

**PART 6: Planning Applications for Decision**

**Item 6.2**

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 20/01436/FUL  
 Location: Land R/O 279-289 Selsdon Road, South Croydon, CR2 6PS  
 Ward: South Croydon  
 Description: Demolition of existing garages and erection of a three storey residential development of 8 flats, together with parking, landscaping improvements and other associated works.  
 Drawing Nos: 0100 Rev C, 0003, 0005, 0006, 0007, 0008, 0172, 0101, 0030, 0173, 0103, 0151, 0152, 0174, 0171, 0102, 0001, 04 Rev A.  
 Applicant: Brick by Brick Croydon Limited  
 Agent: Carter Jonas  
 Case Officer: Helen Furnell

	<b>1 bed / 2 person</b>
<b>Proposed Flats</b>	8

It is proposed that all of the proposed flats would be affordable rent.

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
6	13

1.1 This application is being reported to Planning Committee because the ward councillor (Councillor Maria Gatland) and the Vice-Chair (Councillor Paul Scott) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

**2.0 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following:

- a) Delivery of all units as affordable housing (affordable rent)
- b) Car parking permit free restriction for future residents
- c) £5,000 sustainable transport contribution (towards off-site car club provision, membership and other local sustainable transport initiatives)
- d) Travel Plan monitoring
- e) Monitoring fees for all obligations
- f) Any other planning obligations considered necessary

2.2 That the Director of Planning and Strategic Transport is 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. Time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions (compliance)
3. Construction logistics plan (prior to commencement)
4. Details of connection to foul and/or surface water drainage system to be submitted including SUDS (prior to commencement)
5. Details of intrusive site investigation and remediation works (prior to commencement)
6. Refuse storage for the existing flats during construction (prior to commencement)
7. In accordance with tree protection plan (compliance – measures to be installed prior to commencement)
8. Details and samples of materials to be submitted (including window reveals, balustrade/privacy screen details) (pre-ground slab)
9. Refuse and cycle storage for the proposed development (pre-ground slab)
10. Contaminated Land verification report to be submitted (pre-ground slab)
11. Details of lighting (pre-ground slab)
12. Electric vehicle charging point to be submitted (pre-ground slab)
13. Installation of biodiversity/habitat creation measures (pre-ground slab)
14. Details of mechanical ventilation to rooms facing the railway. (pre-ground slab)
15. Details of noise barrier on east boundary (prior to occupation)
16. Details of air source heat pump and associated plant. (pre-ground slab)
17. Landscaping to be submitted (hard and soft landscaping, boundary treatment, doorstep playspace and surface treatment) (prior to occupation)
18. Details of tree planting (prior to occupation)
19. Details of noise barrier on east boundary (prior to occupation)
20. Travel plan (prior to occupation)
21. No more windows in any elevation (compliance)
22. Car parking provided as specified (compliance)
23. 110 litre Water usage (compliance)
24. CO2 Carbon Reduction (compliance)
25. Unexpected contamination (compliance)
26. In accordance with recommendations of the noise assessment (compliance)
27. Inclusive access M4(2) (compliance)
28. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

