

**PART 6: Planning Applications for Decision**

**Item 6.2**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 18/05822/FUL  
 Location: 40 and 40A Warminster Road, South Norwood, London SE25 4DZ  
 Ward: South Norwood  
 Description: Demolition of existing house at 40a Warminster Road and erection of 9 new houses (8 three-bedroom and 1 four-bedroom) with 9 parking spaces; partial demolition of existing terrace house at 40 Warminster Road, to be rebuilt with new single storey extension and rear roof dormer widening adjacent vehicle access to the rear.  
 Drawing Nos: 475-202/P6, 475-203/P6, 475-204/P6, 475-201/P7, 475-201/P1, 475-211/P1, 475-212/P2  
 Applicant/Agent: Miss Annie Reid  
 Case Officer: Christopher Grace

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Houses</b>	0	0	8 (6 person)	1 (7 person)
<b>Flats</b>	0	0	0	0
<b>Totals</b>	0	0	8 (111 sq.m)	1 (128 sq.m)

<b>Type of floorspace</b>	<b>Amount proposed</b>	<b>Amount retained</b>	<b>Amount lost</b>
Residential	1148 sq.m	0 sq.m	170 sq.m
<b>Number of car parking spaces</b>		<b>Number of cycle parking spaces</b>	
9		18	

- 1.1 This application is being reported to Planning Committee because the South Norwood Ward Councillor (Councillor Patsy Cummings) has requested it be referred to Planning Committee. Objections above the threshold highlighted by the Committee Consideration Criteria have also been received.

**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 issue the planning permission and impose conditions [and informatives] to secure the following matters:

**Conditions**

- 1) Built in accordance with approved plans
- 2) Materials to be submitted for approval

- 3) Details to be provided:-
  - a) Hard and soft landscaping – including widened access road, paving surfaces, parking spaces, play-space, planting and species to be submitted and installed/provided prior to occupation of the dwellings hereby approved.
  - b) Boundary treatment – including private amenity space enclosures between the houses showing height and materials, planting hedges to play-space area
  - c) Vehicle site lines on to Warminster Road including point of entry/exit
- 4) Refuse details to each house and communal storage area to be submitted
- 5) Cycle storage areas to be submitted
- 6) Parking and disabled parking to be provided as specified
- 7) Details of land levels prior to occupation
- 8) Electric vehicle charging points
- 9) Demolition and construction method statement
- 10) 19% reduction in carbon emissions
- 11) 110 litre water consumption target
- 12) Parking to be provided before the buildings are occupied
- 13) Removal of permitted development rights
- 14) Details of security lighting
- 15) Details of Suds measures
- 16) Details of tree protection measures and tree planting scheme
- 17) Ecology protection measures to be submitted
- 18) The proposed two-storey wheelchair user house is to be built in accordance with Part M4(3)
- 19) No windows to be incorporated in the west facing flank elevation of the houses.
- 20) Commence within 3 Years

Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

### **Informative**

- 1) CIL
- 2) Code of Practice regarding small construction sites
- 3) Highways works and or/damage to the existing highway during the construction phases to be made good at developer's expense
- 4) Applicant to liaise with London Fire Services
- 5) Any [other] informative(s) considered necessary by the Director of Planning and Strategic Transport

2.3 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 demolition of a vacant detached house on a back-land site and the construction of 9 houses (8 three-storey, 1 two-storey) with parking along with partial demolition and alterations to an existing end of terrace house to facilitate the widening of an existing vehicle access point between 38 to 40 Warminster Road.



- 3.2 The proposed development would be accessed off Warminster Road between 38 and 40 Warminster Road. The proposed partial demolition of 40 Warminster Road would reduce the overall width of this property and introduce a contemporary front elevation with a new rear dormer and single storey extension; widening the existing vehicle access from 2.5 metres to 5 metres.
- 3.3 The development would include a terrace of three houses staggered along the northern part of the site and a terrace of six houses along the south. The proposed three storey houses would be 10 metres deep, 5 metres wide and 8.9 metres high, with the end of terrace two storey house of similar depth; 7 metres wide and 7 metres high along the south.
- 3.4 The 9 houses would be constructed in a combination of decorative pale brick with herringbone cladding, zinc roof, solar panels, timber doors, aluminium

powder coated windows, permeable paving. 40 Warminster Road would be finished in render with tiled roofing.

