historic building, and the Committee voted 4 in favour, and 6 against, so this motion fell.

The Committee then voted on a second motion for **APPROVAL**, in support of the officer's recommendation, proposed by Councillor Paul Scott and seconded by Councillor Manju Shahul-Hameed, 6 in favour and 4 against, so planning permission was **GRANTED** for development at 236 Selsdon Road, South Croydon CR2 6PL, subject to a legal agreement.

6.3 17/03118/FUL 176 Pampisford Road, South Croydon CR2 6DB

Demolition of existing dwelling and erection of 2 storey building with accommodation within the roof space, containing 1 x 3 bed, 2 x 1 bed and 6 x 2 bed apartments with associated parking and vehicular access off of Blackford Close

Ward: Purley

In response to Members' questions officers confirmed that whilst the proposed development would be the fourth development with access via Blackford Close, the road was quiet and had a natural curve which facilitated in ensuring drivers did not speed.

Officers confirmed, in response to Member questions, that the street tree would remain and a full landscaping scheme had been submitted and was considered by officers as satisfactory.

Mr Barry Hillman (Hillman Design) spoke as the agent, on behalf of the applicant, and the principle issues raised were:

- That amendments to the scheme had been made following officer requests at the pre-app stage;
- There was current a brick wall and railing at the front of the property and it had been requested that this was removed; and

- The site was situated between two similar developments and the proposed development had been designed to be in keeping with the street scene.

Councillor Andrew Pelling, ward Member for Waddon (adjoining ward), spoke in objection on behalf of local residents and the principle issues raised were:

- That the cumulative effect of the developments on Pampisford Road to the residents of Blackford Road needed to be taken into consideration;
- Blackford Road was a narrow road with pavement on one side only;
- There were seven buses per hour which served on Pampisford Road which would be sufficient to enable less parking to be provided, however it was recognised that parking could transfer to Blackford Road;
- Residents of the developments on Pampisford Road were also parking on Blackford Road which had caused difficulties for refuse vehicles accessing the road; and
- Residents of Blackford Road were exhausted with the issues experienced due to the developments on Pampisford Road.

The Director of Planning and Strategic Transport informed the Committee that highways officers had reviewed the scheme and were content that the impact of the development would be limited. It was further noted that nine parking spaces would be provided within the scheme.

Members of the Committee noted that the development would fit with the neighbouring properties and would provide much needed housing in Croydon. While the parking concerns were noted it was welcomed that each unit would be provided with a parking space.

Other Members noted that the main challenge of the development was the cumulative impact on Blackford Road and proposed that the application be deferred to enable a review of whether the parking could be moved to the front of the building.

The Chair stated that the impact on Blackford Road did need careful consideration, however it was an adopted road and all the properties on the road had their own driveways. Furthermore, it was stated that there was a good level of parking provision on Blackford Road and the schemes that had been successful were the ones which had maintained the landscaping at the front of properties.

After consideration of the officer's report, Councillor Humayun Kabir proposed and Councillor Paul Scott seconded the officer's recommendation and the Committee voted 6 in favour, and 4 against, so planning permission was **GRANTED** for development at 176 Pampisford Road, South Croydon CR2 6DB.

A second motion for **DEFERRAL**, on grounds of the cumulative impact on Blackford Road requiring full consideration and a review as to whether parking could be provided at the front of the site, proposed by Councillor Jason Perry and seconded by Councillor Sue Winborn, thereby fell.

6.4 17/03457/FUL 1-5 Lansdowne Road and Voyager House, 30-32 Wellesley Road, Croydon CR0 2BX

Demolition of the existing buildings and the erection of a part 11, part 41, part 68 storey development comprising 794 residential units (Use Class C3), 35,000 sq.m (GIA) of offices (Use Class B1a), retailing / restaurant / bar uses (Class A1 / A3 / A4 and/or A5), public viewing gallery swimming pool and gym (Use Class D2), with associated access and servicing, car / cycle parking, landscaped pedestrian walkways and public plaza.

Ward: Fairfield

In response to Members' questions officers stated that having a commitment from developers that London Living Rent would be used was a benefit, as it would ensure that income and the ability to pay the rent would be taken into account. The Head of Development Management stated that he was far more confident that the affordable housing would be delivered under the proposed scheme as opposed to the refused scheme. Furthermore, the Committee were informed that there would be three review stages during the development to ensure the maximum volume of affordable housing would be delivered.

The Committee were informed that the view from the viewing gallery would of London and the home counties and there would also be access to the bar and restaurant from the gallery. Officers assured Members that there were ongoing discussions in regards to access to the viewing gallery, which had been positive, to ensure it was free to access by the public and at reasonable times and days of the week.

Members were assured that Historic England had assessed the scheme and the impact upon the Almshouses and had concluded that it would be less than substantial given the landscape of Croydon already.

The Committee noted that a large number of cycle spaces were to be provided within the scheme and expressed concern that a number would be left unused. In response, officers confirmed they were in discussion with Transport for London as to how cycle spaces would be managed however not all spaces would be delivered at the start of the development.

Officers confirmed that there would be obligations within the Section 106 agreement that included contributions to employment training which would provide local residents with opportunities to seek employment at the development.

The Committee was informed that discussions were ongoing with the developers as to how the leisure facilities could be used. However the pool would be made available initially to residents of the development and office workers. There was not a requirement for the site to have a publicly accessible pool and so the application could not be refused on the grounds that the pool should be a public asset.

Members queried the wind mitigation measures that would be put in place and were assured that a detailed condition would be in place to ensure it was undertaken properly and that trees would not just be planted. With regard to overshadowing the Committee was informed that it was difficult to estimate the impact of a tall building as the sun varied throughout the day and year. However the impact had been assessed.

The Committee noted the tallest element of the development, at 227 metres, was around $\frac{3}{4}$ the height of the Shard and it was important that high quality materials were used on such a development. Officers confirmed there would be a condition in relation to the materials used to ensure they were high quality.

In response to Member question the Director of Planning and Strategic Transport confirmed that fire precautions, including sprinklers, would be part of the scheme however was subject to separate legislation and would be signed off by Building Control.

Mr David Hudson spoke in support of the application, representing the applicant company and the principles issued raised were:

- The development would be called One Lansdowne Road;
- Thanked the officers for their work in improving the scheme;
- The scheme would make a major contribution to the regeneration of Croydon town centre;
- The GLA supported the design and considered it to be of high quality;
- The scheme would financially contribute to Croydon by generating around £90 million of building rates over the next 25 years;
- The volume of housing had almost doubled from the extant planning permission with affordable housing contribution having risen extensively also;
- 10,000 sq ft of office would be provided;
- The scheme would create the highest bar and restaurant in London which would enhance Croydon – creating a landmark building in Croydon, London and the UK; and
- The developers would work with officers on the public art contribution to ensure it was something that would contribute to the local area.

The Director of Planning and Strategic Transport noted the thanks given to officers and recognised the collaborative working that had

taken place between the developers and council to improve the scheme. The Committee was informed that, if the application was refused, the developers would probably go to appeal with the previously refused scheme which would not be as good as the proposed Section 106 agreement.

The Chair stressed that all applications considered by the Committee were important. However, given the scale of the proposal, it was a particularly big decision and that it was important to balance the benefits and the potential negatives of the scheme. It was noted that, while the number of homes to be delivered had decreased, it was due to the units being larger and there would be a reasonable proportion of affordable homes which would make a difference to families in Croydon.

The Committee further noted that there had been a loss of office space in the town centre in recent years, due to permitted development and the application would be introducing a large volume of high quality office space.

Members stressed that it was important that the public access to the viewing gallery was resolved to ensure that it was accessible at reasonable times and days of the week and became a successful contribution to Croydon. Whilst the viewing gallery would contribute to Croydon, the impact of the towers on the Almshouses was considered in light of the buildings already in the town centre and those developments already given planning permission. Furthermore, similar to the landscape of the town, it would contribute to juxtaposition of old and new in Croydon.

The Committee noted that it was a large and complicated scheme. However there were a number of benefits associated with the application including: improvements to public realm, affordable housing, employment opportunities, the long term financial contributions through business rates and creating a destination for visitors with a high level viewing gallery and restaurant. Furthermore, Members noted that there had been few letters of objection to the application and more letters of support had been received.

After consideration of the officer's report, Councillor Jamie Audsley proposed and Councillor Jason Perry seconded the officer's recommendation and the Committee voted unanimously in favour (10), so planning permission was **GRANTED** for development at 1-5 Lansdowne Road and Voyager House, 30-32 Wellesley Road, Croydon CR0 2BX, subject to a legal agreement and referral back to the Mayor of London.

6.2 17/02404/FUL The Warren 1 The Green, Croydon CR0 9AL
Erection of three, 4 bedroom detached houses with attached garages. Formation of new vehicular access onto The Green and provision of associated refuse storage
Ward: Heathfield

There were no speakers for this application.

The Committee noted that there were few sites in Croydon that could enable the development of three additional detached houses and so the application was viewed as being reasonable.

After consideration of the officer's report, Councillor Humayun Kabir proposed and Councillor Manju Shahul-Hameed seconded the officer's recommendation and the Committee voted unanimously in favour (10), so planning permission was **GRANTED** for development at The Warren, 1 The Green, Croydon CR0 9AL.

A152/17 **Items referred by Planning Sub-Committee**

There were none.

A153/17 **Other planning matters**

There were none.

MINUTES - PART B

None

The meeting ended at 8:40pm.

PART 5: Development Presentations

1 INTRODUCTION

- 1.1 This part of the agenda is for the committee to receive presentations on proposed developments, including when they are at the pre-application stage.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

2 ADVICE TO MEMBERS

- 2.1 These proposed developments are being reported to committee to enable members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 2.2 Members will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Planning Code of Good Practice Part 5.G of the Council's Constitution). Failure to do so may mean that the Councillor will need to withdraw from the meeting for any subsequent application when it is considered.

3 FURTHER INFORMATION

- 3.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

4 PUBLIC SPEAKING

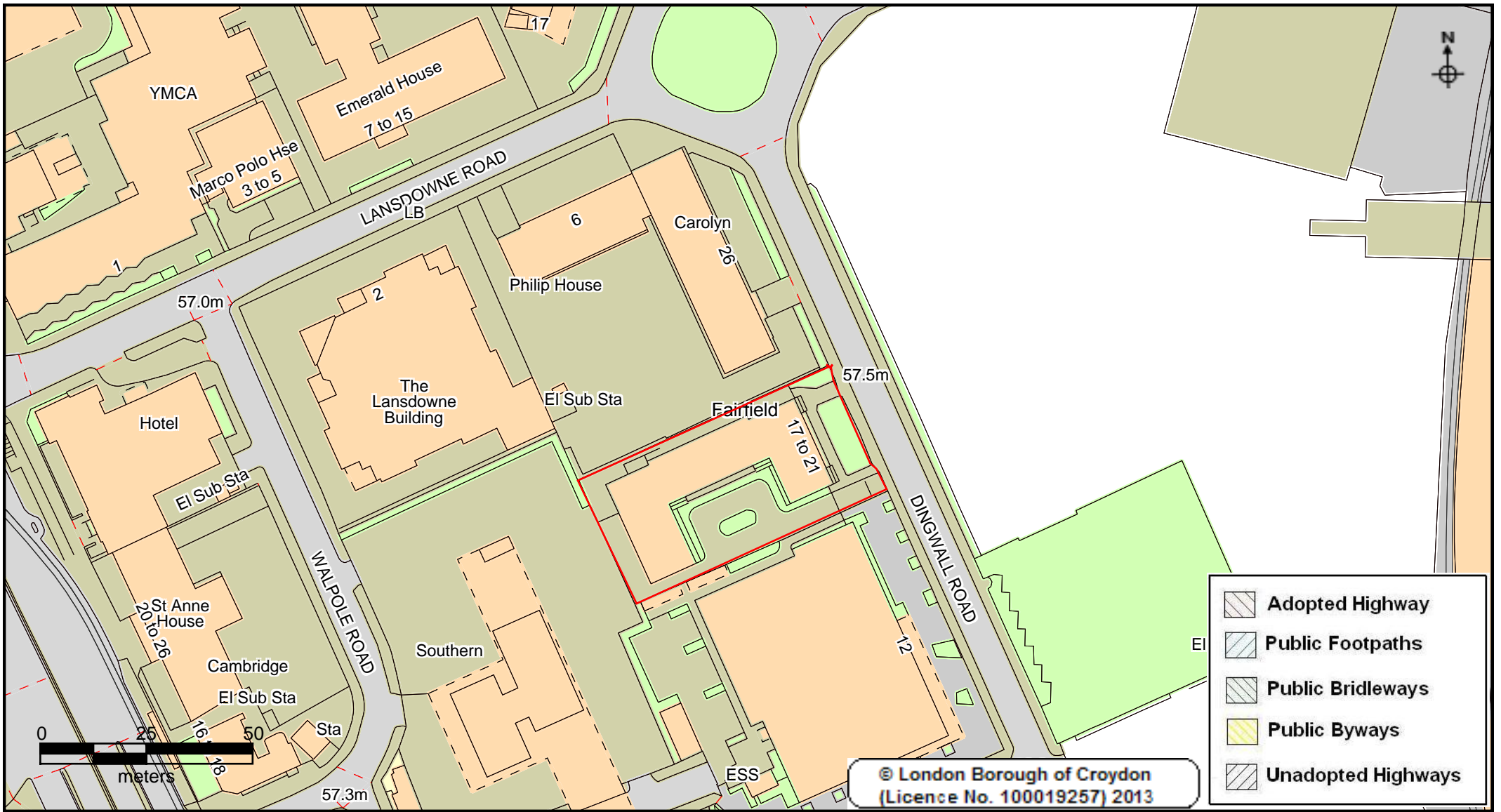
- 4.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

5 BACKGROUND DOCUMENTS

- 5.1 For further information about the background papers used in the drafting of the reports in part 8 contact Mr P Mills (020 8760 5419).

6 RECOMMENDATION

- 6.1 The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The attached reports are presented as background information.



PART 5: Development Presentations

Item 5.1

1. DETAILS OF THE DEVELOPMENT

Ref: 17/02952/PRE
 Location: 17-21 Dingwall Road, Croydon, CR0 2NA
 Ward: Fairfield
 Description: Residential-led redevelopment of site to provide approximately 172 units in two blocks ranging in height from 9 to 24 storeys above ground level, with commercial use at ground, first and second floor levels fronting onto Dingwall Road.
 Drawing Nos: Presentation to Committee (October 2017)
 Applicant: London Wall Outsourcing Investments Limited
 Agent: Broadway Malyan
 Case Officer: Michael Cassidy

	1 bed	2 bed	3 bed	4 bed
FLATS	72	75	25	0

Number of car parking spaces	Number of cycle parking spaces
9 (all disabled spaces)	278

2. BACKGROUND

2.1 This proposed development is being reported to Planning Committee to enable members of the committee to view it at an early stage and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.

2.2 This is the first presentation to the Planning Committee.

3. PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The proposal is for the construction of a residential led development comprising two interlinked buildings of 9 and 24 storeys providing 172 flats. The applicant proposes to provide an open market housing led scheme with an element of affordable housing. The applicant's current offer in terms of affordable housing is that 15% of the units (26 units in total) would be provided as Shared Ownership units. The flats are all to be designed in line with the internal floorspace standards referenced within Policy 3.5 of the London Plan.

3.2 Commercial units are proposed at ground, first and second floor levels accessed from Dingwall Road. All of the residential units above and to the rear of these commercial units would have private external amenity space in the

form of balconies and/or roof terrace areas and all residents would have shared use of communal amenity space areas located at first floor level between the two blocks and roof garden areas on top of each building.

- 3.3 The proposals also include a loading bay for servicing/refuse collection and 9 disabled parking spaces centrally located on the site at ground floor level within a single storey element joining the two buildings below the proposed central garden area. Cycle storage for approximately 272 long stay and 6 short stay is proposed at basement and ground floor to be designed to meet London Plan standards. The proposals also include improvements to the public realm, in the form of tree planting, to the front of the site.

Site and Surroundings

- 3.4 The site is located on the western side of Dingwall Road within easy walking distance of East Croydon Station. It comprises a two-storey detached 'C-shaped' building currently used as a job centre (Class A2 use). There is a gated vehicular access off Dingwall Road to the south of the building leading to an area of hardstanding that is used for parking.
- 3.5 Carolyn House, a 16 storey former office building currently being extended to 22-storeys in height and converted to predominantly residential use with commercial uses on the ground and first floors, lies to the north of the site.
- 3.6 To the east is Ruskin Square, a development site within the East Croydon Masterplan Area, where a development comprising 11 buildings with a mix of residential, retail (Classes A1-A5) and community uses is currently under construction. To the south lies Renaissance House, a recently built 8-storey office building and to the west of the site is Southern House, an 18-storey office building.
- 3.7 The surrounding area is characterised by a mix of residential and commercial uses with a wide ranging degree of heights and appearances. Corinthian House, a locally listed building, is located to the north of the site beyond Carolyn House.
- 3.8 The following designations apply to the site:
- Croydon Opportunity Area
 - Croydon Metropolitan Centre
 - New Town and East Croydon Character Area
 - Area of High Density

Planning History

- 3.9 There is no planning history directly relevant to the site, however, the following planning decisions on neighbouring sites are relevant to the application:

Carolyn House, 26 Dingwall Road (to the north of the site)

- 16/02458/P – Erection of a 4 and 6 storey rooftop extension (38 apartments), change of use of Floors 2 and 8 from office to residential use (20 apartments) along with a part change of use of ground floor to form two cafe/restaurant (Class A3) units, a part first floor communal co-working space, ground floor front extension and 2 storey rear extension, alterations to elevations, along with public realm improvements, associated parking and ground floor A3 use and residential entrance lobby.

