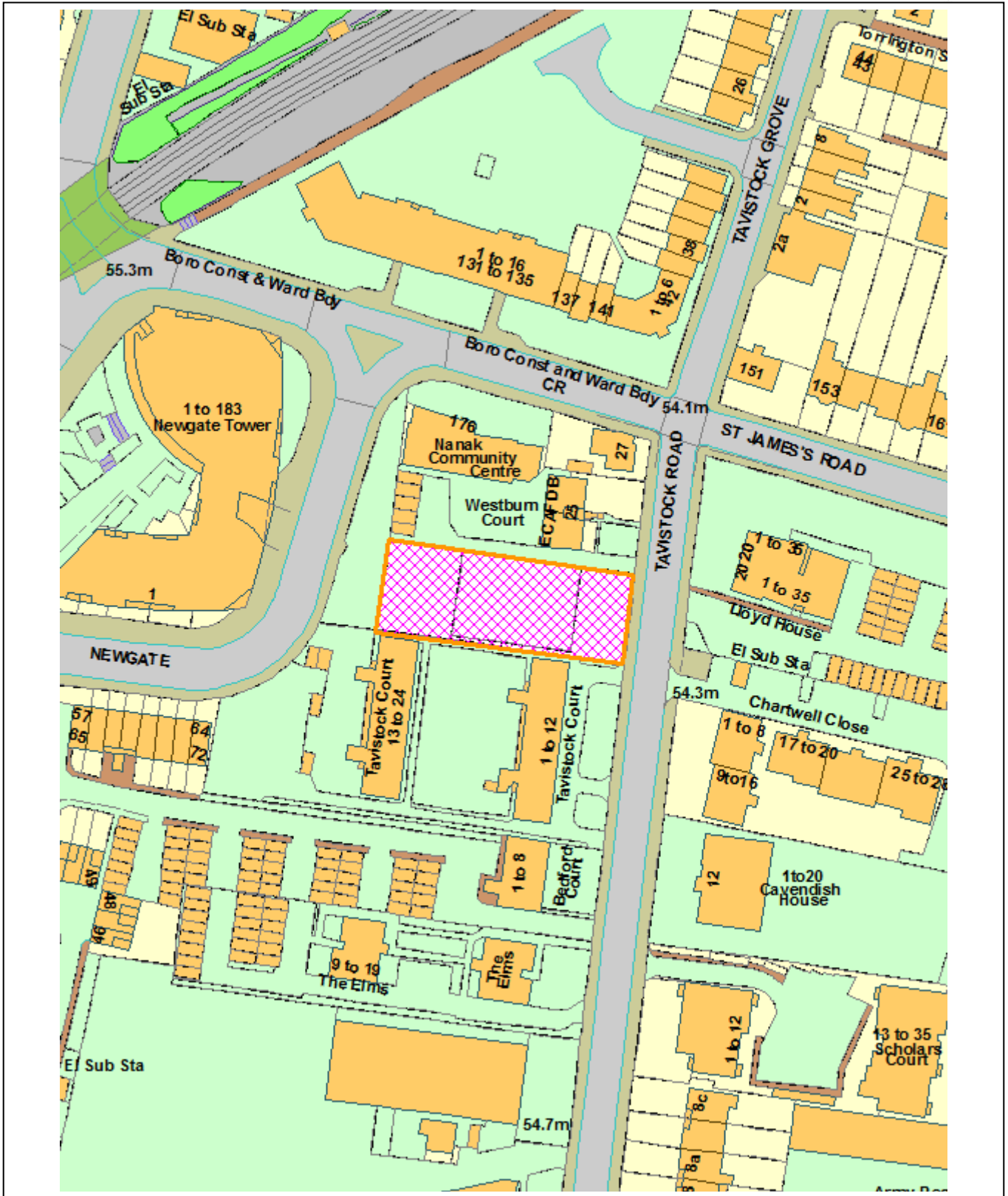




Reference number: 17/02998/FUL



1 SUMMARY OF APPLICATION DETAILS

Ref: [17/02998/FUL](#) (Link to associated documents on the 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.