- 3.5 The scheme would include 9 car parking spaces including 1 disabled space and 2 electrical charging points. Bicycle spaces would be accommodated within each of the private gardens, all contained within secured/covered units. Refuse storage would be collected from two communal points from within the site.
- 3.6 The proposal would include removal of a number of trees and the provision of new extensive landscaping. Each of the houses would benefit from private garden areas with a communal play-space area. In addition, there would be hard landscaping to pedestrian routes, new boundary treatment between the buildings with a variety of replacement trees/shrubs planted in and surrounding the site boundary.
- 3.7 The proposal has been amended during the course of the application to provide a pedestrian access route across the site, repositioning of car parking spaces and the introduction of a connection between green spaces and staggered terrace gardens. Further amendments have included some modification to the architectural expression to elevations, the materials palette, changes to landscaping and shared surface arrangements and the relocation of bin stores.

### **Site and Surroundings**

- 3.8 The property is a 0.17 ha back-land site comprising a vacant detached two-storey house. The site narrows to the north with extensive garden towards the south. The site is located behind two rows of terrace houses (36 to 58 Warminster Road) separated by a private right of way which forms access to the application site between 40 to 42 Warminster Road. This access route continues along the eastern boundary of the site and provides access to garaging for a number of properties fronting onto Warminster Road. The site is bounded by residential gardens to the north. To the south-west are residential garages belonging to Rochester Court, with a block of flats also to the south (which has planning permission to be redeveloped – in the form of 12 self-contained flats). To the west, is privately owned cul-de-sac comprising 5 houses (6-6d Warminster Road). The site rises gently to the south and west.
- 3.9 Whilst there are a number of trees on the site, there are no protected trees identified on the site or in the immediate surroundings. The site is located within an area of low surface water drainage flood risk (1:100yrs).

### **Planning History**

- 3.10 The following planning decisions are the most relevant to the application:-
  - In 2014, planning permission was refused for the demolition of existing house and garden structures; erection of three storey building comprising 8x2 bed and 1x1 bed flats; provision of associated parking area, cycle stores, refuse store (LBC Ref 14/00980/P). The subsequent appeal was dismissed. The main issues raised by the Planning Inspector were as follows:

- The proposal would have resulted in an uncompromising bulk and mass, over-dominant and visually intrusive;
  - The proposal would have compromised the privacy of occupiers and neighbouring outlook.
  - The scheme would have failed to provide an attractive access; resulting in more activity along the access, which would have quickly deteriorated and would have exacerbated an already unsatisfactory situation.
- In 2019 the local planning authority engaged in pre application discussions regarding the proposed erection of nine dwellings. At the time the proposed access onto the site was shown via the Warminster Road residential cul-de-sac (rather than via the existing access route between 38 and 40 Warminster Road). The Summary advice offered was as follows:
    - No objection in principle to residential development
    - 6 houses along the south 3 along the north with a central vehicle access land with access extending existing cul-de-sac is supported subject to amenity considerations.
    - Proposed material choice to be used should demonstrate appropriateness of the development in order to match the characteristic of the area.
  - In March 2018, planning permission was granted in respect of the adjacent garage court, accessed off Avenue Road, involving the demolition of garages and erection of a three storey building to provide 12 flats together with a disabled car parking space, landscaping and other associated works (LBC Ref 17/06360/FUL). No works have yet to take place on site.

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

- 4.1 The proposed would provide an appropriate scale for a back-land development, making effective use of the residential site, providing much needed family housing increasing the Council housing stock.
- 4.2 The proposed new buildings would preserve the character of the area and would not harmfully affect the appearance of the immediate surroundings.
- 4.3 The proposed new buildings would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.4 The development would provide an appropriate level of parking, encourage use of sustainable modes of transport, incorporate safe and secure vehicle access to and from the site and would have an acceptable impact on the highways network.
- 4.5 The development would incorporate sustainability requirements and incorporate sustainability techniques as part of the overall drainage strategy.