## Informatives

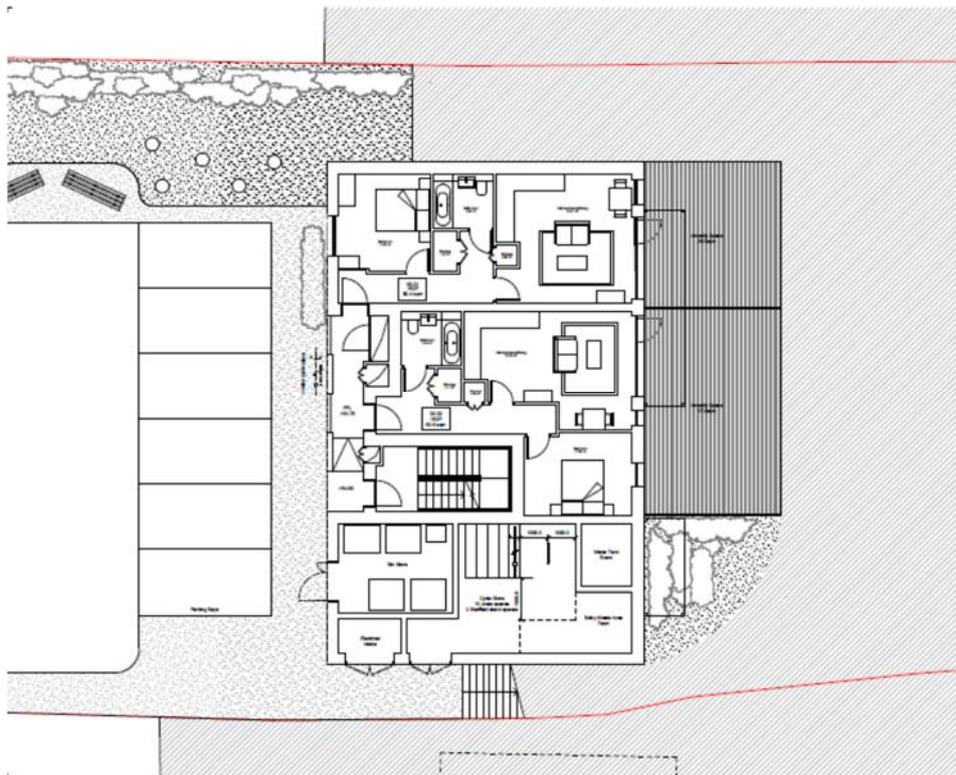
- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practise for Construction Sites
- 4) Network Rail advice
- 5) Light pollution
- 6) Requirement for ultra-low NOx boilers
- 7) Thames Water informatives regarding underground assets and public sewers
- 8) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

- 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.
- 2.5 That, if by 27th November 2020 the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

### 3.0 PROPOSAL AND LOCATION DETAILS

3.1 The proposal includes the following:

- Demolition of 3 garages and bin store, and the removal of 6 washing lines and 2 trees located to the rear of 279-289 Selsdon Road
- Excavation of existing land levels, construction of a 3 storey building containing 8 x 1 bed/2 person flats, bin store (for existing and proposed flats) and cycle store.
- Proposed materials are a simple palette of predominantly light grey brickwork, mid grey metalwork to be used on the window frames and doors, and dark brown metalwork to be used on balustrades.
- Landscaping materials to be grey tones in the hardscape, new tree planting, high and low planting, wooden doorstep play and benches.
- Retention of existing access, with retention of 6 parking spaces on site and pedestrian access to existing and proposed flats.
- Arrangements in place to retain and protect trees located at the rear abutting the rail line.
- All dwellings proposed to be affordable rent tenure.



Proposed site plan (ground floor layout)

- 3.2 The scheme proposes a single 3 storey block, with staircase access to the upper floors and deck access to each flat. Refuse and cycle storage would be provided within the

ground floor of the building. The proposed block would be set 18 metres back from the rear of the existing flats on the site, and would be no closer to the properties in Sunnynook Garden than the existing flats and would be set away from the boundary with properties in Selsdon Avenue. The scheme would allow for the replacement of 6 parking spaces for residents of the existing flats and would introduce a shared amenity and doorstep play space.

- 3.3 Amenity space would be provided in the form of private balconies for the upper floors and terraces within light wells for the ground floor flats. A new staircase is proposed on the south side of the proposed building to allow access for existing and proposed residents to the rear communal amenity area.



CGI – View of building frontage with parking area and playspace

### Site and Surroundings

- 3.4 279-289 Selsdon Road is a three storey block of 6 flats that is situated to the east side of Selsdon Road. It has a vehicular access to the south side of the building with an area of hardstanding and block of three garages to the rear. Beyond this is a large area of communal garden space which rises significantly in level from the front to the rear (west to east). There is also a second land level change within the site with land levels rising from south to north, up to the rear gardens of Sunnynook Gardens. There are mature trees to the rear and the railway line runs directly to the east.
- 3.5 The residential cul-de-sac Sunny Nook Gardens is located directly to the north with rear gardens of these dwellings located adjacent to the application site. A pedestrian access path to these rear gardens runs along the northern boundary of the site. To the south, dwellings front Selsdon Road and residential cul-de-sac Selsdon Avenue abuts the site at the rear of the southern boundary, the flank wall of No.18 facing the site.
- 3.6 There are no specific development plan policy constraints related to the site. The site has a PTAL of 5 indicating very good access to public transport. The area is considered

to be at low risk of surface water flooding and has potential for groundwater flooding to occur to the surface.