Planning permission granted subject to conditions and S106 legal agreement on 24/04/2017.

Ruskin Square (to the east of the site)

- 11/00631/P: The erection of five buildings with a minimum floor area of 53,880sq metres and maximum of 62,080sq metres to provide a minimum of 550 and a maximum of 625 residential units; erection of 6 buildings for class B1 use for a minimum of 88,855sq metres and a maximum of 151,420sq metres; provision of a minimum of 7,285sq metres and a maximum of 10,900sq metres of retail (class A1-A5 floorspace); provision of a maximum of 400sq metres of community use (class D1); provision of a replacement theatre of 200 seats; provision of energy centre and estate management facilities; formation of vehicular accesses and provision of pedestrian routes public open space and car parking not to exceed 256 parking spaces.

Planning permission was granted subject to a S106 legal agreement. Reserved matters for several phases (one residential phase and two commercial phases) have been approved and the first residential and commercial phases have been completed or are nearing completion.

4. RELEVANT PLANNING POLICIES AND GUIDANCE

- 4.1 Planning applications should be determined in accordance with the Development Plan unless material consideration dictate 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).
- 4.2 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:
 - Promoting sustainable transport;
 - Delivering a wide choice of high quality homes;
 - Requiring good design.

4.3 The main policy considerations raised by the application that the Committee are required to consider are:

London Plan 2017

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.12 Negotiating affordable housing
- 3.13 Affordable Housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Tall and large buildings
- 7.8 Heritage assets
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise
- 7.21 Trees and Woodland
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable Development

- SP2.1 Homes
- SP2.2 Quantities and Locations
- SP2.3 Affordable Homes - Tenure
- SP2.4 Affordable Homes - Quantum
- SP2.5 Mix of homes by size
- SP2.6 Quality and Standard
- SP3.1 Employment
- SP3.2 Innovation, Investment & Enterprise
- SP4.1-4.3 Urban Design and Local Character
- SP4.5-4.6 Tall buildings
- SP4.7-4.10 Public Realm
- SP4.13 Character, Conservation and Heritage
- SP6.1 Environment and Climate Change
- SP6.2 Energy and CO2 Reduction
- SP6.3 Sustainable Design and Construction
- SP7.4 Enhance biodiversity
- SP8.3-8.4 Development and Accessibility
- SP8.6 Sustainable Travel Choice
- SP8.7(h) Cycle Parking
- SP8.13 Motor Vehicle Transportation
- SP8.15-16 Parking

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 and New Development
- UD7 New Development and Access for All
- UD8 Protecting residential amenity
- UD13 Parking Design and Layout
- UD14 Landscaping
- UD15 Refuse and Recycling Storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- H3 Housing Sites
- H4 Dwelling mix on large sites

There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- Homes for Londoners: Affordable Housing and Viability SPG, August 2017
- National Technical Housing Standards, 2015

- National Planning Practice Guidance, 2014
- Play and Informal Recreation SPG
- Accessible London: Achieving an Inclusive Environment SPG
- Sustainable Design and Construction SPG
- Croydon Public Realm Design Guide, 2012
- Croydon Opportunity Area Planning Framework (adopted by the Mayor and Croydon), 2013
- SPG Note 3 – Designing for Community Safety
- SPG Note 10 – Designing for Accessibility
- SPG Note 12 – Landscape Design
- SPG Note 15 – Renewable Energy
- SPG Note 17 – Sustainable Surface Water Drainage
- SPG Note 18 – Sustainable Water Usage

Emerging Policies CLP1.1

- SP2.2- Quantities and locations
- SP2.3-2.6- Affordable Homes
- SP2.8- Quality and standards
- SP3.13- Office floor space in the Croydon Metropolitan Centre
- SP3.14- Employment and training
- SP4.13- Character, conservation and heritage
- SP6.3- Sustainable design and construction
- SP6.4- Flooding, urban blue corridors and water management
- SP8.9- Sustainable travel choice

Emerging Policies CLP2

- DM1- Housing choice for sustainable communities
- DM5- Development in Croydon Metropolitan Centre
- DM5.1- Vitality and viability
- DM5.3- Mixed use developments
- DM9- Development in edge of centre and out of centre locations
- DM11- Design and character
- DM11.1- Quality and character
- DM11.2- Quality of public and private spaces
- DM11.4- Residential amenity space
- DM11.5- Communal residential amenity space
- DM11.6- Protecting residential amenity
- DM11.7- Design quality
- DM11.9- Landscaping
- DM11.10- Architectural lighting
- DM12- Shopfront design and security
- DM14- Refuse and recycling
- DM16- Tall and large buildings
- DM17.1- Promoting healthy communities
- DM19.1- Character, appearance and setting of heritage assets
- DM19.9- Archaeology

- DM24- Development and construction
- DM25- Land contamination
- DM26.2- Flood resilience
- DM26.3- Sustainable drainage systems
- DM28- Biodiversity
- DM29- Trees
- DM30- Promoting sustainable travel and reducing congestion
- DM31- Car and cycle parking in new development
- DM33- Facilitating rail and tram improvements
- DM40- Croydon Opportunity Area
- DM40- Site allocations (Site 186: Job Centre, 17-21 Dingwall Road)

4.4 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council are consulting on these modification during the period 29th August – 10th October 2017.

4.5 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning issues raised by the development that the Committee should be aware of are:

1. Principle of the proposed development
2. Acceptability of proposed housing typology
3. Townscape and design
4. The impact on adjacent occupiers
5. The acceptability of the living conditions provided for future occupiers
6. The impact on highway and parking conditions in the locality
7. Wider pedestrian connectivity and public realm improvements
8. The environmental impact and sustainability of the development
9. Other planning matters

Principle of the proposed development

5.2 The site is located within the Croydon Opportunity Area, Croydon Metropolitan Town Centre and New Town and East Croydon Character Area, where residential development is supported. The site contains a two-storey building

currently used as a job centre (Class A2 use). The site is not allocated under adopted policy, but is identified as falling within an 'Area of High Residential Density' under the Saved Policies of the UDP.

- 5.3 The emerging Croydon Local Plan (Detailed Policies and Proposals (Proposed Submission) identifies the site as 'Site 186: Job Centre, 17-21 Dingwall Road' (Appendix 5 – Schedule of proposal sites). The emerging allocation for the site is 'Offices and/or residential and/or hotel and/or replacement Class A2 (Finance) premises (with healthcare facility if required by the NHS)'. The supporting text to the draft allocation advises:

'The site is suitable for all town centre uses except retail as it is within Croydon Metropolitan Centre close to East Croydon station but outside of the Primary Shopping Area making it particularly suited to office use. Residential development will help to meet the need for new homes in the borough. The site has been identified by the NHS as being in an area with a need for additional healthcare facilities. The inclusion of healthcare facilities should be explored with the NHS before development takes place. Acoustic measures will need to be incorporated in the design to assist sustainability of the development.'

- 5.4 As the existing job centre is a Class A2 use, there is no policy requirement for re-provision of office space. The inclusion of healthcare facilities as part of the proposals will, however, need to be explored given the site is identified by the NHS as being in an area with a need for additional healthcare facilities.
- 5.5 The use of the site for mixed commercial and residential purposes is considered to be acceptable and in line with the objectives for the 'New Town' area outlined in the Opportunity Area Planning Framework (OAPF). No objection is raised in principle to the development.

Acceptability of Proposed Housing Typology

Housing Mix

- 5.6 The Council seeks to secure the provision of family housing and has an aspiration for 20% of all new homes identified in the Croydon Opportunity Area (COA) to have three or more bedrooms. This site is located within the 'New Town' area where a minimum of 10% is sought.
- 5.7 14% of units (25 in total) would be provided with three bedrooms. This is in accordance with the 10% policy target set out in the OAPF and will weigh positively for the scheme in the balance of considerations relevant to its determination at the planning application stage.
- 5.8 Given the anticipated forthcoming changes to policy in terms of affordable housing upon the adoption of CLP1.1, a brief comparison table of current and emerging policies within this area is useful and is provided as follows:

<p>Current Policy Affordable housing</p>	<p>Post-adoption Local Plan Policy Affordable housing</p>
<p>Affordable: (CLP1 Policies SP2.3 and SP2.4)</p> <p>50% on-site subject to viability (60:40 split between affordable rent and intermediate products unless we have agreement from a Registered Provider that this split is not practical in this location).</p> <p>Any provision less than 50% must be justified by a viability report which will be independently assessed at the cost of the applicant. There is a minimum requirement of 10% on site with the remainder up to 50% being provided either on a donor site, via a commuted sum, or through a review mechanism (in that order of preference).</p>	<p>Affordable: (CLP1.1 Policies SP2.4 and SP2.5)</p> <p>50% on-site subject to viability (60:40 split between affordable rent and intermediate products unless we have agreement from that this split is not practical in this location).</p> <p>Any provision less than 50% must be justified by a viability report which will be independently assessed at the cost of the applicant. There is a minimum requirement of affordable housing to be provided either as:</p> <p>30% affordable housing on the same site as the proposed development; or</p> <p>15% affordable housing on the same site as the proposed development if the site is in the Croydon Opportunity Area, plus the equivalent of 15% affordable housing on a donor site provided 30% on-site provision is not viable and the donor site is located within either the Croydon Opportunity Area or one of the neighbouring Places of Addiscombe, Broad Green & Selhurst, South Croydon or Waddon; or</p> <p>15% affordable housing on the same site as the proposed development plus a Review Mechanism entered into for the remaining affordable housing</p>

	<p>(up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on-site provision is not viable, construction costs are not in the upper quartile¹ and there is no suitable donor site.</p> <p>Less than 15% - application will be refused.</p>
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1. Upper quartile construction costs will be compared against comparable development types in London (for example, a tall tower would be compared against other tall towers no matter what the height; and a high density urban block of flats would be compared against other high density urban block of flats). Abnormal costs can be excluded. In the case of this scheme costs associated with the construction of the bridge across the railway and any loss of units caused by having to accommodate future redevelopment of East Croydon station would be considered to be abnormal costs.

- 5.9 Policy SP2.4 of CLP1 seeks up to 50% affordable housing provision on sites such as this. Table 4.1 referred to in the policy provides flexibility, requiring a minimum level of affordable housing on all sites. Following the end of the first three years of the plan, the minimum level was reviewed (from its previous minimum requirement of 15%) and this is currently set at 50%.
- 5.10 In the COA, a minimum of 10% affordable housing will need to be provided on-site with the remainder being provided on-site, off-site or through a commuted sum. The affordable housing should be provided at a ratio of 60:40 between affordable rented homes and intermediate lost cost shared ownership homes. This policy is being reviewed through the partial review of CLP1 (CLP1.1). The Local Plan Inspector has introduced main modifications to the policy, which do not alter the approach of the policy but does mean that only moderate weight can be afforded to the emerging policy landscape.
- 5.11 Emerging policy SP2.4 of CLP1.1 prefers a minimum on-site provision of 30% affordable housing, but also provides options for 15% on-site/15% on a donor site (located in the COA, Addiscombe, Broad Green, Selhurst, South Croydon or Waddon), or a minimum of 15% onsite plus a review mechanism for the remaining affordable housing (provided that 30% affordable housing is not viable, construction costs are not in the upper quartile as defined above and there is no suitable donor site).
- 5.12 Emerging policy retains the 60:40 ratio but expands the types of intermediate products to include starter homes and intermediate rent products as well as low costs shared ownership homes. The proposal will need to be designed in line with the Mayor's recently adopted Homes for Londoners: Affordable Housing and Viability SPG.

- 5.13 The applicants have advised that based on their initial viability assessment (this has not as yet been shared with Officers) the maximum affordable housing the scheme can provide is 15% of the proposed units (26 units) as shared ownership. Their intention is to locate these units in the smaller rear block (Block B), with the remainder of the units (10 units) being provided for private sale. The exact location and mix of units is, however, yet to be finalised within the proposal.
- 5.14 Once finalised, a viability report will need to be provided to justify the affordable housing level being offered in accordance with the objectives set out in the London Plan, emerging London Plan Housing SPG, CLP1, Croydon OAPF, UDP Saved Policies 2013 and national policies. This will need to be independently assessed to determine firstly whether the provision of the CLP1 target of 50% affordable housing is achievable and if it is not, whether a minimum of 30% on-site provision as set out in the preferred approach in CLP1.1 is achievable. An independent Quantity Surveyor will also need to be instructed to undertake a detailed further review of the build costs proposed in the viability assessment, as a 'double check' to make sure they are reasonable, given the structural costs associated with tall buildings.
- 5.15 Once the viability report has been independently reviewed to confirm the maximum reasonable viable level of affordable housing the scheme can support and remain viable, Officers intend to report this pre-application submission back to the Planning Committee on 2nd November 2017 so that the Committee may comment. The limited affordable housing offer is considered to weigh against the scheme in terms of the planning balance.

Townscape and Design

- 5.16 The overall height and massing of the proposal is considered to be acceptable and the townscape impacts of the proposal have been assessed through view studies, which also take into account the cumulative impacts of the proposed scheme when viewed against existing neighbouring buildings and other surrounding emerging schemes (in particular the Carolyn House scheme to the north and Ruskin Square scheme to the east).
- 5.17 At this point in the pre-application, the design discussions are on-going. The detailed design, however, is progressing well although further discussions with officers are needed.
- 5.18 At present, the outstanding concerns with the scheme from the Council's perspective pertain to the architectural expression of both blocks and the activating of their frontages both at present and in view of future surrounding developments. These concerns are as follows:

Massing

- 5.19 The site falls within the central area of the tall building zones set out in Chapter 6 of the OAPF, and so it is acceptable for a tall building form to be located on the site. In addition, the density and height of the emerging context means the

proposal's height is broadly acceptable. The applicant has tied the shoulder of the front block facing Dingwall Road (Block A) in with the heights of the future Ruskin Square development opposite, and its overall height ties in with Carolyn House, which steps up towards the site. These broad moves are supported.

- 5.20 An outstanding concern, however, remains in relation to the lack of variation in the mass in the direction perpendicular with Dingwall Road. There is little large scale variation in this direction, with the elevation reading all in one plane. At the finer scale there is variation through the balconies, structural frame and glazing envelope siting in different planes, however a larger move is still considered necessary. Potentially this could come by setting the shoulder element back from the full height mass, helping both to read as more slender in form.
- 5.21 The Southern House facing block (Block B) to the rear of the site is of a smaller scale which is seen as appropriate due to its interior block position and is also broadly supported. The carving of the mass to allow light into the first floor communal amenity space area is supported, however it is considered the form of this carved plane could be developed further so as not to read as such an abrupt cut into the mass.

Architectural expression and materiality

- 5.22 The prevailing language of the Dingwall Road facing block (Block A) is one of a strong vertical grid which has emerged out of a study of central Croydon's architectural character. While the work studying the context does provide a strong narrative, the visual character still appears overly corporate, with the GRC frame appearing exceedingly dominant. The expression and form of the balconies helps to add richness and a less corporate appearance, however there are still concerns that they are overly repetitive across the façade. The inset second floor commercial space seeks to provide a clear division between commercial below and residential above with some success and is supported.
- 5.23 The south-eastern elevation of the Dingwall Road Block (Block A) has had quite a large amount of material exploration, however there still remains concern that as a very prominent elevation facing East Croydon Station, it lacks enough articulation, and instead presents too blank a façade.
- 5.24 With regard to the Southern House facing block (Block B), the applicants have listened to Officers request that Block B's rear elevation facing Southern House be treated as its primary elevation, in preparation for the potential redevelopment of the neighbouring Southern House site. Overall the block's language is supported, however the internal elevation facing onto the courtyard currently appears overly blank and needing activation, something that needs addressing.
- 5.25 There is also still concern with how the entrance to the rear (western) block, disabled parking and service access is expressed. The large undercroft area threatens to leave a visual gap in the building frontages and the gate solution offered does not successfully resolve the matter. It also competes with the main

entrance visually and is very ambiguous as to its role in the streetscape. The alternative option of leaving the entrance open provides a clearer visual connection to the smaller residential block to Dingwall Road. However, there is an issue with this approach in that it may appear like a route through to Southern House (causing confusion for pedestrians).

Public Realm and Access

- 5.26 The applicant has been strongly encouraged to treat the internal access way to the Southern House facing block as a shared surface so that experientially those on foot have priority in the access way, and not vehicles.