#### **5 CONSULTATION RESPONSE**

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

## 6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of neighbour consultation letters. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 37      Objecting: 37      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:

Summary of objections	Response
<i>Principle of development</i>	
Overdevelopment, overcrowding, too many houses proposed, particularly in view of nearby Avenue Road 'Brick by Brick' to create 12 flats in 2018, Sylvan Road and Warminster Junction scheme, too dense, loss of homes to create 2-8 Warminster Road in 2004; garden grabbing; continued urbanisation of a suburban area.	The principle of residential development on this site is considered to be acceptable and would make effective use of a brownfield site; Refer to paragraphs 8.2 to 8.7 of this report.
<i>Scale, massing, appearance</i>	
Loss of traditional building; loss of existing terrace house significantly altering its style and architecture; no use of existing materials; development not in keeping, too high with height out of keeping; no continuity; limited green space; lack of playing area; revised design still at odds.	Officers consider that the proposal in terms of scale, massing and appearance creates an acceptable design, with a contemporary frontage building, an acceptable transition in scale between the application site and the surrounding buildings and would be of suitable layout; Refer to paragraph 8.8 to 8.13 of this report.
<i>Amenity, privacy, outlook, light</i>	
Too close to neighbouring properties, loss of privacy, outlook and overlooking of properties in Warminster Road, intrusive to neighbouring properties; Loss of light, overshadowing	The proposed buildings are considered to be acceptable in position and impact on surrounding neighbouring amenity in terms of outlook, light and privacy; Refer to paragraph 8.14 - 8.21 of this report.
<i>Noise</i>	
Noise from traffic to rear of neighbouring houses; pollution	Officers consider that the introduction of an intensified residential use in the residential area

due to construction; impact on health of neighbouring children; subsidence identified in neighbour's property.	would not lead to an unacceptable level of noise and disturbance. Disruption and pollution during the build could be minimised through an approved Construction Management Plan; Refer to paragraph 8.14- 8.21 of this report
<i>Standard of accommodation</i>	
Very little amenity space; will play space be communal.	Officers consider that the proposal would provide a suitable standard of accommodation including external amenity space; Refer to paragraph 8.23 to 8.24 of this report.
<i>Security</i>	
Safety concerns over access to rear gardens of neighbouring properties lack of lighting; Impact of light overspill, light pollution and disturbance. Increase of crime, compromise security to rear of 42-58 Warminster Road, burglaries an anti-social behaviour, existing access used as play area and extra traffic put safety at risk.	In view of the site's back-land location, a condition requiring details of safety measures including lighting and level of illuminance to the rear should protect neighbour amenity; Refer to paragraph 8.14 -8.21 of this report.
<i>Waste</i>	
Refuse maintenance problem with communal point.	The applicant plans include refuse storage provision in line with officer comments. Details to be controlled by condition; Refer to paragraph 8.40 of this report.
<i>Transport</i>	
Access inappropriate for ambulances, fire service; parking difficult, not enough parking proposed; increased traffic, access road issues, overspill of parking requirements; dangerous precedent; no visitor space lead to overflow parking on Warminster Road; increase risk of lack of visibility	Officers consider the level of on-site parking and bicycle provision to be appropriate, the proposed vehicle access would be appropriate and that detailed planning conditions would secure suitable and safe vehicle movement and fire safety; Refer to paragraphs 8.25 to 8.31 of this report.
<i>Flooding</i>	
Pressure on drainage systems, flood risk	Officers consider that the applicants have addressed issues of flooding and sustainable discharge measures, the details to be subject to a condition; Refer to paragraphs 8.38 to 8.39 of this.
<i>Trees and Ecology</i>	
Loss of green space, big mature trees and well-established plants not	A condition requiring details of new landscaping tree planting and protection measures should ensure that suitable planting is provided and

adequately replaced, negative impact on environment; Loss of wildlife, birds, foxes, stag beetles.	suitable ecological measures are secured by condition; Refer to paragraphs 8.32 to 8.37 of this report.
<i>Other</i>	
Pressure on existing services, surgeries, schools, transport, shops need to be considered oversubscribed in area	The proposal would include CIL contributions towards national and local infrastructure. Refer to paragraphs 8.6 of this report.

6.3 Councillor Clive Fraser has made the following comments (requesting further information):

- raised queries over the proposed access (rather than extending the existing Warminster Road cul-de-sac – as pre the pre application submission). The developer should pursue a right of access over the existing Warminster Road cul-de-sac rather than create a disjointed layout and design:

6.4 Councillor Patsy Cummings has objected to the planning application and referred the matter to Planning Committee – for the following reasons:

- The scheme represents a poorly conceived back-land development in terms of access to the site with subsequent layout and design being counter to existing street pattern and residential amenity

6.5 The Norwood Society raised the following objections:

- Overdevelopment of the site;
- Density of the proposal;
- Loss of amenities to the adjoining properties, including outlook and sunlight to 6 and 6a Warminster Road, increased noise from new neighbours and vehicles using the site loss of privacy and overlooking;
- Unsuitable access between 40 and 42 Warminster Road; the intensification of use with these 9 properties with associated parking spaces is unsuitable for additional traffic. Pedestrians would have to share this access with resident's cars and service vehicles
- Loss of mature trees
- The alterations proposed to 40 Warminster Road would be out of keeping and disrupt the symmetry of the existing terrace.