Aerial view highlighting the proposed site within the surrounding area

### Planning History

3.7 In January 2020, officers engaged in a pre-application discussions with the current applicant, initially proposing a scheme of 9 x 1 bed flats (LBC Ref 20/00034/PRE). In responding to the first pre-application meeting, officers raised concern regarding the impact of the proposal on the occupiers of adjacent properties and on visual amenity. The quality of the proposed units and amenity space was problematic and the developer was encouraged to reconsider the building's siting and massing to ensure no harmful impact in these regards. For the second pre application meeting, the scheme was reduced to 8 x 1 bed flats and the siting and massing of the proposal was altered and the arrangement of dwellings was amended. Officers were more comfortable with the revised proposals presented at the second pre-application meeting.

3.8 There is no other relevant planning history

### 4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of intensified residential development is acceptable given the national and local need for housing.
- Whilst the existing garage court is in use by Croydon residents, the closest resident who leases a garage lives in excess of 900m of the site and therefore it is unlikely that the garages are being used for parking so their loss is accepted.
- The proposal would contribute positively to the supply of affordable housing..
- The scheme would provide high quality architecture and would appropriately respond to site context with suitable relationships to the form, mass and appearance

of the existing properties on the application site and adjoining properties in Selsdon Avenue and Sunnynook Gardens.

- The living conditions enjoyed by neighbouring residential occupiers would not be overly harmed by the proposed development (in terms of daylight, sunlight, enclosure and privacy effects).
- The living standards of future occupiers would be satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and efficiency would be acceptable subject to mitigation measures.
- The loss of trees is acceptable, subject to replanting and protection of trees to be retained.
- Sustainability aspects have been properly assessed and their delivery can be controlled through the use of planning conditions. On site sustainable drainage would be secured through the use of planning conditions.

## **5.0 CONSULTATION RESPONSE**

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

### **Network Rail (LLFA) (Statutory Consultee)**

5.2 Have provided comments stating that it must be ensured that the development during construction and after completion does not:

- encroach on network rail land,
- affect the safety, operation or integrity of the company's railway and its infrastructure,
- undermine its support zone,
- damage the company's infrastructure,
- place additional load on cuttings,
- adversely affect any railway land or structure,
- over-sail or encroach upon the air-space of any Network Rail land,
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

5.3 Further comments are also provided in relation to the impact of the development in terms of future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration, and vehicle incursion, in order to ensure that the rail network is protected. Network Rail advise the developer to be in contact with the Network Rail Asset Protection Team. An informative has been included.

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

5.4 Initially issued a holding objection subject to the submission of additional information. Following additional information the LLFA commented that the submitted strategy and overall approach meet most of the LLFA requirements, and the additional information addresses a number of the queries. However, some clarifications and additional information are still required. Given the nature of the outstanding information, this could be reviewed as part of a planning condition, should the application be consented. The LLFA recommendation is: no further objection subject to a suitable planning condition.

## 6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of 21 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses:    Objecting: 11                      Supporting: 0            Comment: 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:

<b>Objection</b>	<b>Officer comment</b>
<i>Principle of Development</i>	
New housing not welcomed in this area	The provision of new housing is in accordance with adopted policy.
<i>Housing Issues</i>	
Communal amenity and drying area would be remote from the existing flats and not accessible for anyone with mobility issues.	Communal space is proposed between the existing and proposed flats that would be accessible.
<i>Townscape and Design</i>	
Will be out of character with the mostly 2 storey pitched roof surroundings.	The character of the building has been assessed in its context. Also see paragraphs 8.18 – 8.21.
<i>Scale of Development Density Issues</i>	
No room for this development to take place.  Will result in overcrowding of the site.  Site not large enough for 8 flats – will result in overdevelopment.  Will be dominating and overbearing on surrounding properties.	See paragraphs 8.12 – 8.21 and 8.31-8.32.
<i>Neighbour Impacts</i>	
Development will block natural light.  Development will compromise right to light.	See paragraphs 8.33-8.36.