The impact on adjacent occupiers

- 5.27 As the scheme progresses, detailed assessments will be needed in order to demonstrate that the proposal would not have any adverse impact on existing neighbouring uses (in particular the Premier Inn hotel to the north-west) and the future residents within Carolyn House and Ruskin Square which have been consented to the north and east. In addition, the impact of the proposals on the development potential of adjoining land (in particular the Southern House site) will also be a relevant consideration.

The acceptability of the living conditions provided for future occupiers

- 5.28 The Technical Housing Standards – Nationally Described Space Standard provides minimum floor area specifications for all new dwellings. The applicant is designing the scheme to meet all of these standards, and to provide 10% of units as wheelchair user accessible/easily adaptable in line with policy. This is supported.
- 5.29 A distance of approximately 18 metres would be provided between the front (Block 1) and rear (Block 2) blocks to undue overlooking or loss of privacy. The scheme is considered acceptable in terms of overlooking, light and outlook.
- 5.30 The London Housing Supplementary Planning Guidance (SPG) provides minimum standards which should be met with regards to amenity space. The scheme is to be designed to comply with the residential standards set out in the London Plan. All units would have balconies providing private amenity space areas and there would be access to a variety of indoor and outdoor shared amenity spaces for all residents, including communal rooms and terraces on the uppermost floors of both towers, and a first floor level garden area.
- 5.31 There are a high number of single aspect units within the scheme which causes concern. Within Block 1 there would be 52 single aspect unit and within Block 2 there would be 7. This equates to 34% of the total number of units. All of the single aspect units currently proposed are 1-bedroom 2 person units with none being directly north-facing and all having recessed private balconies. Officers are currently working with the applicants to reduce the overall number of single aspect units proposed.

The impact on highway and parking conditions in the locality

- 5.32 The site is located in an excellent location with the highest PTAL of 6b, being located in close proximity to the East Croydon transport Interchange and within the Croydon Metropolitan Town Centre. The proposed scheme would be car free except for 9 disabled parking spaces at ground floor level. This equates to a 5% provision of disabled car parking. The applicants are currently reconsidering the layout of the disabled car parking area to ensure it is functional and the maximum number of spaces can be accommodated. Electric vehicle charging points should also be provided in accordance with the standards set out in the London Plan.
- 5.33 278 cycle parking spaces (272 long stay and 6 short stay cycle parking spaces) are currently proposed within the footprint of the main building at ground and basement levels with a dedicated lift. As an alternative, there is the option to reposition the cycle storage in the basement to ground floor level along the northern boundary with Carolyn House whilst retaining an active frontage along this route. The cycle storage is to be designed in line with the London Plan standards.
- 5.34 A full application will need to be supported by a Transport Assessment with other documents including a Travel Plan, Delivery Service Plan, Waste Management Plan and Construction Logistics Plan being secured by condition.
- 5.35 It is not possible to comment further on highway related matters at this stage, however, there are no objections in principle to the proposed development subject to the issues raised above being satisfactorily covered in a full application.

Wider pedestrian connectivity and public realm improvements

- 5.36 The Council has an aspiration to provide a link from Dingwall Road through to the interior of the Southern House block, in view of a potential future redevelopment of the wider New Town block. This is to strengthen the East-West connection from East Croydon to the Town Centre and Old Town beyond.
- 5.37 The optimal pedestrian route into the wider urban context, including to connect most effectively with the Foster Masterplan/Ruskin Square scheme, would be through the neighbouring Carolyn House site to the north. The final landscaping proposals for the Carolyn House site have not yet been approved, and there may be an opportunity to create a through route as part of the landscaping proposals for Carolyn House (and this is currently being explored). However, in the event a through route is not able to be secured through the Carolyn House, then the site layout for 17-21 Dingwall Road will need to provide a pedestrian route through the site.
- 5.38 As part of TfL's Dingwall Road Loop scheme that looks to extend the local tram service along Dingwall Road, a strip of land approximately 4 metres wide along the frontage of the Job Centre site (i.e. 17-21 Dingwall Road) is required. The Council is also currently working on developing enhanced urban realm along

Dingwall Road which will hopefully be delivered in parallel with the tram extension. The proposal takes account of the tram scheme in its design and allows opportunity for public realm improvement works.

The environmental impact and sustainability of the development

- 5.39 It is essential that the proposed towers do not have a significant adverse impact on wind conditions within and surrounding the site. In this regard, any subsequent application must be accompanied by a detailed wind assessment, which must also model the cumulative impacts of the scheme when added to the adjacent consents.
- 5.40 Any adverse impacts must be mitigated through interventions that are also appropriate in townscape terms.
- 5.41 New development should make the fullest contribution to minimising carbon dioxide emissions and should incorporate on site renewable energy generation. Zero carbon is sought for the 2016-2031 period. A detailed sustainability strategy has not yet been provided. This prevents officers from being able to make comment on the acceptability of this element of the scheme. The applicant will be required to meet the above policy requirements in order for the scheme to be supported. Provision will need to be made within the buildings to allow connection to any future Croydon District Heating Network.
- 5.42 Full discussions in relation to air quality, overheating, surface water drainage, microclimate, lighting impacts and electronic interference have yet to be held, but the developer is aware of the relevant policy requirements. The subsequent application must be accompanied by a detailed Flood Risk Assessment and Sustainable Urban Drainage Strategy.

Other Planning Matters

- 5.43 Consideration will need to be given as to the requirement for any planning obligations required to mitigate the impact of the development.

Conclusion

- 5.44 While the scheme is developing well, there are a number of key concerns, including the lack of a pedestrian through route to connect the site from Dingwall Road to the western part of the New Town block. Additionally, at this early stage, many of the detailed planning requirements (e.g. energy efficiency/carbon reduction strategy) have yet to be undertaken.
- 5.45 The applicant has indicated their intention to address the outstanding matters, and a Planning Performance Agreement is in place setting out a clear work programme to be followed to ensure an acceptable scheme comes forward at the planning application stage.

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PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning Committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan July 2011 (with 2013 Alterations)
 - the Croydon Local Plan: Strategic Policies April 2013
 - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
 - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 **ROLE OF THE COMMITTEE MEMBERS**

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. **THE ROLE OF THE CHAIR**

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

6. FURTHER INFORMATION

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

7. PUBLIC SPEAKING

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

8. BACKGROUND DOCUMENTS

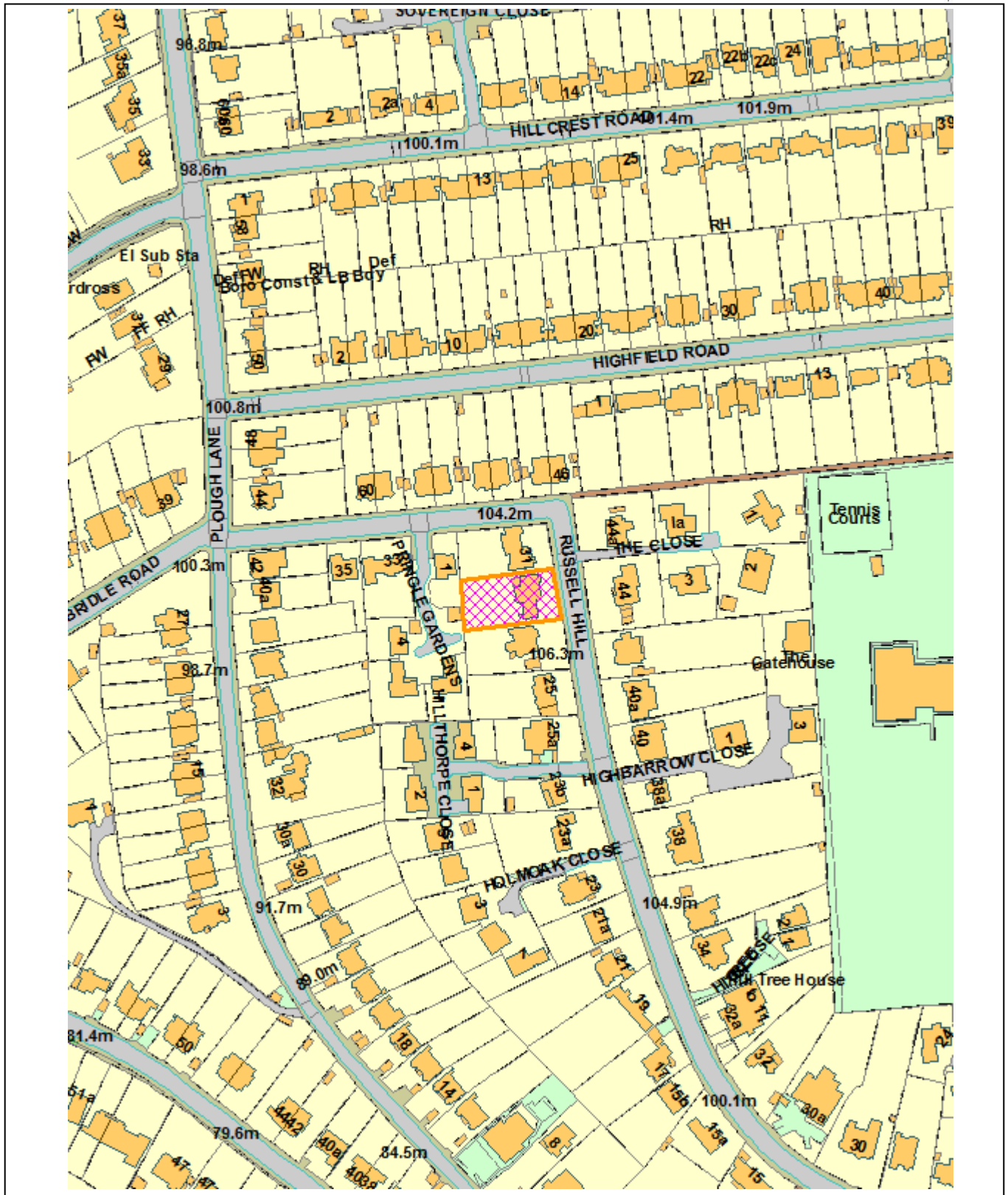
- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

9. RECOMMENDATION

- 9.1 The Committee to take any decisions recommended in the attached reports.



Reference number: 17/02795/FUL



PART 6: Planning Applications for Decision

Item 6.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: [17/02795/FUL](#) (*Link to associated documents on Planning Register*)
 Location: 29 Russell Hill, Purley, CR8 2JB
 Ward: Purley
 Description: Alterations; erection of single/two storey rear extension, dormer extensions in front and rear elevations and conversion to form 5x two bedroom and 4x one bedroom flats; Provision of associated parking, cycle and refuse stores
 Drawing Nos: 1427-PL-01A A, 1427-PL-02A A, 1427-PL-03A A 1427-PL-04A A, 1427-PL-05A A, 1427-PL-06A A, 1427-PL-07B A, 1427-PL-08B A, 1427-PL-09B A, 1427-PL-10A A, 1427-PL-011D A, 1427-EL-01A A, 1427-EL-02A A, 1427-EL-03A A, 1427-EL-04A A
 Applicant: Mr Ashish Chadha
 Agent: Gianfranco Cipolla
 Case Officer: Georgina Betts

	1 bed	2 bed	3 bed	4 bed
Flats		5		

Number of car parking spaces	Number of cycle parking spaces
4	18

1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1. The development shall be carried out in accordance with the approved plans (as numbered above)
- 2. Details of cycle storage, refuse and recycling Stores, all boundary treatment, visibility splays, boundary treatment (including garden demarcation), hard and soft landscaping (to incorporate SuDS), parking management plan and disabled parking bay to be submitted to and approved prior to occupation.
- 3. Materials to match the existing
- 4. Existing vehicular access to be closed prior to occupation
- 5. Provision of at least 2 water butts
- 6. Submission of Construction Logistic Plan/Method Statement
- 7. Development shall commence within 3 years of this permission
- 8. Any other planning condition(s) considered necessary by the Director of Planning

Informatives

- 1) Site notice removal
- 2) Community Infrastructure Levy
- 3) Code of practise for construction sites
- 4) Any [other] informative(s) considered necessary by the Director of Planning

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The applicant seeks outline planning permission for the following:

- Alterations and retention of existing medical treatment room
- Erection of a single/two storey rear extension
- Construction of dormer extensions in front and rear roof slopes
- Conversion to form 5x2 bedroom and 4x1 bedroom flats
- Provision of 4 car parking spaces within the front garden area
- Provision of 18 cycle spaces and refuse stores
- Associated hard and soft landscaping

Site and Surroundings

- 3.2 The application site lies on the western side of Russell Hill and is currently occupied by a large two storey detached property with one room on the ground floor being used as a medical treatment room [LBC Ref: 14/00612/P]
- 3.3 The land levels are fairly flat to the eastern side of the site and falls to the west with stepped access down to the rear garden from the existing property.
- 3.4 The area is residential in character and is made up of detached houses and bungalows set in generous landscaped plots all varying in design. New build flatted developments lie further south with examples of conversion schemes nearby. Whilst the site has a PTAL (Public Transport Accessibility Rating) rating of 1a, Footpath 106 lies to the south within a short walk from site leading onto an area with very good links to public transport.
- 3.5 There are no direct policy constraints that affect the site as identified in the Croydon Local Plan Proposal Map. The application site lies within an area at risk of surface water and critical drainage flooding.

Planning History

- 3.6 The following planning decisions are relevant to the application:
- 3.7 00/02173/P – Erection of two storey side/front/rear extension to include garage **[Approved and Implemented]**
- 3.8 03/04097/P – Erection of dormer extension in front roof slope and velux windows in rear roof slope **[Approved and Implemented]**
- 3.9 04/03682/P – Retention of front boundary wall, railings and gates **[Approved and Implemented]**

- 3.10 07/01955/P – Use of part of ground floor as medical treatment room on Saturday morning **[Approved and Implemented]**
- 3.11 14/00612/P – Continued use of part of ground floor as medical treatment room (without compliance with Condition 1 – restriction on the days and hours that it can be used – attached to planning permission 07/01955/P) **[Approved and Implemented]**

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of this part of Purley.
- The design and appearance of the extensions are appropriate given the context of surrounding area.
- The living conditions of adjoining occupiers would be protected from undue harm
- The living standards of future occupiers are satisfactory and meet the National Housing Space Standards
- The parking provision is adequate to serve the development and the highway impact on Russell Hill is considered acceptable – with spare car parking capacity on street to accommodate the development
- Flooding aspects can be controlled by condition

5.0 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.0 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. 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: 32 Objecting: 16 Supporting: 16

- 6.2 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:

Objections:

- Inadequate parking provision/cycle provision
- Over intensification of the site
- Out of character
- Loss of light/privacy and visual intrusion
- Detrimental to highway safety
- Impact on local health due to increase in cars
- Increase in vermin
- General noise and disturbance
- Increased pressure on drains and sewage network

Support:

- Good location with well-established premises
- Professional Transport Assessment supports parking provision
- Enabling first time buyers to get onto the property ladder
- Provision of much needed housing

6.3 Councillor Donald Speakman [Local Ward Councillor] has made the following representations:

- Over-intensive development.
- Extremely out of character with immediate neighbourhood.
- On-site car parking inadequate - 4 bays for 9 flats. This site is some distance from town centre and public transport

7.0 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity

- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees

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

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 regarding character
- SP5.3 Healthy and liveable neighbourhoods
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

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

- 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
- UD14 Landscape design
- UD15 Refuse and recycling storage
- NC4 Woodlands, trees and hedgerows
- CS2 Community Use
- T2 Traffic generation from development
- T4 Cycling
- T8 parking
- H2 Supply of new housing

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.7 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. The examination took place between 18th May and 31st May 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.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- Townscape and visual impact
- Housing Quality for future occupiers
- Residential amenity for neighbours
- Transport
- Sustainability

Principle of development

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development is recognised and housing supply optimised. Given that the site is located within a residential area, the principle of a residential conversion can be supported providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues. It should also be noted that the existing medical treatment centre would be retained as part of the development and as such the existing community use would be retained on site.

Townscape and visual impact.

8.3 A single/two storey rear extension is proposed which would include a barn hip roof extension with front and rear dormer windows. The application property is of an individual design and is of an extensive size with varying gable end and hipped roof forms. The provision of a barn hip roof extension would not harm the design integrity of the existing property nor the varied character of the surrounding area.

8.4 The provision of a further front dormer extension, be it of a subservient design and size, would not result in justifiable harm to street scene, given examples on the application site and in neighbouring properties. The proposed front dormer would be modest in size and would not dominate the front roof slope. The rear dormer extensions would be again modest in size and would sit comfortably within the roof space.

8.5 While the two storey rear extension would inevitably increase the overall footprint of the building, it would not extend any further than the northern flank wall of 27 Russell Hill, thus respecting the extent of neighbouring built form. The two storey extension would be seen in the backdrop of the existing property utilising matching materials such as rough cast render and timber detailing. Given its limited visibility such an extension is not considered to harm the character and appearance of the surrounding area.