## **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 (2018)



7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) February 2019. 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:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).

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
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide
- 5.3 Sustainable design
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 7.4 Local character
- 7.6 Architecture

Croydon Local Plan: Strategic Policies 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP7 Green Grid
- SP8 Transport and communication

Croydon Local Plan Policies 2018:

- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM27 Protecting and enhancing our Bio-Diversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion

- DM30 Car and cycle parking in new development
- DM47 South Norwood and Woodside

Supplementary Planning Guidance as follows

- London Housing SPG March 2016
- Suburban Design Guide SPD Adopted April 2019

## **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 and consideration of density
3. Residential amenity/Daylight & Sunlight for neighbours
4. Housing Quality for future occupiers
5. Transport
6. Trees
7. Ecology
8. Sustainability and flooding
9. Waste

### **Principle of Development**

- 8.2 In considering this proposal, the local planning authority has had regard to delivering a wide choice of homes and the presumption in favour of sustainable development.
- 8.3 Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular can play in helping to resolve the current housing crisis. The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and through various forms of suburban intensification.
- 8.4 The proposal would replace an existing house with nine new residential units. The loss of the existing building would not give rise to concern and the proposal would not result in a net loss of family accommodation. The proposal would provide a combination of 3 and 4 bedroom properties which would significantly assist the local planning authority in meeting its target of 30% of homes being suitably sized to accommodate families. The provision of new residential accommodation within this setting would add to the Council's housing stock.
- 8.5 The proposal would have regard to the surrounding residential character whilst optimising the site's development potential. Whilst officers did explore whether there was capacity to deliver further units, there was concern that the introduction of a further unit would have affected the overall quality of the development, impacting on the availability of on and off-street parking and further constraining the site and its potential to deliver sustainable development. Officers are satisfied that the scheme suitably realises the optimal capacity of the site.

- 8.6 Neighbours have raised objection over the extent of development and that a previous planning application involving provision of a block of 9 flats at this site was refused permission in 2014 (LBC Ref 14/00980/P) due to its character and appearance, impact on neighbouring privacy, outlook and unsatisfactory access (supported on appeal). Whilst the Planning Inspector (in dismissing the appeal) did not rule out the principle of development of the site for residential purposes, he was concerned about the bulk and mass of the block and its relationship with the houses at the rear of 4-8 Warminster Road, the extent of visual intrusiveness on 6 Warminster Road, including a long, narrow and unattractive vehicle access, which would have increased activity along a narrow track which would have quickly deteriorated. The Inspector considered that this would have exacerbated an already unsatisfactory situation, failing to improve the conditions for safe and suitable access. The applicants have sought to address these issues, through alternative layout and design approaches, with the provision of an improved and wider access.
- 8.7 In respect to the density of the scheme, representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 1a and as such, the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha) with 40–80 u/ha; the proposal would be within this range at 176 hr/ha and 58 u/ha. The London Plan further identifies that density is only the start of assessing the merits of development and not an end state. The range for a particular location is broad, enabling account to be taken of other factors including local context, design and transport capacity which, where appropriate, can provide a tool for increased density in certain situations. It is considered that given the site's location, design, transport capacity and parking provision, the density would be acceptable. The proposed development would include Council CIL contributions to be placed towards local infrastructure. The proposal would therefore accord with London Plan requirements in promoting housing.
- 8.8 On balance therefore, it is considered that subject to an appropriately scale of development in line with NPPF requirements of sustainability and good design, proper consideration of amenity effects, improved access arrangements and efforts being taken to mitigate the loss of trees and other landscape features, there is no objection in principle of further residential development in this location.