<p>Loss of privacy from new development.</p> <p>Overlooking from new windows to existing flats.</p> <p>Will result in increased noise and pollution.</p>	
<i>Highways, Traffic and Parking</i>	
<p>Disruption to existing resident's ability to park on site during construction.</p> <p>Safety concerns from construction vehicles moving around the site whilst residents still living there.</p> <p>Access is not suitable.</p> <p>Will make existing parking problems worse.</p> <p>No parking proposed for new flats – unrealistic that new flats will not generate any parking demand.</p> <p>Service and delivery vehicles will block parking area.</p>	<p>See paragraphs 8.37-8.46.</p>
<i>Trees, landscaping and Biodiversity</i>	
<p>Concreting over rear gardens will result in more flooding.</p> <p>Loss of wildflower area at the rear of the site.</p> <p>Concern that trees will be damaged by the excavation of soil during development.</p> <p>Removal of grassed area will exacerbate existing drainage problems in the area.</p>	<p>See paragraph 8.50</p> <p>See paragraph 8.49</p> <p>See paragraph 8.47-8.48</p> <p>See paragraph 8.50</p>
<i>Other Issues</i>	
<p>New flats will be impacted by noise from the rail line.</p> <p>Brick by Brick have already carried out a soil test and left a mess on site which was</p>	<p>See paragraph 8.54</p> <p>This is not a material planning consideration.</p>

<p>only cleared up following complaints to the Council.</p> <p>Devaluation of property value.</p> <p>No provision for local infrastructure.</p> <p>Submitted information is misleading. During public consultation local residents were against the development, but information says local residents in support.</p> <p>Concerned that Brick by Brick is tied in with Croydon Council and that there is no transparency.</p>	<p>This is not a material planning consideration.</p> <p>The application is CIL liable.</p> <p>The application has been assessed against the information received and against planning policy. Residents are able to comment on the application and make their views known.</p> <p>Brick by Brick applications are assessed against the same planning policies as all applications determined by council. The Croydon Local Plan is generally supportive of increased densities in the suburbs, subject to the effects of increased densities on neighbour impact, the effect on existing character and appearance and traffic/transport/highway effects).</p>
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6.3 Cllr Maria Gatland (Ward Councillor) has referred the application to Planning Committee on the following grounds:

- Building on resident's only piece of greenspace.
- Detrimental to the amenity of future residents.
- Will be dominant and overbearing to existing residents, and will affect their privacy.
- Residents will suffer noise and the removal of their greenspace.
- There is no ecology report that in this era of climate change is vital to see.
- Will also affect residents in Sunnynook Gardens and Selsdon Gardens with privacy and noise issues.

6.4 Cllr Paul Scott (Planning Committee Vice-Chair at the time of the referral) referred the application to Planning Committee raising the following issues:

- Public scrutiny of applications made by the Council and its wholly owned subsidiary.
- Openness and transparency during the Covid-19 crisis when stakeholders are likely to be distracted.
- Potential to provide new homes in response to the housing crisis in accordance with National, Regional and Local Planning Policy.

## 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 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in 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:

- Delivering a sufficient supply of homes
- Promoting sustainable transport;
- Achieving well designed places;

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

#### Consolidated London Plan 2016

- 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
- 5.1 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
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Woodlands and trees

#### Croydon Local Plan 2018

- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP4 Urban Design and Local Character
- DM10 Design and character
- DM13 Refuse and recycling
- DM16 Promoting healthy communities

- DM17 Views and Landmarks
- SP6 Environment and Climate Change
- DM23 Development and construction
- DM24 Land contamination
- DM25 Sustainable drainage systems and reducing flood risk
- SP7 Green Grid
- DM27 Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

### Emerging New London Plan

7.4 Whilst the emerging New London Plan is a material consideration, the weight afforded to it is down to the decision maker, linked to the stage a plan has reached in its development. The New London Plan remains at an advanced stage of preparation but full weight will not be realised until it has been formally adopted. Despite this, in accordance with paragraph 48 of the NPPF substantial weight can be applied to those policies to which the Secretary of State has not directed modifications to be made.

7.5 The policies of most relevance to this application are as follows:

- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public Realm
- H1 Increasing housing supply
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- HC1 Heritage conservation and growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy streets

- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the plan and planning obligations

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Croydon Suburban Design Guide Supplementary Planning Document April 2019

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Housing mix
3. Townscape, design and visual impact
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Parking and highway safety
7. Trees, landscaping and biodiversity
8. Flood risk
9. Sustainability
10. Other planning matters

### **Principle of Development**

8.2 This proposed development needs to be assessed against a backdrop of significant housing need, not only across Croydon but across London and the south-east. All London Boroughs are required by the London Plan to deliver a number of residential units within a specified plan period. In the case of the LB Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment was an additional 44,149 new homes by 2036, but at the time, there was currently limited developable land available for residential development in the built up area and was considered only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018) which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites.