- 8.6 While it noted that representation have raised issues around the overdevelopment of the site the proposal sits comfortably within its plot, this is evident from the design of the proposal and as such, would not appear contrived or cramped. It is therefore considered that the development would not have a harmful effect upon the character and appearance of the surrounding area.

Housing quality for future occupiers

- 8.7 All units would comply with internal dimensions required by the Nationally Prescribed Space Standards and would provide an acceptable standard of residential accommodation.
- 8.8 Each dwelling would have a good level of outlook with access to either private amenity space or a communal garden.
- 8.9 The development would provide for high quality development for future occupiers and is considered acceptable.

Residential amenity for neighbours

- 8.10 As highlighted above, the two storey rear extension would not extend beyond the west elevations to 27 Russell Hill or 31 Russell Hill. The extension would also be well spaced from the neighbouring properties within Pringle Gardens and as such would not appear visually intrusive.
- 8.11 No sole habitable room windows would be installed in either flank walls of 29 Russell Hill whilst those specified would be obscurely glazed and would serve bathroom and en-suites. The outlook from the new dormer windows in both the front and rear elevations would not gain any unfair advantage over neighbouring properties given varying degrees of mutual overlooking. The proposed development is therefore not considered to result in a loss of privacy.
- 8.12 Given the sensitive siting of the extension, the development would not lead to an unacceptable loss of light to neighbouring occupiers. Whilst it is acknowledged that some concerns have been raised (specific to 27 Russell Hill) the kitchen window at ground floor is already impacted by the existing boundary treatment to a certain extent. Similarly, the application site is due north of this property (which should limit any impacts to daylight rather than sunlight) and some enclosure and outlook reductions should be expected to side windows.
- 8.13 Concerns have been expressed by neighbouring properties that the intensification of the site would result in an unacceptable degree of noise and general disturbance. The property is already substantially sized and has the clear capacity to provide for a larger number of smaller units of accommodation, thereby contributing to borough wide housing targets. It is proposed to retain existing boundary fencing and officers are satisfied that the proposed development would have limited impact if any, in terms of noise and general disturbance.

Transport

- 8.14 The applicant has provided a Transport Assessment (TA) to support the level of on-site parking while demonstrating that existing parking stress levels are not saturated, especially at peak times given the proximity to nearby schools.

- 8.15 The applicant proposes 4 on-site parking spaces and 18 cycle spaces. While it is acknowledged that the parking provision falls below the maximum parking standards set out in the Croydon Plan, consideration must be given to the physical connectivity of the site, the need to encourage sustainable transport modes and existing parking stress levels.
- 8.16 As the TA concludes, the site is within reasonable walking distance to various bus routes with Purley Station hosting excellent cycle parking provision regardless of the site's low PTAL rating (1a). Whilst parking stress levels peak on Russell Hill between 3pm and 3:15pm (56.70%) which is relatively manageable, the can be attributed to nearby schools and associated dropping off. Parking stress levels fall dramatically after 3:45pm which is when on street car parking is more likely to be demanded by residents of the street (including future residents of these proposals). Similar patterns are experienced in the morning, with stress levels at 44.33% between 8:30 and 8:45am and dropping dramatically after 9.30am. The applicant has therefore demonstrated that the potential overspill of 5 cars onto the highway network would not result in saturated parking levels at peak times or indeed any other times and could be accommodated on site without significant harm to the safety or convenience of other highway users.
- 8.17 Parking is restricted at the curved junction of Russell Hill by the placement of double yellow lines. Due to the nature of the road, vehicles tend to approach the bend at slower speeds, with the bend acting as a natural speed calming measure. It is therefore considered that the additional on street parking would not prejudice highway safety or efficiency given the site specifics.
- 8.18 While the TA excludes the medical treatment centre from the anticipated trip level data, the LPA have referred back to the details within application 14/00612/P. This application advised that all parking would be accommodated within the existing forecourt. As the proposal seeks to retain this use and with the overall lack of information around how the forecourt may be managed as part of this mixed use scenario, it is recommended that a condition requiring a parking management strategy to be approved by the LPA is considered necessary.
- 8.19 It is acknowledged that this arrangement may displace further cars onto Russell Hill but given the opening hours of the medical treatment centre and low levels of car parking stress highlighted above, this would be unlikely to lead to an unacceptable overspill. For the reasons given above the development is considered acceptable on highway grounds subject to the condition set out in the agenda.

Sustainability

- 8.20 The site lies within a surface water and critical drainage flood risk area as identified by the Croydon flooding maps. Hard and soft landscaping details would be secured through condition and it suggested that such proposals incorporate SuDS where appropriate. Officers are satisfied that such issues can be dealt through a relevant condition.

Other Planning Issues

- 8.21 Representations have raised concerns in respect of impact upon local infrastructure such as sewers and drains although no evidence has been provided to demonstrate that the proposal would prejudice the existing sewage or drain network. There is a

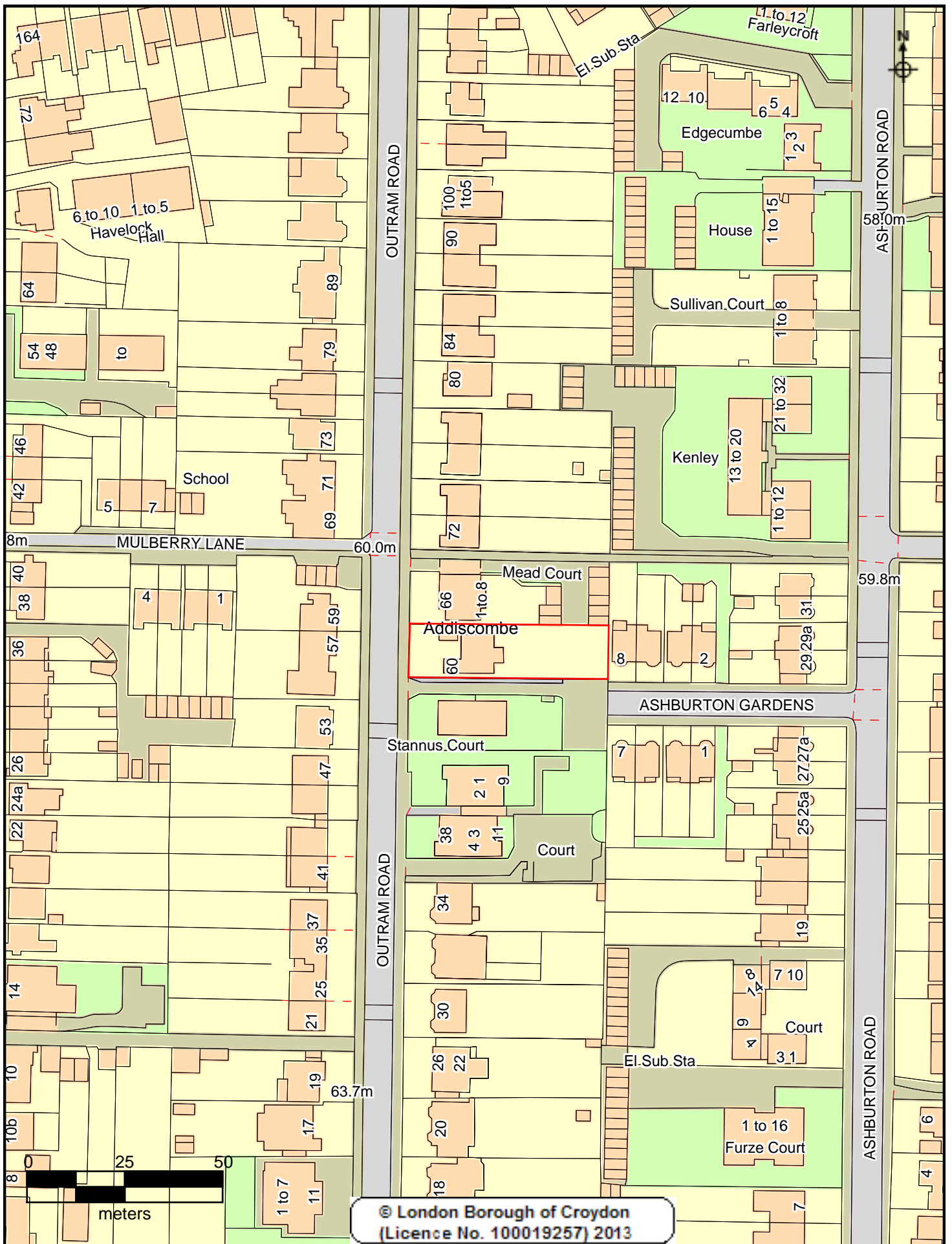
requirement on utility services to make necessary provisions outside the planning process.

8.22 While the area lies with an area with a low PTAL (Public Transport Accessibility Level) this does not mean that the proposal is an unsustainable form of development.

Conclusions

8.23 The proposal would result in the redevelopment of the site which would provide 8 additional homes in the borough. The development would be in keeping with the character of the area and would not have a significant impact on the amenities of adjoining occupiers. Landscaping, parking and sustainable drainage are all acceptable in principle and can be controlled by condition.

8.24 All other relevant policies and considerations, including equalities, have been taken into account.



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PART 6: Planning Applications for Decision

Item 6.2

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/03241/FUL](#) (*Link to associated documents on Planning Register*)
 Location: 60 Outram Road, Croydon, CR0 6XE
 Ward: Addiscombe
 Description: Demolition of existing dwelling: erection of a two storey building with accommodation in roof level and basement comprising 4 two bedroom and 2 one bedroom flats: formation of associated access, 3 parking spaces, integrated cycle storage and refuse store.
 Drawing Nos: Elevations 1/2 (BX06-S3A-105), Elevations 2/2 (BX06-S3A-106), Floor Plans (BX06-S3A-104), Ground Floor Plan (BX06-S3A-103), Section A/A (BX06-S3A-107), Site Landscape Plan (BX06-S3A-109), Site Plan (BX06-S3A-101), Site Setup (BX06-S3A-108) and Tree Protection (BX06-S3A-110)
 Applicant: Mr Rafael Porzycki (Aventier Ltd)
 Agent: N/A
 Case Officer: Matthew Carney

	Studio	1 bed	2 bed	3 bed
Flats	N/A	2 (1b2p)	4 (2b3p)	N/A

Type of floorspace	Amount proposed
Residential	439 Sqm

Number of car parking spaces	Number of cycle parking spaces
3 (including 1 disabled space)	12

1.1 This application is being reported to Planning Committee because the objections above the threshold in the Committee Consideration Criteria have been received.

RECOMMENDATION

1.2 That the Planning Committee resolve to GRANT planning permission subject to:
 A. That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Development in accordance with the submitted plans
- 2) Details of external facing materials, including samples
- 3) Construction logistics plan (including a construction environmental management plan)
- 4) Details of hard and soft landscaping (to incorporate SUDs where appropriate) and boundary treatments
- 5) Details of privacy screening to private gardens
- 6) Details of cycle and refuse storage and electronic charging point

- 7) Car parking layout (including disabled bay) to be provided as specified in the application drawings prior to occupation
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Tree Protection provided as specified
- 11) No additional windows in the flank elevations
- 12) Large scale details of architectural features
- 13) Time limit of 3 years
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) Community Infrastructure Levy
- 2) Developer to have regard to Council's Code of Practice 'Control of Pollution and Noise from Demolition and Construction Sites'
- 3) Developer to have regard to the Mayor of London's Best Practice Guidance 'The control of dust and emissions from construction and demolition'.
- 4) Wildlife protection
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2 PROPOSAL AND LOCATION DETAILS

Proposal

2.1 The proposal involves:

- Demolition of the existing single storey detached dwelling;
- Erection of a three storey building with accommodation at basement level;
- Provision of 2x one bedroom flats and 4x two bedroom flats fronting Outram Road;
- Three off-street parking spaces and storage for refuse and bicycles provided internally accessed to the side of the proposed building;
- The flats would be accessed via the existing vehicular and pedestrian access off Outram Road;
- Soft landscaping would be provided around the frontage of the site and to the rear.

2.2 During the course of the application, a revised set of plans have been submitted amending the proposed scheme by reducing the amount of basement accommodation and the number of windows and rooflights and providing additional emphasis for the main entrance into the building. As the revised scheme increased the footprint of the proposed building, additional consultation with local residents has been undertaken.

Site and Surroundings

2.3 The application site is located on the eastern side of Outram Road within the East India Estate Conservation Area. The site comprises a traditional single storey detached dwelling house. There is an existing vehicle and pedestrian access to the site off Outram Road. The topography of the site is predominately flat.

- 2.4 The surrounding area comprises a mix of residential properties, including traditional two-storey detached and semi-detached dwellings and larger residential blocks comprising flats.

Planning History

- 2.5 The site has been the subject of a number of previous planning applications of most relevance to this proposal are:

16/05740/FUL Demolition of existing building, erection of three storey building comprising 5 x two bedroom and 2 x three bedroom flats – Permission Refused for the following reasons;

1. Development would not preserve or enhance the character of appearance of the East India Estate Conservation Area by reason of unacceptable design
2. The development would result in in sub-standard accommodation for future occupiers of the seven flats

00/00539/P Erection of three storey building comprising 4 x two bedroom flats and 1 x three bedroom flats – Permission Granted

00/00540/P Erection of three storey building comprising 7 one bedroom flats – Permission Granted

91/02848/P Erection of three storey building comprising 7 one bedroom flats – Permission Granted

3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 3.1 The redevelopment of the site for residential flats is acceptable in principle as the existing property is not protected by any policy designations which would prohibit the loss of the family house. Planning policy also seeks to optimise development of a site for residential use.
- 3.2 The siting, scale and layout of the building would respect the character of the area and make efficient use of the land. It would sit well within the street scene and would respect the proportions of the neighbouring buildings and surrounding patterns of development. The appearance would be simple respecting the existing surrounding built form, but visually interesting and would use high quality materials.
- 3.3 The design, scale and massing would not harm the living conditions of the neighbouring residents. The layout of the proposed building would ensure that suitable separation distances have been provided and would protect the privacy and amenity of neighbours.
- 3.4 The proposed flats would provide high quality living accommodation for future occupiers in accordance with London Plan standards.
- 3.5 The level of off street parking spaces would be suitable for number of flats proposed and the provision of a disabled space and electric charging point would meet the London Plan standards.

4 CONSULTATION RESPONSE / LOCAL REPRESENTATION

4.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. 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: 26 Objecting: 25 Supporting: 1

4.2 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:

Summary of objections	Response
<i>Scale and massing</i>	
Overdevelopment of the site	Officers are satisfied that the density is acceptable and the development would not be overdevelopment. Refer to paragraph 6.10.
Harm to street scene, development will harm the character of the Conservation Area	It is considered that the standard of design would preserve and enhance the setting of the East India Estate Conservation Area. Refer to paragraphs 6.4-6.12 of this report
The development accentuates the unacceptable design of the adjoining properties.	
<i>Residential amenity of neighbours</i>	
The development would result in increased overlooking and intrusion of privacy for adjoining occupiers.	Officers are satisfied that the development would not harm the privacy of neighbours. Refer to paragraph 6.13 – 6.17
Increased noise and disturbance and nuisance for neighbours. Impact upon peaceful enjoyment of neighbouring properties	Officers are satisfied that the development would not harm living conditions of neighbours through noise and disturbance. Refer to paragraph 6.17 and 6.33
<i>Residential amenity of future residents</i>	
Basement accommodation is unacceptable	The area of living accommodation at basement level has been reduced and the depth of the area remaining is considered acceptable to provide a high quality living environment. Refer to paragraph 6.19
<i>Highways and Transport</i>	
Insufficient parking in the area, development would impact upon parking in the area.	Officers are satisfied that a suitable level of off street car parking has been provided for the development. Refer to paragraphs 6.23-6.27

Concerns raised about construction congestion and parking	A Construction Logistics Plan would be secured by condition to ensure that congestion and parking of construction traffic would be controlled.
<i>Other</i>	
The development would result in the loss of a bungalow	Officers are satisfied that the development is acceptable in principle and provides high quality residential accommodation.
The site has a covenant restricting the proposed development.	Covenants are private legal matters and are not material considerations in the determination of applications for planning permission. This matter can therefore not be taken into account.

5 RELEVANT PLANNING POLICIES AND GUIDANCE

- 5.1 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.
- 5.2 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 1: Achieving sustainable development
 - Section 4: Promoting sustainable transport
 - Section 6: Delivering a wide choice of quality homes
 - Section 7: Requiring good design
 - Section 9: Promoting sustainable transport
 - Section 10: Meeting the challenge of climate change, flooding and coastal change
- 5.3 The main policy considerations raised by the application that the Committee are required to consider are:
- 5.4 Consolidated London Plan 2015 (LP):
- 3.3 Increasing housing supply

- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing Choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

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

- SP2 Homes
- SP2.3 Choice of homes
- SP2.5 Mix of homes
- SP2.6 Quality and standards
- SP4 Urban Design and Local character
- SP4.1 High quality development
- SP6 Environment and climate change
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.6 Sustainable design and construction
- SP8.3 Making full use of public transport
- SP8.13 Electric charging infrastructure
- SP8.15 Parking

5.6 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
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscaping
- UD15 Refuse and recycling storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 & T9 Parking
- T11 Road safety
- H2 Supply of new housing
- UD9 & H10 Residential density

5.7 CLP1.1 & CLP2

5.8 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. The Council is currently undertaking consultation on main modifications to the submitted plan. 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.