### **Townscape and Visual Impact**

- 8.9 The previous scheme refused in 2014 involved construction of a 3-storey block of flats along the southern boundary of the site. The current proposal would create two terraces of houses to the north and south, separated by a landscaped area (with the new houses sited between 14 metres and 17 metres apart). Along the west, the site adjoins a cul-de-sac to an un-adopted road providing five houses (6 – 6d Warminster Road). At pre-application stage, officers discussed with the applicant the possibility of providing two sets of terraces either side of a continuation of this neighbouring cul-de-sac to provide road access into the site; thereby providing good site legibility. The Suburban Design Guide identifies that development should seek to create pedestrian connections to link suburban blocks and spaces. It advises that proposals

should demonstrate that where possible, they should seek to provide connections by agreement with neighbouring land owners. Despite negotiations with the landowners of the adjoining site having taken place, the applicants have not been able to reach an agreement. Consequently, access remains limited to land adjacent to 40 Warminster Road, albeit in a widened form to include part of the site currently occupied by 40 Warminster Road. To insist on access being via the cul-de-sac to the west of the site (where access is not permitted at present) would limit the site coming forward in the short to medium term. This is particularly relevant where the proposed development would not result in significant change in the character of the area and would be in line with current aspirations of the Suburban Design Guide.

8.10 At 3-storeys in height, the proposed houses would complement the existing predominant height of buildings in the area, in line with Council policy. The pattern of development in surrounding residential area is regular, with a mix of dwellings ranging between 1 and 3 storeys (including 3 storey blocks of flats). This varied character and varying plot sizes means that the proposal would respect the development pattern of the surrounding area. The two-storey end of terrace property would help break the 3-storey terrace form. The stepping in terms of height (with the setback of houses from 2 to 3 storeys) and footprint (staggered layout) would enable a sense of openness when viewed from neighbouring properties and would overcome a number of issues raised by the previous appeal decision. The 3 terrace houses proposed at right angles to 6 Warminster Road would be closer to the boundary, compared to the current house on the site, but would not extend beyond the existing front building line. The 6 terrace houses to the south would be sited on the boundary line but be considerably set back behind the front building line with 6 A-D Warminster Road. The proposed houses would have reasonable separation along the south, west and north boundaries of the site.

8.11 The proposal would be in keeping and sympathetic with the surrounding context which includes similar terrace houses. The applicants have demonstrated through 3-D images that the mass and setting of the proposed new buildings would integrate well within the existing site and surrounding. Therefore, in terms of their overall height, footprint and massing the proposed development is supported.



- 8.12 Following officer's comments, the applicants have provided further information on mix of materials to be used on the proposed houses, revised the landscaping and hardstanding treatment in addition to refuse storage and parking space layout, in order to provide a high quality development as an integral part of the overall design. The proposed buildings would be set back at a considerable distance within the site when passing the entrance between 38-40 Warminster Road, with only the proposed frontage building 40 Warminster Road and new access road, directly impacting on the street-scene.
- 8.13 The proposal would involve alterations to the existing terrace house at 40 Warminster Road, reducing its overall width when viewed from the street in order to widen the current vehicle access to the site. The applicants have chosen a contemporary approach to this frontage building. Neighbours have objected to the proposed appearance on design grounds, suggesting its appearance as out of keeping. The remodelled 40 Warminster Road would maintain its current building line and front garden depth in line with the existing rhythm of the street, would match in ridge height the existing terrace, retain features of the existing terrace including front door access, front bay window and front window openings and would introduce a rear dormer set in within the existing roof slope and single storey element to the rear.
- 8.14 The proposed alterations to 40 Warminster Road would include features found within the neighbouring terrace and officers consider the proposed alterations would accord with design guidance. Current design guidance acknowledges that development does not need to replicate existing qualities, but should seek to respond to character and reinforce existing architectural styles. The guidance recognises that the use of unique solutions such as contemporary form of development working with traditional character would be acceptable. The applicants propose the use of materials to match the existing terrace, thereby ensuring uniformity in finished appearance. Officers consider that the proposed design would preserve the existing street scene, the back-land site and the overall local character of the area in line with national, regional and local policies. The proposed materials and finish of all the buildings would be controlled by condition to ensure that they are high quality.

### **Residential Amenity**

- 8.15 The Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure. Due to its position and occupying a back-land location, the proposed development would be surrounded on all sides by residential properties except for the south-west where it is bounded by garages (albeit with some having been found acceptable for redevelopment). The proposed alteration to the existing house at 40 Warminster Road would be in line with the character and appearance of the terrace with the single storey element replacing an existing single storey element away from the boundary with 38 Warminster Road. Whilst the extension is located to the south of 38 Warminster Road, due to the single

storey nature of the proposed extension (off-set from the rear glazed doors of the neighbouring property) the proposal would have a negligible impact in terms of light and visual intrusion.