8.3 The emerging New London Plan, which is moving towards adoption (although is the process of being further amended) proposed increased targets which need to be planned for across the Borough. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.

- 8.4 This presumption includes places such as South Croydon which is identified in the “Places of Croydon” as an area where sustainable development can occur and includes windfall and infill sites. The Croydon Suburban Design Guide (2019) was adopted last year, which set out how suburban intensification can realise high quality outcomes; thinking creatively about how housing can be provided on windfall sites. As is demonstrated above, the challenging targets will not be met without important windfall sites coming forward, in addition to the large developments within Central Croydon and on allocated sites.
- 8.5 The site is currently occupied by existing flats with associated garaging and a communal amenity space. The garaging appears to be used more for domestic storage purposes rather than off street car parking and notwithstanding residents’ concerns over the loss of the current garages, there is no protection (in town planning terms) of domestic storage uses.
- 8.6 The site is located within an existing residential area and for the reasons outlined above, providing that the proposal accords with all other relevant material planning considerations, the principle of development can be supported.

### **Housing Mix**

- 8.7 CLP Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough’s need for homes of different sizes. It sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.1 requires a minimum provision of homes designed with 3 or more bedrooms on sites of 10 or more dwellings. In suburban settings with PTALs of 4-6, the requirement is 60% 3+ bedroom units. That said, Policy DM1.1 also advises that within the first three years of the CLP, the requirement for 3 bedroom homes can be substituted by 2 bed 4 person homes.
- 8.8 Bearing in mind that this scheme proposes less than 10 residential units, the requirements of Policies SP2.7 and DM1.1 carry less weight. In addition, the applicant has submitted a viability note setting out that it is not financially viable, particularly in the context of delivering affordable rented accommodation, to provide family accommodation. This position is accepted.

### **Affordable Housing**

- 8.9 The CLP (2018) states that to deliver affordable housing in the Borough on sites of ten or more dwellings, the Council will negotiate to achieve up to 50% affordable housing, subject to viability and will seek a 60:40 ratio between affordable rents homes and intermediate (including shared ownership) homes unless there is an agreement with a Registered Provider that a different tenure split is justified.
- 8.10 As this scheme proposes less than 10 new homes, there is no specific policy requirement to deliver a proportion of these homes as affordable housing. However, the developer has advised that they intend to deliver all 8 x 1 bed flats as affordable rented accommodation. Whilst it is acknowledged that residents might well prefer a balance between private sale and affordable housing, there is significant lack of affordable housing across the borough. The delivery of 100% affordable housing represents a benefit of the scheme which should also be considered and balanced against other aspects. Whilst not necessarily a policy requirement, officers feel it would be reasonable and necessary (when considering the scheme as a whole) to secure

these flats as affordable homes as part of a subsequent planning permission via an associated S.106 Agreement.

- 8.11 The scheme would positively contribute to the delivery of new homes (including affordable homes).

### **Townscape and Visual Impact**

- 8.12 CLP Policy DM10.1 states that proposals should achieve a minimum height of 3 storeys whilst respecting a) the development pattern, layout and siting; b) the scale, height, massing and density; c) the appearance, existing materials and built and natural features of the surrounding area. Approaches to scale and mass are further outlined in the Suburban Design Guide.

### Site Layout

- 8.13 The rectangular shape of the site, the changes in land level, the need to re-provide existing parking spaces, the need to ensure the amenity of existing residents is retained, the need to protect mature trees at the rear of the site and the presence of the rail line, have determined the approach to site layout. A 3 storey block, similar in form to the existing block on site has been proposed on the location of the existing site garages. This cuts in to the slope to ensure that there is a sufficient distance of 18m to the existing flats and also retains the trees to the rear (with appropriate tree protection). The proposed flats are on a similar alignment to the properties in Selsdon Avenue and would be no closer to the properties in Sunnynook Gardens than the existing flats.
- 8.14 A communal amenity space is retained at the rear of the site, but there is a level change to access this space. In addition doorstep play and a small amenity area is proposed in the area between the existing and proposed flats. This area would be accessible to those with mobility issues.
- 8.15 Six parking spaces are proposed and there would be sufficient space to allow refuse vehicles to turn on site. A separate pedestrian access into the site has also been proposed, which is an improvement on the current situation.
- 8.16 In terms of the visual impact of the proposed layout, the proposed siting of the building would be visible in the streetscene (as with the existing garages). However, the visibility of the building does not in itself cause harm and is considered appropriate.
- 8.17 It is considered that the layout of the site is appropriate and has also been set out in a way to minimise the impact on neighbouring properties.