5.9 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Conservation Area General Guidance SPD 2013
- East India Estate Conservation Area Appraisal and Management Plan SPD 2014

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact
3. Residential amenity of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and transport
6. Trees and landscaping
7. Archaeology
8. Sustainability, flood risk and drainage

Principle of development

6.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the borough, which the Local Planning Authority (LPA) is seeking to promote. As the building is within the East India Estate Conservation Area the building is protected from demolition without prior consent. The building is identified within the East India Estate Conservation Area Appraisal Management Plan (CAAMP) as having a neutral impact upon the setting of the Conservation Area on this basis demolition would be supported if a replacement building was of a sufficient quality to preserve or enhance the character of the Conservation Area. For the reasons set out in paragraphs 6.4 – 6.12 of this report it is considered the development is of a sufficient quality for the demolition of the existing dwelling to be acceptable in principle.

6.3 The proposal seeks to provide a mix of housing units. No three bedroom units are proposed, however, a number of the 2 bedroom 3 person flats significantly exceed the Technical Housing Standards and are considered to create a good balance between larger and smaller unit sizes and provide an appropriate mix for the size of the development. On this basis, it is considered the proposal is supported in principle.

Townscape and visual impact on the East India Estate Conservation Area

- 6.4 The proposal is for the demolition of the existing property and the erection of a new flatted development that would consist of 6 units (2x1 bedroom unit and 4x2 bedroom units). The existing building is identified as having a neutral impact and therefore subject to the quality of the proposed scheme its demolition can be supported.
- 6.5 The site is located in the East India Estate Conservation Area, designated in 2008 in recognition of the architectural and historical significance of the area. Outram Road has a range of building types of a high architectural quality, consistent building lines and low wall front boundary treatments. Whilst there are many important historic buildings in Outram Road, the CAAMP identifies “that the street has experienced a certain amount of 20th century redevelopment of an inappropriate scale, design and massing, concentrated around the middle of the street on the east side of the road, and to the south of the road near the junction with Addiscombe Road”. The existing bungalow is situated in the middle of the street and whilst it is identified as having a neutral impact, it is situated between two larger residential buildings from the 20th Century that are both identified as detracting from the special character.
- 6.6 The design approach taken incorporates a traditional styled appearance in order to respect the character of the positive unlisted buildings in close proximity to the application site and the general wider character of the area. This approach includes appropriate materials (brick, tile, timber framed windows and conservation type rooflights) with an adequate balance between brick and glazing and appropriate roof proportions. Whilst the presence of flat roof is disappointing, it is hidden from view and the main front element proposes appropriate window headers, a projecting bay and gable features which are present in the surrounding area and allow the proposed building to fit into the wider townscape.
- 6.7 The proposed building is of a similar building height to the neighbouring properties and those further afield. The footprint of the building is considered acceptable in comparison to the size of the plot and surrounding properties. The building does not project beyond the existing established building line, as a result the scheme will not appear as an intrusive feature in the streetscene.
- 6.8 Currently there is no basement underneath the existing dwellinghouse, however, the proposed area of basement is minimal with a projection at the rear to create a semi-private amenity area for the unit located at this level on this basis it is considered the principle of an additional subterranean level is acceptable.
- 6.9 The proposed building would be centrally located and this setting ensures that the development does not appear overly cramped in its plot. The frontage would be given over to hard-standing to allow for off street parking for the new dwellings, however there are areas of soft landscaping at the ground floor and along the boundary of the site. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 6.10 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 4 and as such the London Plan indicates that the density levels ranges of 200–700 habitable rooms per hectare (hr/ha) and the proposal would be within this range at 219 hr/ha. Whilst this would be at the lower end of the density range, the London Plan indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad,

to enable account to be taken of other factors relevant to density – such as local context, design and transport capacity. In this instance, the site is situated within a conservation area and therefore a lower density is considered appropriate.

- 6.11 The application site is a substantial plot within an established residential area and is comparable in size to other flatted and neighbouring back-land developments approved throughout the borough. The scale and massing of the new build will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area, and would result in a high quality design that does not detract from the character of the East India Estate Conservation area.
- 6.12 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

Residential amenity of adjoining occupiers

- 6.13 In terms of the proposal the properties that are most affected adjoining properties at 58 and 62 Outram Road and the property adjoining the site to the rear in Ashburton Gardens.

Impact upon 58 and 62 Outram Road

- 6.14 The front building line of the proposal would generally be consistent with the existing properties on Outram Road. The building would be set off both adjoining properties by at least 2.3m. The new development does result in a deeper built form on the site, however the projection beyond the rear building lines of the adjoining properties is not significant and it is considered in relation to an overbearing impact or overshadowing the proposal would not have a significantly detrimental impact.
- 6.15 There would be a degree of overlooking from the east facing windows on the rear elevation of the proposed buildings, however it is considered that this arrangement between proposed built form and the communal amenity space/parking area for the adjoining properties would be acceptable within an urban environment. There are no side facing windows proposed in the upper floors of the building and a condition is recommended to restrict any further fenestration to ensure that any future overlooking is mitigated along the flank elevations.

Impact upon 8 Ashburton Gardens

- 6.16 The separation distance between the proposed building and the flank side elevation of 8 Ashburton Gardens is approx. 25m, whilst this proposal would replace a single storey dwelling with a three storey property, this relationship is acceptable and no unacceptable impact upon residential amenity will occur.
- 6.17 Whilst it is accepted that the development will result in an intensification in the use of the site, given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.

Residential amenity of future occupiers

6.18 The proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS) and all units are in excess of the minimum GIA requirements as set out in the NDSS, as highlighted in the following table:

UNIT	BEDROOMS	GIA (SQM)	NDSS REQUIREMENT (GIA)
1	2	75	70
2	2	62	61
3	2	85	70
4	2	75	70
5	1	65	58
6	1	55	50

6.19 The internal layouts would be acceptable with adequate room sizes and a large open plan living, kitchen and dining area. Unit 1 has the living, kitchen and dining area at basement level and it is considered that given the depth of the room and the east facing orientation the level of daylight/sunlight would provide an acceptable standard of accommodation.

6.20 With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings. Units 1 and 2 both benefit from private amenity space in excess of the minimum standards, whilst the remaining properties have access to the communal garden at the rear of the site. This is considered acceptable given that Units 3-6 exceed the minimum NDSS standards and the provision of private balconies is not a feature of the Conservation Area.

6.21 In terms of accessibility, level access would be provided to the front door and refuse and cycle storage. A disabled car parking space is proposed for the parking area.

6.22 The proposal is considered to result in a high quality development offering a variety of housing types all with adequate amenities and a good standard of accommodation for future occupiers.

Highways and transport

6.23 The site is located within an area of good public transport accessibility (PTAL level 4 on a scale of 1a-6b where 6b is the most accessible). The site is well located for bus routes and in close proximity to the Sandilands Tram Stop.

6.24 A total of three car parking spaces are proposed, one of which is designated as a disabled space meeting London Plan requirements. Whilst local residents have raised concerns about the number of parking spaces adding to parking pressure in the

surrounding streets, planning policies encourage sustainable forms of transport and positively seek to restrict off street parking. The number of parking spaces for this development is considered acceptable given the accessibility of the site.

- 6.25 One electric vehicle charging point is required for the proposal to accord with the standards set out in the London Plan. The parking layout, including disabled parking and electric vehicle charging point would be secured by condition to be installed prior to occupation of the site.
- 6.26 The applicant proposes a single vehicle access utilising the existing access. This would be considered acceptable, although it is prudent to recommend a condition that ensures highway visibility splay standards are incorporated.
- 6.27 An internal bin store area has been provided showing the 12 spaces that are required to comply with the London Plan requirements, further detail on the type of storage equipment will be secured via condition. Likewise, the bin storage is located internally and within the required distance of the highway to ensure that it can be collected without causing significant congestion or disruption to the flow of traffic.

Trees and landscaping

- 6.28 The proposal would result in the loss of some low level garden planting including some shrubs/trees. The Council's Tree Officer has reviewed the proposal and is satisfied with the works proposed. A scheme for hard and soft landscaping will be secured by condition and will provide some mitigation for the loss of the existing trees/shrubs.
- 6.29 The application site is not near an area of special scientific interest or a site of nature conservation value. With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

Sustainability and flood risk

- 6.30 Conditions would secure a 19% carbon dioxide emission reduction and a water use target of 110L per head per day thereby meeting sustainability targets.
- 6.31 The site falls within an area at risk of surface water flooding. Given the areas for landscaping there are opportunities for SUDS to be located in the communal areas. Officers are satisfied that these issues can be dealt with by condition

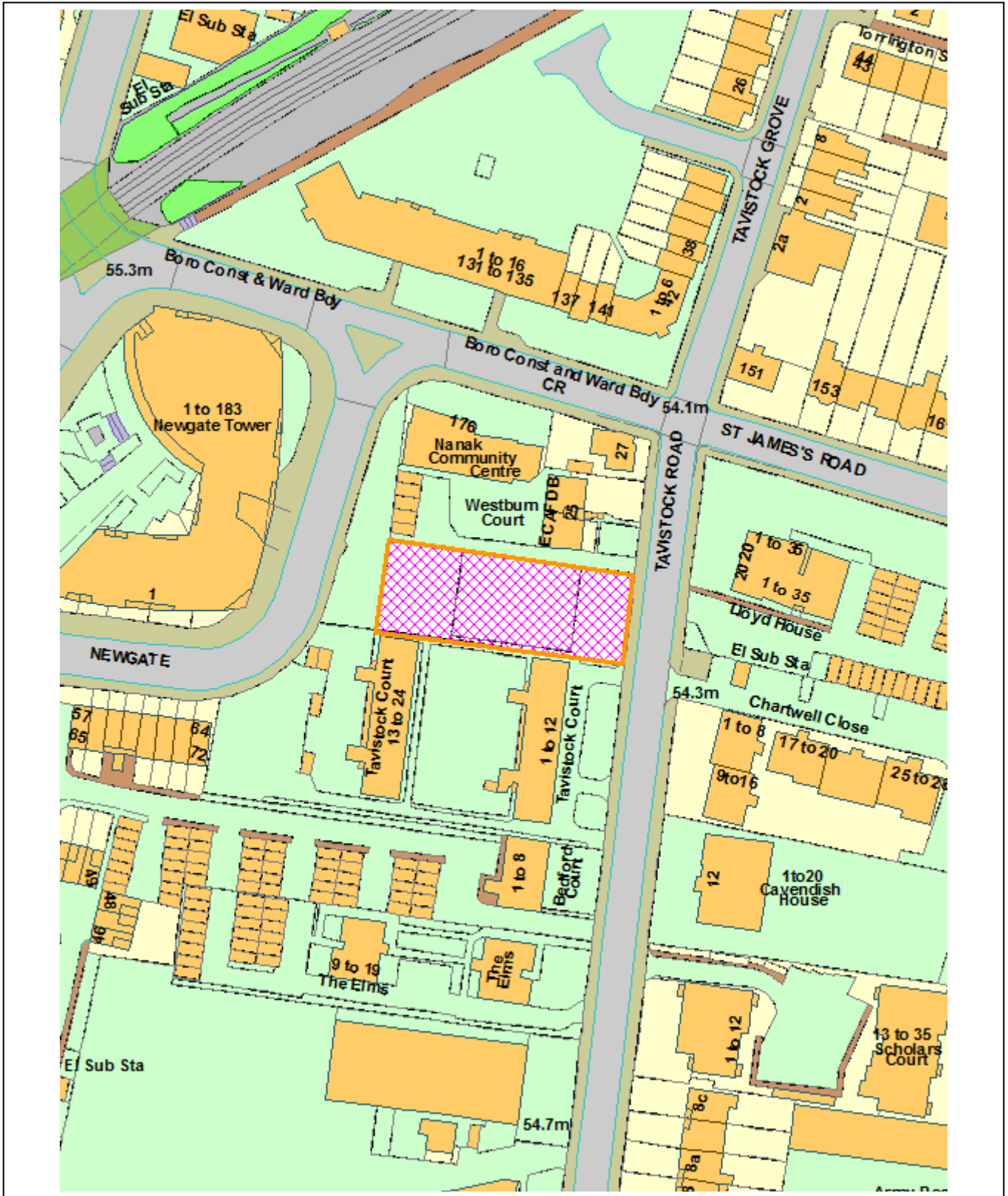
Other Planning Issues

- 6.32 Several consultation responses raised concerns relating to stress on local services which they argued would be worsened through the proposed development. As part of the planning process, certain types of development are liable for a Community Infrastructure Levy which is charged against new floor space. This development would be liable for CIL payments for the Council's CIL and Mayoral CIL. The payment would contribute to maintaining local services such as education facilities, health care facilities, public open space, sports and leisure and community facilities as well as transport links through the Mayoral CIL.

Conclusions

- 6.33 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.
- 6.34 All other relevant policies and considerations, including equalities, have been taken into account.

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1 SUMMARY OF APPLICATION DETAILS

Ref: [17/02998/FUL](#) (Link to associated documents on Planning Register)
 Location: 23 Tavistock Road, Croydon, CR0 2AL
 Ward: Fairfield
 Description: Erection of four storey building at rear to provide 8 two bedroom and 1 one bedroom flats
 Drawing Nos: 1407/EX/001, 1407-PR/2-100 A, 1407/PR/2-101 A, 1407/PR/2-102 B, 1407/PR/2-103 B, 1407/PR/2-104 B, 1407/PR/2-105 A, 1407/PR/2-106, 1407/PR/2-107 B
 Applicant: Mr Savvas Savva, Savgold Ltd
 Agent: Noman Beg, ReDesign Architecture Ltd
 Case Officer: Toby Gethin

	1 bed	2 bed	3 bed	4 bed
Houses				
Flats	1	8		
Totals	1	8		

Type of floorspace	Amount proposed	Amount retained	Amount lost
Residential	747 Sq m	N/A	N/A

Number of car parking spaces	Number of cycle parking spaces
3 (including one disabled space)	9

1.1 This application is being reported to Planning Committee because the Ward Councillor (Cllr Mohan) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.
- 2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

- 1) To be built in accordance with the approved plans and drawings.
- 2) Construction Logistics Plan to be submitted prior to construction.
- 3) Submission of a drainage scheme prior to works.

- 4) Submission of typical window details, specification of balconies and details of junctions between external facing materials.
- 5) Submission of a landscaping scheme including boundary treatment details.
- 6) Submission of details which prevent residents (with the exception of disabled persons) from obtaining resident parking permits.
- 7) Compliance with the noise impact assessment recommendations.
- 8) Details of an enclosed bin store and sufficient storage for 17 cycles
- 9) 19% CO2 reduction
- 10) Water usage reduction
- 11) Restriction of noise level of air handling units
- 12) Provision of an Electric Vehicle Charging Point
- 13) The flank windows in the southern elevation shall be obscure glazed.
- 14) The external facing materials used shall be in accordance with the details in the approved plans and drawings.
- 15) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

- 1) Removal of site notices
- 2) CIL
- 3) Construction logistics guidance
- 4) Party Wall Act
- 5) Light pollution guidance
- 6) Any [other] informative(s) considered necessary by the Director of Planning

- 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 The proposal involves the erection of a four storey flatted development providing nine flats. The subject site is currently vacant, although the location of the proposed building would have formed part of the rear of the large communal amenity area provided for the recently built flatted development (fronting Tavistock Road) to the east of the proposed building. The proposal includes the provision of associated landscaping, off-street parking for three cars (including one disabled space) and cycle storage.
- 3.2 During determination, an amended site plan was submitted to ensure the red line boundary covered the proposed works at the front of the site. Amended floor plans and elevations were also subsequently submitted to resolve the building's small roof overhang (into the Westburn Court site) that appeared on the original drawings. The flank windows facing the Westburn Court site were also removed. These amendments do not necessitate re-consultation.

Site and Surroundings

- 3.3 Located in central Croydon, the site sits between Newgate one-way road system to the west and Tavistock Road to the east. The site consists of a recently built four storey flatted development fronting Tavistock Road with off-street parking and landscaping to

the rear of the building. There was until recently a large tree adjacent to (and partly overhanging) the site, located immediately to the north in the neighbouring site of Westburn Court, 25 Tavistock Road. This tree however no longer exists following a recent natural failure.

- 3.4 The site was previously occupied by a two/three-storey building comprising a linked pair of Georgian-style interwar houses formerly used as a residence for The Sisters of the Institute of Our Lady of Mercy. That building has been demolished and construction of the above flatted development building (permitted under 16/04671/VOC) appears to have completed.
- 3.5 The surrounding area has a mixed character, comprising mainly residential and office uses. It is located just to the north of the Croydon Metropolitan Centre boundary. To the north of the site is Westburn Court, a 3-storey block of flats (located to the north-east of the proposed building) with off-street parking/garages and a grassed landscaped area to the rear. Beyond that is 176 St James's Road where the Nanak Community Centre is located. To the south is Tavistock Court, a 3.5 storey flatted development in two separate buildings. To the west is the residential block and tower on Newgate roundabout, known as the Island.
- 3.6 The site is situated within an Area of High Density and is within the Croydon Opportunity Area Planning Framework (OAPF). The site is not subject to any statutory listings. It is within a controlled parking zone. CLP2 (Proposed Submission) identifies the site as being within Place Specific (draft) Policy DM40.1, providing general guidance on development in the OAPF.