- 8.16 The western flank elevation of the 3 terrace houses would be 9.9 metres east of the rear elevation of 6 Warminster Road and 13 metres opposite the front elevation of 6a Warminster Road to the south-west. Similarly, the western flank elevation of the six terrace houses to the south would be 4.7 metres from the end wall (of 6A Warminster Road), set back 6 metres behind the front building line of this neighbouring property and 23 metres to the south of the flank elevation to 6 Warminster Road. Due to the distance between the proposed houses and orientation of the site in relation to the neighbouring buildings, the proposed houses would be suitably separated from neighbouring properties. Whilst the proposal would alter the outlook from these properties, the location of the houses are unlikely to seriously impact on light, outlook or privacy for these neighbouring occupiers. Details of boundary treatment would be controlled by condition to ensure that neighbour amenity is protected. No windows are proposed in the flank elevation of the houses nearest to these neighbours. The proposal would not result in any significant reduction in amenity for these neighbouring properties.
- 8.17 Towards the east and north, the proposed 3 houses would be a minimum of 21 -29 metres from the rear elevation of the terrace houses fronting onto Warminster Road. Between the application site and rear terrace properties in Warminster Road (36-40 and 42-54) is a 4.8m wide vehicle access way which runs along the rear of these neighbouring gardens. No windows are proposed at third floor level in the front of or in the flank wall of any of the proposed terrace houses protecting privacy of these neighbours. The proposal would introduce new tree planting along the boundary with the vehicle access way which would ensure that the natural green screening is maintained when viewed from the rear neighbouring properties. The proposal would not result in any significant loss of light or outlook for these occupiers.
- 8.18 Towards the south, four of proposed houses would overlook garages and courtyard to the rear of a block of flats in Rochester Court (sited 36 metres away). The remaining houses including the two-storey house, would overlook the rear garden to a recently approved 3 storey block of 12 flats (LBC Ref 17/06360/FUL) currently under construction in Avenue Road. A distance of 13 metres would separate these two blocks which is considered acceptable, especially with the planting of boundary trees and other forms of landscaping. The proposed distance would be in line with the Suburban Design Guide) separation distances – new build to new build with distances to boundaries mirrored between both schemes. The proposed development would not unduly impact in terms of loss of light or outlook for potential occupiers of the neighbouring sites including the approved block of flats to the south which would include living garden, inset balconies to living room areas. Details of planting would protect this neighbouring outlook and would offer a similar outlook for both sets of neighbouring properties either side.
- 8.19 Officers consider the proposed houses to be at a suitably distance so as not to result in undue loss of neighbours in terms of daylight/sunlight or

overshadowing. The applicant's daylight and sunlight report (including the residential redevelopment to the south) confirms that 99.3% of the neighbouring windows would meet daylight requirements with all the neighbouring windows meeting AP SH levels for sunlight.

- 8.20 The proposed development would change the outlook when viewed from the rear of the surrounding neighbouring properties and gardens. There is no right to a view under planning and given the separation distances and the overall building heights, the development would not appear cramped or overbearing. Neighbours have raised concerns over security issues associated with the site. The site is currently vacant and in a semi derelict state and therefore, the development would equally result in informal surveillance. A condition requiring details of safety measures including lighting (included as part of the landscaped plan) and level of illuminance to the rear and along the vehicle approach should protect neighbour amenity (without resulting in light disturbance to these neighbours). Details of landscaping measures including measures to protect existing trees would ensure suitable softening of the development. The proposed buildings are therefore considered to be acceptable in terms of outlook from this neighbour's property.
- 8.21 The provision of further residential accommodation would result in increased activity to this site. Neighbours have raised concern over possible noise, fumes and disturbance from vehicle parking, movement to the rear of their properties and the unsuitability of residential development on amenity. However, there would be no change in the residential character of the area. The level of vehicle movement is not considered to be so significant to result in a serious loss of amenity for neighbours. It is acknowledged that there will be some noise and disturbance during the construction process, with pollution also a concern expressed by neighbours. A Construction Logistics Plan would be secured by condition for approval prior to the start of building works to ensure that the construction process would not give rise to harm to neighbours and consider traffic impacts and safeguard the development during the build. Further informatives focus on the need to reinstate the highway (associated with modifying existing crossover arrangements) with developers to meet the cost of reinstatement.
- 8.22 In view of the residential setting it is not considered that the proposal would result in undue loss of amenity in terms of light, outlook or noise disturbance in line with policy.