Planning History

- 3.7 The following planning decisions are relevant to the application site:

13/01702/P – Outline planning permission granted for Demolition of existing building; erection of three storey building with accommodation in roofspace comprising 6 two bedroom, 2 one bedroom and 1 three bedroom flats; formation of vehicular access and provision of associated parking, cycle and refuse storage.

14/03536/RES – Approval of Reserved Matters and Discharge of Conditions 1, 2 and 6 attached to planning permission 13/01702/P for Demolition of existing building; erection of three storey building with accommodation in roofspace comprising 6 two bedroom, 2 one bedroom and 1 three bedroom flats; formation of vehicular access and provision of associated parking, cycle and refuse storage.

16/2681/DT – Non-material amendment approved to add a condition including plan numbers to permission 14/03536/RES.

16/01546/P – Application withdrawn for Demolition of existing building; erection of three storey building with accommodation in roofspace comprising 6 two bedroom, 2 one bedroom and 1 three bedroom flats; formation of vehicular access and provision of associated parking, cycle and refuse storage (without compliance to the plans attached to planning approval 14/03536/RES).

16/04671/VOC – Permission granted for Demolition of existing building and erection of three storey building with accommodation in roofspace comprising 6 two bedroom, 2 one bedroom and 1 three bedroom flats. Formation of vehicular access and provision

of associated parking, cycle and refuse storage (without compliance to the plans attached to planning approval 14/03536/RES). Permission was granted subject to a s106 agreement, restricting future occupiers from applying for resident parking permits. This permission has been implemented.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide much needed residential accommodation on a back land/in-fill site.
- The scheme would be similar in appearance and scale to its surroundings and would sufficiently respect the character of the area on Tavistock Road/Newgate road. The proposal would also create a more active public realm on Newgate Road through the proposed new residential access to the site.
- The scheme would not result in significant harm to the amenity of adjoining occupiers and it would not prejudice the development potential of adjoining sites.
- Subject to a condition securing details which prevent future residents from applying for on-street resident parking permits, the proposal would not harm the highway or exacerbate parking pressure in the surrounding area.
- A suitable on-site drainage scheme can be secured by condition.
- The proposed flats would provide suitable living conditions for future occupiers.
- The building's sustainability credentials can be secured by condition.

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:
- 5.3 Strategic Transport: no objection subject to future residents being prevented from applying for resident parking permits, securing the provision of an electric vehicle charging point and sufficient cycle parking storage, and submission of refuse store details prior to occupation.
- 5.4 Environmental Health (Pollution team): no objection subject to conditions securing compliance with the recommendations of the noise impact assessment, limiting noise from any air handling units and submission of a Construction Logistics Plan.
- 5.5 Tree Officer: no objection.

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. 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: 4 Objecting: 4 Supporting: 0

No of petitions received: 0

6.2 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:

Summary of objections	Response
Lack of off-street parking provision exacerbating on-street parking pressure for surrounding residents and attendees at Nanak Community Centre	The proposal involves only limited off-street parking. However, as detailed below, a condition can ensure that future residents would be restricted from applying for on-street resident parking permits. This would ensure the proposal would not exacerbate any existing parking pressures in the area.
Proposed building be built on the party wall with Westburn Court and it would overhang the site boundary with the roof and side windows (if opened) encroaching on to Westburn Court	The Party Wall Act covers issues relating to party walls and is not a material planning consideration. However, the originally submitted plans did appear to show that the proposed building's roof and side windows (if opened) would slightly encroach on to adjoining land at Westburn Court, beyond the application's red line boundary. The developer was therefore requested to resolve this. Amended floor plans and elevations were therefore submitted to resolve the building's small overhang to Westburn Court. The flank windows facing the Westburn Court site were also removed.
Prejudice future development potential at Westburn Court	With the removal of the northerly flank windows (as detailed above), the proposal does not prejudice the future development potential at the Westburn Court site.
Overlooking/loss of privacy from side windows	Removal of the northerly flank windows (as detailed above) reduces the potential for the proposal to result in overlooking/loss of privacy.
Consultation of the application	Between April 2012 and late August 2017, neighbour notifications for planning applications have been carried out entirely by the use of site notices, which is in accordance with statutory provisions. In this case, three site notices were displayed (on Tavistock Road, St James's Road and Newgate road). Given the scale of the proposal, there is no statutory requirement on the developer to engage in any pre-application consultation with neighbours.

6.3 Cllr Vidhi Mohan has made the following representations:

- Windows would overlook the adjacent property at 25 Tavistock Road (Westburn Court) resulting in a loss of privacy to residents there.
- The scheme would be overdevelopment of the site.

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. The draft Croydon Local Plan: Detailed Policies and Proposals (CLP2) (Proposed Submission) and a partial review of CLP1 (CLP1.1) were submitted to the Secretary of State in early February 2017 with the Examination in Public held in May 2017. Whilst the weight afforded is limited at this stage, the draft policies in CLP2 and CLP1.1 (Proposed Submission) have become material considerations. The draft policies are therefore also considered below where relevant.

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:

- Requiring good design.
- Promoting sustainable transport and requiring transport assessments.
- Achieving sustainable and low carbon development to meet the challenge of climate change and flooding.
- Encouraging the effective use of land by reusing land that has been previously developed.

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

7.4 Consolidated London Plan 2015 (LP):

- 5.1 (Climate change mitigation)
- 5.2 (Minimising carbon dioxide emissions)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 6.3 (Assessing effects of development on transport capacity)
- 6.9 (Cycling)
- 6.13 (Parking)
- 7.1 (Lifetime neighbourhoods)
- 7.4 (Local character)
- 7.6 (Architecture)
- 7.15 (Noise)
- Policy 7.21 (Trees and woodlands)

7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1 and CLP1.1):

- SP2 (Homes)
- SP4 (Urban Design and Local Character)

- SP6 (Environment and Climate Change)
- SP8 (Transport and communication)

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

- H2 (Supply of new housing)
- H5 (Back land and back garden development)
- EP1 (Control of Potentially Polluting Uses)
- EP2 and EP3 (Land Contamination)
- NC4 (Woodland, Trees and Hedgerows)
- T2 (Traffic Generation)
- T4 (Cycling)
- T8 (Car parking standards)
- UD2 (Layout and Sitting of New Development)
- UD3 (Scale and Design of New Buildings)
- UD8 (Protecting residential amenity)
- UD13 (Parking Design and Layout)
- UD14 (Landscape design)
- UD15 (Refuse and recycling storage)

7.7 The draft Croydon Local Plan: Detailed Policies and Proposals (CLP2) (Proposed Submission):

- DM2 (Protecting back garden land)
- DM11 (Design and character)
- DM14 (Refuse and recycling)
- DM17 Promoting healthy communities
- DM24 (Sustainable design and construction)
- DM26 (Sustainable Drainage Systems and reducing flood risk)
- DM28 (Protecting and enhancing our biodiversity)
- DM29 (Trees)
- DM30 (Sustainable travel and reducing congestion)
- DM31 (Car and cycle parking)
- DM40 (Croydon Opportunity Area)

7.8 There is relevant Supplementary Planning Guidance as follows:

- Croydon Opportunity Area Planning Framework (LBC & GLA)

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact
3. Amenities of nearby occupiers
4. Living conditions of future occupiers
5. Parking and transportation considerations
6. Trees/landscaping
7. Flooding and drainage

8. Refuse/recycling storage.
9. Sustainability

Principle of development

- 8.2 In relation to the site's back land/back garden nature, the Mayor's Housing SPG (2016) states that "Infill opportunities within existing residential areas should be approached with sensitivity, whilst recognising the important role well-designed infill or small-scale development can play to meeting housing need." Local policy sets out the Council's approach to back land and back garden development, seeking to ensure that proposals complement the area's surrounding character, the remaining existing garden area would be of sufficient size and the proposal would not harm the amenity of adjoining occupiers. The proposal would result in a reduction in the communal amenity area for use by existing residents of the block to the front of the site (which fronts Tavistock Road). However, the area is not well landscaped and sufficient (well landscaped) communal amenity space would remain in the middle of the site. As covered below, it is considered that the proposal would also respect/complement the area's surrounding character and, following removal of the northerly facing flank windows, would not harm the amenity of adjoining occupiers or prejudice the future development potential of the adjoining site (Westburn Court).
- 8.3 Whilst the scheme proposes nine units and therefore avoids triggering affordable housing requirements, it appears that the site cannot accommodate any more units in any event. Whilst the proposal only includes one x one- and eight x two-bed units, emerging policy only requires larger three-bed units in Major schemes. Six of the two-bed units would however provide accommodation for four people, thereby providing an element of family sized housing nonetheless.
- 8.4 The surrounding area is well built-up and the proposed building would result in two buildings on the plot. This would be similar in nature to the dense built form in the surrounding area, including for example in relation to the two flatted buildings at Tavistock Court (the adjoining plot to the south of the subject site).
- 8.5 Subject to the proposal being found acceptable with regards to material considerations, particularly in relation to transport/highways issues and adjoining occupiers' amenity, the proposal is supported in principle.

Townscape and visual impact

- 8.6 The proposed building would have a similar appearance to the recently built block to the front of the site. At four-storeys, it would have a similar height to surrounding buildings, including the recently built block on the site and Tavistock Court. Materials include a red multi-stock brick as the main material with limited areas of render on the ground floor. The building would be set back slightly from the front of the site (when facing the roundabout) and the adjoining block, Tavistock Court. However, the set-back allows for more private defensible space between the public realm and highway. Introducing a new access off Newgate road will also bring a more active use to this area.
- 8.7 It is considered that the design, massing, location and overall appearance of the proposed building is acceptable with regards to its context. However, to ensure sufficient soft and hard landscaping and boundary treatment, a condition should be included to secure these details. A condition should also be included to secure typical

window details (profiles, reveals, cills and lintels), specification of all balconies and their boundary treatment and details of junctions between external facing materials.

Amenities of nearby occupiers

- 8.8 The proposal site is bounded by residential uses on all sides. The closest residential buildings that could be most affected by the proposal includes the recently constructed residential scheme to the east (fronting Tavistock Road) of the proposed building and 13-24 Tavistock Court adjacent/immediately to the south. There is also residential accommodation on Newgate roundabout to the west and Westburn Court to the north-east.
- 8.9 There would be a back-to-back separation distance of c18mts to the new residential building at the front of the site (off Tavistock Road). This is sufficient to avoid unacceptable levels of overlooking/loss of privacy and loss of outlook. The building would be c3.5mts from the flank wall of Tavistock Court (to the south), but the flank wall in Tavistock Court does not contain any windows (other than two roof lights which would not be significantly affected by the proposal) and the proposed building would not project significantly beyond the main building line of Tavistock Court. Other residential uses are sufficiently separated from the proposed development; the flats on Newgate roundabout by the road (and landscaped area); and the Westburn Court by the garages and parking/turning area, with the amenity space further beyond (to the north-west of the proposed building).
- 8.10 To avoid the potential for overlooking, the proposal was amended during determination, removing the flank north-elevation windows which would have faced the garages/parking area in Westburn Close. The building would have flank south-elevation windows facing towards Tavistock Court. Whilst there are no windows in that building facing the subject site, a condition could still be included to ensure that the flank windows in the proposed building would be obscure glazed (as shown on the plans), thereby preventing any possible overlooking to that adjoining site. Obscure glazing these flank windows will not harm the amenity of future occupiers of the building as the windows all serve bathrooms.
- 8.11 The daylight/sunlight study submitted with the application sets out that there would some minor reductions to the amount of daylight, sunlight and overshadowing reaching adjoining properties. However, the reductions are not significant and are all within the BRE guidance parameters.

Living conditions of future occupiers

- 8.12 All the flats would comply with the minimum gross internal area required and sufficient (above the minimum) external amenity space would also be provided (in the form of private gardens/balconies and access to the communal amenity area in the middle of the site).
- 8.13 All flats apart from flat 2 would be dual aspect. Flat 2 would however receive sufficient daylight and ventilation due to the size of the glazing for this flat. Traffic noise from Newgate roundabout would be mitigated through triple glazing and insulation, as set out in the noise assessment.

Parking and transportation considerations

- 8.14 The site is located in an area with a PTAL of 6b. This is the highest PTAL level and means the site has excellent accessibility to public transport. Given the areas accessibility, the site lends itself to a reduced level of parking provision or indeed a car free development.
- 8.15 This proposal includes a total of three car parking spaces, of which one would be a disabled space. Given the accessibility of the site, this level of provision is considered acceptable, although Strategic Transport have confirmed that they would have also had no objection if just one disabled space was proposed.
- 8.16 The disabled space should be provided with an Electric Vehicle Charging Point, which can be conditioned. Cycle parking is provided in the form of nine individual cycle lockers. To comply with the London Plan standards, a total of 17 cycle parking spaces are required. Details of this can be secured by condition. Given the location of the site, a Construction Logistics Plan (CLP) should also be secured by condition. Whilst not on the Transport for London Road Network, TfL will still need to be consulted on the CLP given the nearby bus stop.
- 8.17 The provision of only limited off-street parking spaces for the nine flats proposed could result in increased on-street parking demand and pressure, a logical concern raised by objectors. However, to avoid this, a condition can be included with any planning permission to ensure that future occupiers of this development would be prohibited from applying for resident parking permits. This would avoid the development from contributing to existing parking stress in the surrounding area.
- 8.18 The three parking spaces shown were previously included as part of the recently-built flatted development to the east of this proposed building. This application however proposes that these three parking spaces are used for occupiers of this building. Given the recently built building has parking accessed direct off Tavistock Road and a legal agreement restricting occupiers of that building from applying for resident parking permits, this is considered acceptable with regards to the recently built development.

Trees/landscaping

- 8.19 Until recently, there was a large tree adjacent to (and partly overhanging) the site, located immediately to the north in the neighbouring site of Westburn Court. This tree was considered desirable to retain. The now built flatted building at the front of this subject site therefore previously included details securing that construction works would not harm that tree. The tree however no longer exists following a recent natural failure. On this basis, there is no arboricultural objection to the proposal. A full landscaping plan can however secure sufficient details of proposed soft landscaping on the site.

Flooding and drainage

- 8.20 The site is subject to a surface water flood risk of 1/100 and 1/1000yrs. A Flood Risk Assessment (FRA) was submitted with the application, which identifies that the site is subject to flood risk but concludes that the property is only likely to be at risk from an extreme rainfall event and concludes that no further assessment is likely to be necessary.
- 8.21 The development would not include any rooms below ground. Permeable paving is proposed around the building, and there would be some soft landscaping on the site.

On the basis that a suitable drainage scheme is provided at the site, the risk of flooding is considered to be acceptable. A drainage scheme (SUDS) can be secured by condition.

Refuse/recycling storage

8.22 Refuse/recycling would be located to the side of the proposed building, behind boundary treatment. It would be accessible via the side gate fronting Newgate roundabout and collection crews could therefore access the bins. Subject to a condition securing details regarding the bins being located in an enclosed store, this is considered acceptable.

Sustainability

8.23 To ensure a sustainable development with reduces energy and water use, conditions can be included with any permission to reduce CO2 emissions by 19% beyond building regulations and limit water use by future occupiers.