### **Housing Quality/Daylight and sunlight for future occupiers**

- 8.23 All 9 houses would accord with the National Technical Housing Standards in terms of floor space requirements. Each property would enjoy dual aspect and should receive good levels of sunlight and daylight. The applicants have demonstrated through section drawings that sufficient head height would be afforded to the accommodation and this includes the proposed new dormer within the roof space of 40 Warminster Road. This arrangement would therefore be acceptable.

- 8.24 Each of the houses would have level access entry and would be constructed and fitted out to comply with the Building Regulations 2010 in respect of M4(1). The two-storey house would be wheelchair accessible in line with M4(3)(2)(b) and this would be secured by condition.
- 8.25 Each of the houses would have their own private garden space in excess of minimum amenity guidelines for dwellings. The proposal would include an area of communal garden play-space in excess of London Plan standards and include a softening of landscaping and planting, the details of which would be secured by condition.

### **Transport**

- 8.26 The layout shows 9 car parking spaces, one of which is a disabled bay. The site is located in an area with PTAL level of 1a (on a scale of 1 to 6b), which is considered to be a very poor level of public transport accessibility. There is however a range of bus and rail services (including Norwood Junction rail station) which can be reached within acceptable walking distances.
- 8.27 The level of parking is provided at a rate of one space per dwelling. Given the low public transport accessibility, this would be acceptable and is within the London Plan standards and reflects SDG guidance which seeks to ensure that the site would be able to accommodate all parking within the site. Nevertheless, the applicant has also provided a parking survey which has identified that the majority of parking locally is unrestricted and the local area is not subject to a Controlled Parking Zone and a recent survey (2017) on the neighbouring site in Avenue Road (which is still relevant) established on street parking at 54% occupied with 67 spaces during the day. The applicants have pointed to this as demonstrating that spare on-street parking capacity exists locally – which should be able to accommodate visitor parking associated with this site and any parking overflow that might be associated with neighbouring sites.
- 8.28 Cycle storage is provided at a rate of two spaces per dwelling (18) which would be acceptable. Cycle storage should be covered and secure and details would be secured by condition.
- 8.29 Neighbours have raised concerns over access to the site. Unlike the previous refused proposal in 2014, this scheme includes significant improvements to the existing vehicle access including widening the access route, resurfacing, lighting and the inclusion of a pedestrian footpath in connection with overall paving of the site. The proposal would introduce substantial improvements to the current access-way which serves several of the properties within the existing terraces. The proposed access road would be 5 metres wide and this is acceptable from a highway safety point of view.
- 8.30 The introduction of the pedestrian footway (shared surface) would ensure that visitors would be able to access the site safely on foot with adequate site lines either side of the access route to the neighbouring garages. The applicants have submitted details demonstrating that there would be sufficient space for fire tenders, refuse vehicles and 7.5t box vans to enter the site and carry out three point turns within the site and leave in forward gear. The site entrance will



require pedestrian visibility splays and vehicular visibility splays in accordance with the Council guidance and secured by condition. The proposal would be in line with Council Design Guidelines for access to sites through rear gardens or back-land sites.

- 8.31 The proposal would result in increased activity along this route but officers do not consider that the level would be so significant as to justify refusal (especially as the access is already used to access the existing house and the garages of Warminster Road properties. The applicant's parking survey includes an analysis of potential trip generation, concluding that it is likely to generate 3-4 two way vehicles movements across the peak hours (0800hrs-0900hrs am and 1700-1800hrs pm). The report demonstrates that the proposed residential units are likely to generate a limited number of trips per day which would not result in undue disturbance to neighbours.
- 8.32 2 Electric charging points should be provided to the London Plan standard of 20% active provision and 20% passive provision for the proposed parking spaces, the details to be secured by condition.
- 8.33 The proposal is therefore considered to be in accordance with London Plan policies and Croydon Local Plan policies in respect to traffic and highway impacts.