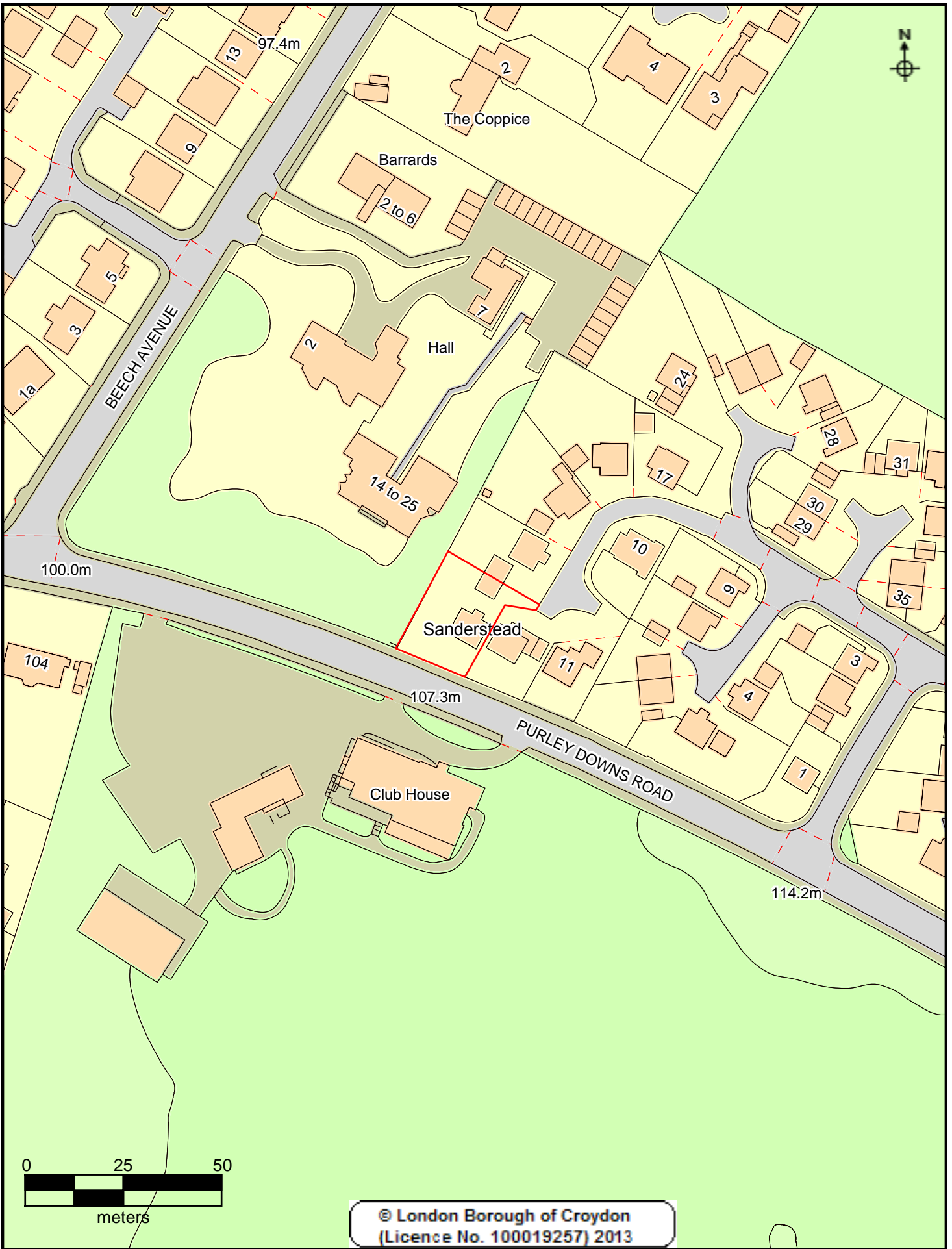
Other Planning Issues

8.24 None.

Conclusions

8.25 The proposal would provide much needed residential accommodation in the borough. Any harm arising from the scheme would not be significant and the proposal is considered acceptable with regards to material planning considerations. It is therefore recommended that permission be granted subject to the conditions listed above.

8.26 All other relevant policies and considerations, including equalities, have been taken into account.



PART 6: Planning Applications for Decision

Item 6.4

SUMMARY OF APPLICATION DETAILS

Ref: [17/04278/FUL](#) (*Link to associated documents on Planning Register*)
Location: 13 Tindale Close, South Croydon, CR2 0RT
Ward: Sanderstead
Description: Erection of single/two storey front/side/rear extensions and alterations for subdivision into a pair of 4 bedroom semi-detached dwellings
Drawing Nos: J002740/DD01, J002740/DD02, J002740/DD03, J002740/DD04, J002740/DD05, J002740/DD06, J002740/DD07, J002740/DD08, J002740/DD09, J002740/DD10, J48.56/03
Applicant: Mr Webzell
Agent: Neal McGregor, WS Planning & Architecture, Europe House, Bancroft Road, Reigate, RH2 7RP
Case Officer: Dan Hyde

- 1.1 This application is being reported to Planning Sub-Committee because the Ward Councillor (Cllr Pollard) made a representation in accordance with the Planning Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) The proposal to be in accordance with the approved plans (plans specified)
- 2) Tree Protection measures be in place prior to works beginning on site, including storage of materials, appropriate ground protection, fencing and foundations
- 3) The front facing window of bedroom 04 of the northern most dwelling shall be obscure glazed up to 1.7m from the floor in which it is installed
- 4) Materials to match the existing dwelling
- 5) Removal of Permitted Development
- 6) Car and cycle spaces along with refuse storage arrangements in place prior to first occupation
- 6) To complete the proposal in 3 years of the date of the permission
- 7) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.2 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 Following on from planning permission having been granted for extensions to the application property, this current planning application seeks planning permission for slightly larger extensions and use of the extended property as two houses with associated external alterations (introducing two front doors and sub-dividing existing garden areas between both properties). The application therefore includes the following constituents:

- Erection of two storey side and single storey rear extensions
- Extension of existing single storey front porch
- Provision of cycle and waste refuse stores
- Subdivision of plots into 2x4 bedroom dwellings

Site and Surroundings

- Residential in character
- Surrounding properties of a similar size and design to application site
- Flatted development to the north west of the site
- An Area Protection Order is in place on site made under Tree Protection Order No. 145 of 1962. Most notably there is a large Beech tree to the north west of the application site.
- The site is not subject to any designations as identified in the Croydon Local Plan Policies Map.

Planning History

The following planning decisions are relevant to the application:

06/04079/P	Retention of decking at rear Approved [and implemented]
14/04937/P	Erection of detached 3 bedroom dwelling at side and provision of associated parking Refused on grounds of overdevelopment, out of character with surrounding area, impact on protected trees Appeal dismissed on the same grounds
17/00216/HSE	Erection of two storey side extension and single storey front extension, extension to decking Approved
17/01693/HSE	Erection of two storey side extension, single storey extension to existing porch, decking and single storey rear extension Approved

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed extension and subdivision would not have a detrimental impact on the amenity of the street scene in this part of Tindale Close. It would be out of the direct line of sight when approaching this part of Tindale Close and would not be immediately visible in the wider street scene and would be partly screened, particularly at ground floor level by the existing detached garage.
- The proposed extension would be well separated from 14 Tindale Close (by 15.5 metres) which is considered a significant enough distance to protect residential amenities. The scale of extensions have already been accepted in principle by the local planning authority under planning application (LBC Ref 17/00216/HSE).
- The formation of two separate units would be acceptable given the amenities of the future occupiers. Car parking, cycle parking and details of refuse storage and collection would also be acceptable.
- The proposal would encroach very slightly into the Root Protection Area of the protected Beech tree. However screw pile foundations are proposed which would be acceptable, allowing the health of the tree to be maintained.

4.2 CONSULTATION RESPONSE

- The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5 LOCAL REPRESENTATION

6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. 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: 4 Objecting: 4 Supporting: 0

6.2 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:

- Increase in noise
- Insufficient parking provision
- Out of keeping with character of surrounding area
- Overdevelopment and inappropriate
- Existing garages are too small for cars
- Increase in noise, dirt, pollution and litter from builders
- No set back at first floor level
- More windows in front elevation increasing overlooking
- Impact on neighbouring occupiers including loss of light
- Loss of privacy and view
- Dangerous increase in vehicle movements
- Loss of green corridor and wildlife
- Impact on preserved trees
- Waste collection

6.3 The following matters were in representations which are not material to the determination of the application:

- Land has restrictive covenants – (OFFICER COMMENT): This is not a material planning consideration and is to be dealt with through civil action.
- Proposed parking and cycle storage relies on goodwill of new occupiers of the dwellings – (OFFICER COMMENT): It is considered that the parking proposals would be a workable solution to the parking issues that this proposal raises.
- Impact on sewers – (OFFICER COMMENT): The Council has no jurisdiction over the sewer system and these issues should be raised with Thames Water.

6.4 Councillor Tim Pollard has made the following representations:

- Over-development of site
- Access issues over shared drive
- Loss of privacy to neighbours
- Dwellings out of character with all others in the Close

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. (This list and the paragraphs below, will need to include CLP1.1 and CLP2 once they have weight and become material planning considerations).

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:

- Requiring good design.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.2 Place Making
- SP4.1 & 4.2 Urban Design and Local Character
- SP2.2 Homes – Quantities and Locations
- SP2.5 Mix of Homes by Size
- SP2.6 Homes – Qualities and Standards

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

- UD2 Layout and Siting of New Development
- UD3 Scale and Design of New Buildings
- UD8 Protecting residential amenity
- NC4 Woodland Trees and Hedgerows

There is relevant Supplementary Planning Guidance as follows:

- SPD2 Residential Extensions (LBC)

7.4 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 and the examination took place in May/June this year. 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.

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact
3. Neighbour amenity
4. Future occupiers
5. Parking/cycle storage
6. Waste storage
7. Protected trees

Principle of development

8.2 The principle of extending the application property (albeit as an existing property) has already been established following on from grants of previous planning permission in 2017 (LBC Refs 17/00216/HSE and 17/01693/HSE). Furthermore, planning permission has also been granted in respect of 29 Tindale Close (with the two storey side extension having been implemented).

8.3 The use of the extended property as two separate dwellings would contribute positively to providing further family accommodation – and would help meet current

housing targets as guided by the development plan. The resulting new dwellings would be suitably sized as 2x4 bedroom (5 person) dwellings.

Townscape and visual impact

- 8.4 The proposed extension would be in the south west corner of this cul-de-sac within Tindale Close. Due to the tight nature and layout of this area of Tindale Close, views of the extension would not be possible until one is well within the cul-de-sac. As the majority of the extension would be well screened by the existing garages to the front of the application site, the proposal would not have a dominating impact on the street scene.
- 8.5 Whilst the extension would not be SPD2 compliant as it would not have a set back at first floor level, it would not cause any terracing as there is no neighbouring occupier to this side of the property and as stated previously, the location of the development would mean that the proposal would not have a harmful effect on the street scene.

Neighbour Amenity

- 8.6 The impact of a similar extension has previously been considered to be acceptable with the use of a condition to have the first floor window obscure glazed (17/00216/HSE and 17/01693/HSE), which is being sought to be secured again here to protect the amenities of the occupiers of 14 Tindale Close. In this proposal, whilst the previously approved first floor set back does not form part of this current proposal, there would still be a reasonable separation distance of (over 17 metres) which is considered significant enough to not warrant further harm over and above the previously approved scheme.
- 8.7 Furthermore, there are no side windows in 14 Tindale Close, except for a side door which is obscure glazed and directly behind the existing garage to that property. Therefore any impact on this would not harm the overall residential amenities of the occupiers.
- 8.8 The impact of the single storey rear extension (adjacent to 12 Tindall Close) has also previously been assessed to be acceptable in planning application (LBC Ref 17/01693/HSE).
- 8.9 Due to the proposed siting and scale of development, it is not considered that there would be a harm from it on other neighbouring occupiers in Tindale Close or surrounding properties.

Future occupiers

- 8.10 Both units would be dual aspect and therefore allow a reasonable amount of light into the units which is supported.
- 8.11 The two units would be 4 bedrooms provided over 2 storeys, with space to accommodate 5 persons. The unit sizes would exceed the requirements under the Nationally Prescribed Technical Housing Standards.
- 8.12 Both dwellings would have private amenity space to the rear with appropriate boundary treatments to ensure this space is indeed private. The private amenity space provided is considered to be acceptable and large enough to accommodate for the dwellings.

Parking/cycle storage

- 8.13 The site has a Public Transport Accessibility Level of 0, which is considered very poor; although a new bus route (Route 359) on Purley Downs Road has recently been introduced that should assist in improving this PTAL rating. That said, the scale and nature of the development is such that is likely to have a negligible impact on the surrounding highway network. In total 4 parking spaces are proposed (two garages and space in front of each garage) which would be acceptable given the relatively poor public transport accessibility and the scale of the development.
- 8.14 Whilst vehicle swept paths have not been provided as part of the application, it is considered that these should be submitted prior to the commencement of development to ensure that exiting the site can be done so safely.
- 8.15 The proposal would have 6 cycle storage spaces for the 2 units, which is supported.

Waste storage

- 8.16 Two waste storage spaces have been provided for each unit which would be acceptable and well within the drag distance for the Council's waste collection team. It is stated in the design and access statement that the current arrangements of waste collection will be maintained to avoid disruption.
- 8.17 The proposals for waste storage and collection are both considered to be acceptable.

Protected trees

- 8.18 The application was submitted with a substantial Arboricultural report which stated that 5.3% of the Root Protection Area (RPA) of the large Beech tree would overlap the proposal, along with 2.7% of the RPA of a smaller Yew tree and 1.6% of the RPA of a smaller Beech tree. It is considered that with the appropriate conditions and foundations being used, as stated in the Arboricultural Report the minor intrusion into the RPAs would not compromise the long term health of the trees.

Conclusions

- 8.19 It is recommended that planning permission should be granted for the proposal, as it would not have a detrimental impact on the townscape or the visual amenity of the area due to the location of the proposal within in Tindale Close. The proposal would not have a detrimental impact on the amenities of neighbouring occupiers due to significant separation distances and arrangements of neighbouring properties (particularly 14 Tindale Close). There would also be acceptable provisions for the future occupier including for their amenity, cycle and waste facilities and parking provision. The proposal would not harm protected trees due to reasonable foundations being proposed and acceptable tree protection requirements that can be conditioned.
- 8.20 All other relevant policies and considerations, including equalities, have been taken into account.

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PART 8: Other Planning Matters

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters, other than planning applications for determination by the Committee and development presentations.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 The following information and advice applies to all those reports.

2 FURTHER INFORMATION

- 2.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3 PUBLIC SPEAKING

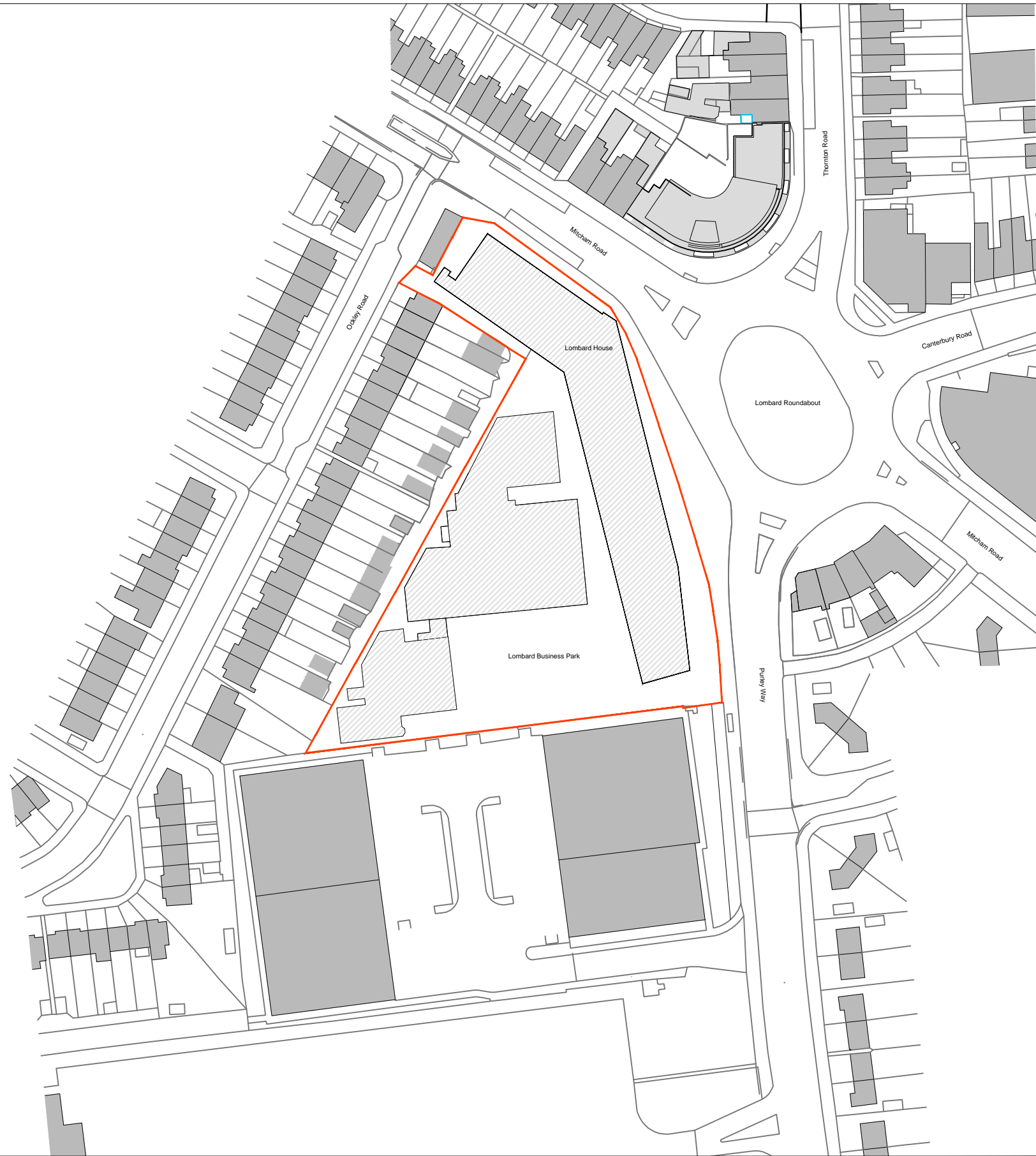
- 3.1 The Council's constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

4 BACKGROUND DOCUMENTS

- 4.1 For further information about the background papers used in the drafting of the reports in part 7 contact Mr P Mills (020 8760 5419).

5 RECOMMENDATION

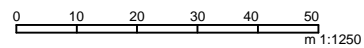
- 5.1 The Committee to take any decisions recommended in the attached reports.



notes
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drawing notes

— Site Boundary



REV | BY | CHKD | DATE | AMENDMENT DETAILS

REV | BY | CHKD | DATE | AMENDMENT DETAILS



project
Lombard House
 2 Purley Way, Croydon
 London, CR0 3JP
 client
Workspace Group
 FraserBrownMacKennaArchitects
 15-18 Featherstone St. London EC1Y 8SL www.fbmaarchitects.com
 T:020 7251 0543

drawing title
Existing Site Plan

PLANNING

scale 1:1250@A3	drawn by SC	checked by FBM	date ©10.03.15
DRAWING NUMBER	project 777	status P	revision 0001

PART 8: Other items for Decision

Item 8.1

1 SUMMARY OF PROPOSAL

Ref: N/A (previous approved scheme **15/01236/P**)
 Location: Lombard House, 2 Purley Way, Croydon, CR0 3JP
 Ward: West Thornton
 Description: Deed of Variation to the affordable housing provision in the s106 agreement attached to permission 15/01236/P for Demolition of existing buildings; redevelopment of site to provide new buildings ranging from three to six storeys in height comprising 32 one bedroom, 48 two bedroom, 13 three bedroom and 3 four bedroom residential units and 2,296sqm of commercial floorspace (within class B1a & B1c) provision of associated parking, open space and landscaping.
 Drawing Nos: N/A
 Applicant: Bellway Homes Ltd
 Agent: Savills
 Case Officer: Toby Gethin

APPROVED SCHEME (15/01236/P)

	1 bed	2 bed	3 bed	4 bed
Flats	32	48	13	3
Totals	32	48	13	3
Affordable Rented	13	6	10	2
Shared ownership	0	0	0	0
Totals	13	6	10	2

Type of floorspace	Amount proposed	Amount retained	Amount lost
B1a (office)/B1c (light industrial)	2,296sqm	N/A	N/A

PROPOSED SCHEME

	1 bed	2 bed	3 bed	4 bed
Flats	32	48	13	3
Totals	32	48	13	3
Affordable Rented	2	1	4	2
Shared ownership	3	2	1	0

Totals	5	3	5	2
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Type of floorspace	Amount proposed	Amount retained	Amount lost
B1a (office)/B1c (light industrial)	2,296sqm	N/A	N/A (no change from the approved scheme)

- 1.1 This Deed of Variation has been referred to Planning Committee for consideration because the permitted scheme 15/01236/P was considered by Planning Committee. It is therefore considered that Planning Committee should determine whether a Deed of Variation to the Section 106 Agreement should be agreed to by the Council.

2 RECOMMENDATION

- 2.1 That the Planning Committee resolve to allow a Deed of Variation to the Section 106 Agreement attached to permission 15/01236/P.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the Deed of Variation to the existing legal agreement indicated above.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 Planning permission 15/01236/P was granted in 2015 to Workspace Group for:

Demolition of existing buildings; redevelopment of site to provide new buildings ranging from three to six storeys in height comprising 32 one bedroom, 48 two bedroom, 13 three bedroom and 3 four bedroom residential units and 2,296m² of commercial floorspace (within class B1a & B1c) provision of associated parking, open space and landscaping.

- 3.2 That permission involved the provision of 96 residential units comprising 32 one bedroom, 48 two bedroom, 13 three bedroom and 3 four bedroom flats. The Section 106 Agreement attached to the permission secured, amongst other aspects, 31 units as on-site affordable housing. This equates to 32% of the total units and 36% of the total number of habitable rooms. These units are solely affordable rent, consisting of a mix of 13x1b, 6x2b, 10x3b, 2x4b flats.
- 3.3 The new owners of the site, Bellway Homes Ltd, are requesting a Deed of Variation (DoV) to the previously completed Section 106 Agreement. This would involve reducing the level of on-site affordable housing provision from 31 to 15 units, with a review mechanism within the DoV entered into for the remaining affordable housing (up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units). The review mechanism will ensure that an updated viability assessment is completed as the development progresses and that any improvement in the scheme's viability is captured in the form of a commuted sum for the delivery of affordable housing in the borough.
- 3.4 All other aspects of the approved scheme (including the overall quantum of residential and commercial floorspace) would remain unaltered.

- 3.5 The amended affordable housing provision of 15 units proposed equates to 15.6% of the total units and 19% of the total habitable rooms. Compared to the approved scheme, this equates to a reduction of 16.4% in terms of affordable units and 17% in terms of habitable rooms.
- 3.6 Of the 15 units proposed as affordable housing, six would be shared ownership and nine affordable rent. The mix of units would be:
- 5 one beds (three under shared ownership; two under affordable rent)
 - 3 two beds (two under shared ownership; one under affordable rent)
 - 5 three beds (one under shared ownership; four under affordable rent)
 - 2 four beds (two under affordable rent).

Site and Surroundings

- 3.7 The site faces on to the Lombard Roundabout. Until recent demolition works which have now taken place, the site was occupied by a two/three storey building (B1 [a]) on a podium at the front, with single storey commercial (B1 [b], B1[c] and B8) buildings at the rear. The majority of the buildings were occupied when permission 15/01236/P was granted. The site can be accessed from Purley Way and from Ockley Road to the north-west of the site. The site area is approximately 0.78ha.
- 3.8 The site falls within the northern end of an employment area and is in a Strategic Industrial Location, with industrial units of a similar height to the south. Residential properties are generally located to the north-west of the site, although a three-storey narrow commercial unit is immediately adjacent. Purley Way (A23) forms part of the Transport for London managed road network and Mitcham Road is a London distributor road.

Planning History

- 3.9 10/02239/P: Application for change of use of part (600 sqm) of the existing ground floor office floorspace (Class B1a) to a private college (Class D1). Approved but was not implemented.

12/008689/P: Application for the change of use of a small element (52 sqm) of existing ground floor office floorspace (Class B1a) to a mini-cab office (Sui Generis) in the southern 'wing' of Lombard House. Approved and implemented.

14/03463/GPDO: Prior approval application for change of use of existing frontage building to 59 flats. Approved and not implemented.

15/01236/P – Demolition of existing buildings; redevelopment of site to provide new buildings ranging from three to six storeys in height comprising 32 one bedroom, 48 two bedroom, 13 three bedroom and 3 four bedroom residential units and 2,296sqm of commercial floorspace (within class B1a & B1c) provision of associated parking, open space and landscaping. Approved on 28 September 2015 and yet to be implemented.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The as-approved (with 31 affordable units) and proposed scheme (with 15 affordable units) are not financially viable.

- 4.2 Subject to the DoV including a review mechanism, the proposed scheme would include a CLP1.1 policy-complaint-level of affordable housing. The review mechanism for the remaining affordable housing (up to the equivalent of 50% overall provision) will ensure any improvement in the scheme's viability (based on a review of actual sales values and build costs of completed units) is captured in the form of a commuted sum for the delivery of affordable housing in the borough.

5 CONSULTATION RESPONSE

- 5.1 No consultation has been carried out as this does not involve a planning application. The requested DoV has however been brought to Planning Committee for consideration given that the permitted scheme was considered by Planning Committee.

6 LOCAL REPRESENTATION

- 6.1 N/A

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. The draft Croydon Local Plan: Detailed Policies and Proposals (CLP2) (Proposed Submission) and a partial review of CLP1 (CLP1.1) were submitted to the Secretary of State in early February 2017 with the Examination in Public held in May 2017. Whilst the weight afforded is limited at this stage, the draft policies in CLP2 and CLP1.1 (Proposed Submission) have become material considerations. The Inspector's main modifications report has also recently been published (August 2017), identifying various modifications to CLP1.1 and CLP2. The draft policies are therefore also considered below where relevant.

- 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:

- *Ensuring viability and deliverability (paras 173-177)*

- 7.3 The main policy considerations raised by the application that the Committee are required to consider are:

- 7.4 Consolidated London Plan 2015 (LP):

- Policy 3.9 (Mixed and balanced communities)
- Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)

- Policy 3.13 (Affordable housing thresholds)

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

- Policy SP2.4 (Affordable homes)

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

- None

7.7 CLP1.1 & CLP2

- CLP1.1 draft Policies SP2.4 and 2.5 (Affordable homes)

7.8 There is relevant Supplementary Planning Guidance as follows:

- GLA Affordable housing guidance

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Housing/Affordable Housing/Mix/Tenures

8.2 Given the forthcoming changes to local planning policy in terms of affordable housing, a brief comparison table of current and post adoption requirements is as follows:

Current Policy Affordable housing, CLP1	Post-adoption Local Plan affordable housing policy (CLP1.1, Consultation on the Main Modifications to the Croydon Local Plan: Detailed Policies and Proposals and the Croydon Local Plan: Strategic Policies – Partial Review)
<p>Policy SP2.4</p> <p>50% on-site subject to viability (60:40 split between affordable rent and intermediate products unless we have agreement from a Registered Provider that this split is not practical in this location).</p> <p>Any provision less than 50% must be justified by a viability report which will be independently assessed at the cost of the applicant. There is</p>	<p>Draft policies SP2.4 and 2.5</p> <p>SP2.4: To deliver affordable housing in the borough on sites of ten or more dwellings the Council will:</p> <ul style="list-style-type: none"> - a: Negotiate to achieve up to 50% affordable housing, subject to viability; - b: 60:40 split between affordable rent and intermediate products unless we have agreement from a Registered Provider that this split is not practical in this location. - c: Require a minimum provision of affordable housing as set out in SP2.5. <p>SP2.5: The Council will require a minimum provision of affordable housing to be provided either:</p> <ul style="list-style-type: none"> - a: Preferably as a minimum level of 30% affordable housing on the same site as the proposed development or, if 30% on site provision is not viable;

<p>a minimum requirement of 10% on site with the remainder up to 50% being provided either on a donor site, via a commuted sum, or through a review mechanism (in that order of preference).</p>	<ul style="list-style-type: none"> - b: If the site is in the Croydon Opportunity Area or a District Centre as a minimum level of 15% affordable housing on the same site as the proposed development plus the simultaneous delivery of the equivalent of 15% affordable housing on a donor site with a prior planning permission in addition to that site's own requirement. If the site is in the Croydon Opportunity area the donor site must be located within either the Croydon Opportunity Area or one of the neighbouring Places of Addiscombe, Broad Green & Selhurst, South Croydon or Waddon. If the site is in a District Centre, the donor site must be located within the same Place as the District Centre; or - c: As a minimum level of 15% affordable housing on the same site as the proposed development plus a Review Mechanism entered into for the remaining affordable housing (up to the equivalent of 50% overall provision through a commuted sum based on a review of actual sales values and build costs of completed units) provided 30% on-site provision is not viable, construction costs are not in the upper quartile and, in the case of developments in the Croydon Opportunity Area or District Centres, there is no suitable donor site. - In assessing viability, the Council will compare Residual Land Value with Existing Use Value (plus an incentive to provide a competitive return to a willing landowner) or Alternative Use value if there is an alternative use for the site which would comply with the policies of the development plan and could be implemented, will take account of features which appear to seek to exclude affordable housing by design or by incurring upper quartile construction costs and will take account of abnormal costs incurred. <p>Less than 15% - application will be refused.</p>
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8.3 CLP1.1 is progressing through the local plan examination and the Inspector's main modifications report (published August 2017) does not identify any significant changes to draft Policies SP2.4 and SP2.5. As such, it is considered that moderate weight should be given to draft Policies SP2.4 and SP2.5 of CP1.1.

8.4 The applicant has advised the Council that the approved scheme is not viable with any affordable housing provision. This is not necessarily surprising given that it was identified during determination of the original (now approved) scheme that it was unviable with any level of affordable housing.

- 8.5 As a result of officer discussions, Bellway Homes Ltd were advised that the Council may be prepared to consider a Deed of Variation to the Section 106 Agreement if:
- It was demonstrated that the development was financially unviable.
 - The reduction in the amount of affordable housing would be compliant with CLP1.1 and was accompanied by a clawback (review) mechanism to secure any further affordable contributions (by means of a commuted sum) should it be found that scheme viability has improved as the development progresses.
- 8.6 An up-to-date appraisal viability appraisal has been submitted by the developer to justify their proposed reduction in affordable housing provision. The Council commissioned independent financial consultants (BNPP) to undertake an assessment of Bellway Homes' financial appraisal. In August, BNPP confirmed that at present the development is unviable, with a significant shortfall. A 100% marketing housing scheme has also been found to be unviable, whilst the proposed scheme (with 15 affordable units) is also found to be unviable.
- 8.7 Including the 15 proposed affordable housing units has been found to generate a negative residual land value of circa -£2.35 million, based on current construction and associated costs and expected sales values. However, the applicant is cognisant of the Council's emerging policies on affordable homes (particularly, draft Policy SP2.5c of CLP1.1, Consultation on the Main Modifications to the Croydon Local Plan: Detailed Policies and Proposals and the Croydon Local Plan: Strategic Policies – Partial Review), with a minimum of 15% affordable housing being required. Despite the viability, the applicant is therefore proposing to provide 15 units as affordable housing and is agreeable to a review mechanism being included in the DoV.
- 8.8 The reduced affordable housing provision of 15 flats proposed by Bellway Homes Ltd equates to 15.6% of the total units and 19% of habitable rooms in the overall scheme (the existing provision is 31 units, equating to 32% of the total units and 36% of the total habitable rooms).
- 8.9 The permitted scheme includes a mix of affordable units as 13x1b, 6x2b, 10x3b, 2x4b. Whilst the developer proposes to reduce the number of affordable units to 15.6% of the total units/19% of the total habitable rooms, there would be a small improvement in the proportion of family sized units in the proposed scheme (seven of the 15 units, equating to c47%) compared to the existing approved scheme (12 of 31 units, equating to 38% of the affordable units). The proportion of one bed units would also reduce slightly (to 33% of the total affordable units in the proposed scheme compared to 42% in the approved scheme).
- 8.10 The proposed scheme would also involve a policy compliant 60/40 split between affordable rent and shared ownership (the approved situation involves solely affordable rent). The proposed scheme is also accompanied by a letter of support from Hexagon Housing Association, who state they would be well placed to manage the affordable units at the site given their nearby development on Mitcham Road.
- 8.11 The proposed scheme would locate all affordable units in a mixed tenure block (Block A). This would help to avoid an apparent social separation between private and affordable homes. This mixed tenure in the one block is also supported by Hexagon Housing Association. The mixture of private and affordable homes in the one block

helps to ensure the proposal accords with planning policy's aim of creating mixed and balanced communities.

Conclusions

- 8.12 The proposed reduction in on-site affordable housing provision at the site is clearly disappointing. It is however not entirely surprising because it was identified during determination that the original (now approved) scheme was unviable with any level of affordable housing. Despite that, the previous applicant (Workspace Group) agreed to provide 31 units as on-site affordable housing.
- 8.13 However, the policy landscape has changed since the now-approved scheme was permitted and the economic climate remains uncertain. The proposed reduction of on-site affordable housing to 19% of the total habitable rooms (15.6% of the total units) and a review mechanism included in a DoV is therefore considered acceptable and would be policy compliant with CLP1.1. The proposal also includes some minor benefits/improvements compared to the as-approved scheme. This includes a policy compliant 60/40 mix of shared ownership and affordable rent units and an improved proportion of family sized units within the total of affordable units proposed.
- 8.14 The site has recently been demolished and has now been vacant for some time. Such unused sites have a negative effect on the public and markets' perception of Croydon. The fact that Bellway Homes are willing to commence development on this major residential and commercial scheme is to be welcomed and will send out signals to the market demonstrating that major development companies continue to be willing to invest and progress schemes in the borough. This can only be beneficial for Croydon.
- 8.15 Not agreeing a DoV to the original Section 106 Agreement could delay or stop development on the site. The developer may also consider submitting a new planning application with a similar level of affordable housing as proposed here. The Council would be obliged to consider and determine any such application and if the proposed scheme is policy compliant, officers' recommendation would likely be to grant permission. Agreeing this DoV would therefore avoid the need for another planning application which may well arrive at the same conclusion as this.
- 8.16 It is therefore recommended that committee resolve to allow a Deed of Variation to the Section 106 Agreement attached to permission 15/01236/P, securing the revised level of affordable housing with a review mechanism. The review mechanism will ensure that an updated viability assessment is completed as the development progresses and that any improvement in the scheme's viability is captured in the form of a commuted sum from the developer for the delivery of additional affordable housing (up to the equivalent of 50% overall provision) elsewhere in the borough. The review mechanism will be based on a review of actual sales values and build costs of completed units. This will ensure the scheme's actual (rather than estimated) viability is used to calculate any increased provision of affordable housing that should appropriately stem from the development.
- 8.17 All other relevant policies and considerations, including equalities, have been taken into account.