### **Trees**

- 8.34 Neighbours have raised concern over the loss of trees on site. The site which is primarily soft landscaping contains several trees and is not included in a conservation area. There are no tree preservation orders affecting any trees within the site or attached to any trees immediately adjacent to the site. The applicant has submitted a detailed tree report which identifies 30 trees and including 6 groups of Cypress trees on site.
- 8.35 The report which categorises trees from A to C; from high to low quality and U trees of poor condition where removal is recommended. No Category A trees have been identified on site. The proposal would involve the removal of a total of 17 trees (2 groups of category B trees, 4 groups of category C trees, 9 individual category C trees and 2 category U trees). Officers consider that although a number of trees will be removed to enable the proposed development, they are either small garden scale trees or trees of poor quality or of limited amenity value in the context of the wider area.
- 8.36 Officers have recognised that substantial tree cover exists along the eastern boundary with the neighbouring properties, adjacent to the shared vehicles access to neighbouring garages and rear boundaries of properties in Warminster Road. Whilst the existing trees are of reasonable life expectancy at this point, the applicants have identified that their retention would constrain the development opportunities and make it difficult to manoeuvre vehicles on site. The proposal has been revised to include substantial replacement planting along this boundary – proposing replacement specimens more fit for purpose. A condition requiring suitable replacement trees to maintain the green wall along this boundary would ensure that suitable tree cover is provided. All trees that

are to be retained on the site are proposed to be protected by the use of a tree protection measures, the details of which would be secured by condition. New tree planting will help to preserve the site and screen and help soften the development when viewed from neighbouring properties.

## **Ecology**

- 8.37 Neighbours have raised concerns over the possible impact which the development could have on wildlife and plant life within the site. The applicants have commissioned their own independent Ecology Report. Whilst the report has identified that the site has the potential for providing habitats for protected species, it advises that it is unlikely that the existing building would be used to provide bat habitat with no suitable features for roosting bats or structures that could allow for nesting. Officers are satisfied that this is a valid conclusion. The report suggests that as the proposal would involve removal of mature trees suitable for nesting, these should be removed between September and February (to avoid disturbing any nesting). The site's overall urban location reduces suitability for reptiles and the roads and pavements surrounding the site do not provide good connectivity for this species (roads and pavements). It is recommended that sensitive vegetation clearance be undertaken for the dense bramble scrub present across the site to avoid harm to potential reptiles and any foxes using this area.
- 8.38 The report identifies a number of measures which should be incorporated into the development and therefore enhance the ecological aspects of the site. These include the introduction of biodiverse green roofs to provide habitat for various species, the inclusion of bat and bird boxes, native planting for various species, and retention of deadwood logs and retention of gaps under fences to allow mammals to move across the site. The details of the ecological measures would need to be secured by condition to ensure that the proposed development provides an enhancement for biodiversity.

## **Sustainability and Flooding**

- 8.39 The Council would seek new homes to meet the needs of residents throughout their lifetime and be constructed using sustainable measures to reduce carbon emissions. The Council would require the development to achieve a water use target of 110 litres per head. The proposal has been designed in line with a sustainable and energy saving strategy, incorporating the use of renewable energy in the form of photovoltaic cells on the south facing roofs of the new houses, with low water usages for all internal appliances.
- 8.40 The applicants have submitted a flood risk statement which identifies the site to be in Flood Zone 1. Neighbours have raised concerns over potential problems associated with flooding from the site. The site is located in a potential area for surface water flooding. The proposal would include SUDS measures through introducing permeable surfacing wherever possible. The inclusion of water soak-away with all public and private paving areas to be permeable should help reduce surface water run-off rates to an acceptable level. The three storey dwellings would all have a green roof on the first-floor flat roofed section and this should further contribute to reduced surface water run-off. In order to

ensure that the proposal meets the Council required rates details of the SUDS measures would need to be secured by condition.

### **Waste and Fire Fighting**

- 8.41 The proposed plans show the location for the waste storage facilities to be at the eastern part of the site. Officers have identified that the proposed development would be within an acceptable distance for collection from the new access road as refuse vehicles would be able to enter, turn, collect and leave the site with the bin storage within reasonable drag distance to the houses. Whilst manoeuvring on site would be tight, the swept path analysis as set out in the submitted details confirm this. Alternatively, a refuse vehicle could reverse along the access-way towards the refuse presentation area. The refuse storage points have been designed with sufficient capacity for the development, with the equivalent allowance of 2x240 litre bin and 1x180 litre bin per unit. Details of the bin storage per house and the design and capacity of the communal location including maintenance would need to be secured by condition to ensure suitable facilities are provided in line with policy.
- 8.42 Fire brigade access arrangements are matters for the Building Regulations, but the 5 metre width would be most likely to accommodate access (in the case of fire). An informative has been added to encourage early engagement with the Fire Brigade.

### **Conclusions**

- 8.43 The recommendation is to grant planning permission. All other relevant policies and considerations, including equalities, have been taken into account.