8.20 The massing of the proposed building would project further forward than the adjacent property on Selsdon Avenue. However, the building would not encroach beyond a 45 degree line from the nearest window and therefore, the massing is considered acceptable.

8.21 The height of the proposed flats is comparable to the height of the existing flats. Given the relationships with nearby buildings, the massing of the proposed flats is acceptable.

#### Architectural Expression

8.22 The building facades would have a fairly simple composition, but this is reflective of the existing flats on the site. The horizontal and vertical elements of the proposed building pick up on similar horizontal and vertical elements of the existing flats.



Existing flats



Proposed building

8.23 The proposed building works well with the composition being a modern re-interpretation of the style of the existing flats. The proposed grey brick is not typical of the area, but would be of a high quality. As the design is generally considered to be in-keeping with the host property in terms of its fenestration and detailing, it is acceptable. The proposed use of PPC aluminium to ironmongery and windows is acceptable. There should be a minimum window reveal depth of 225mm to give depth to the façade. Specifics of the details of materials and window reveal depth can be controlled by planning condition.

8.24 The privacy screen solution to the rear balconies of taller, angled fins will limit oblique views out and therefore protect the privacy of adjoining occupiers. The exact design of the privacy screening should be conditioned, but the details shown are supported by officers



Proposed balcony



8.25 Overall, officers consider the design of these proposals to be well considered and appropriately deals with the challenges of the site in a sensitive and innovative manner and suitably optimises the development potential of the site in line with CLP policy and supplementary guidance contained in the Suburban Design Guide SPD.

## **Housing Quality for Future Occupiers**

- 8.26 All of the proposed new units would comply with or exceed the internal dimensions required by the Nationally Described Space Standards (NDSS) and would be dual aspect, although it is recognised that the central unit on each floor is only dual aspect by virtue of the entrance door.
- 8.27 As regards external amenity space, the London Housing SPG states that a minimum of 5 square metres of private outdoor space should be provided for 1-2 person dwellings and an extra 1 square metres for each additional occupant. Private amenity space has been provided for the upper floor flats of 5sqm, which is in accordance with the requirements.
- 8.28 The application includes the retention of a communal amenity area and the trees at the rear of the site. Due to the changes in land level, this will not be accessible to any residents with mobility issues. However, an area of communal amenity is also proposed between the existing and proposed flats and this area, which would be improved from its existing condition and will include a seating area and an area of doorstep play. The retained communal amenity spaces, both between the existing and proposed buildings and the area to the rear of the proposed building would be available for both the existing and proposed residents. This arrangement is acceptable.
- 8.29 The planning application was accompanied by a daylight and sunlight assessment which identified that whilst most rooms complied with the requirements. The two ground floor living areas would experience reduced sunlight and daylight than BRE standard, compounded by the presence of balconies above the windows to these rooms. However, these have been sited adjacent to each other so that light can filter either side (and to minimise overlooking to neighbouring properties) and these balconies are required to ensure that the flats above have access to private amenity space. Whilst the lighting to these units is not ideal (achieving 0.8/0.9 ADFs against a target of 2% and 8/12% APSH annually and 2/3% APSH in winter against a target of 25% and 5% respectively), they would have access to a very large private amenity space of 26.5 sqm (for flat 00.01) and 37.9 sqm (for flat 00.02), which is well in excess of the minimum private amenity space requirements. The size of these private amenity areas has taken into account the 25 degree line, due to their positioning adjacent to the cut away land levels and in effect, them being a sunken garden. No details have been provided of the edge protection/boundary treatment to these sunken gardens, but this could be secured by the imposition of a planning condition. On balance, set against the pressing need for affordable rented homes, this arrangement is considered to be acceptable.
- 8.30 Any noise issues associated with noise from outside the site would be able to be mitigated through standard noise insulation measures and planning conditions have been recommended to ensure that external noise effects are minimised. Further consideration of noise issues can be found later in this report.
- 8.31 Level access would be provided to the building and internally all flats would comply with part M4(2) of the Building Regulations. However, as complete level access can only be provided to the ground floor units, (as staircase access is given to the upper floors), it is only the ground floor units that can comply with part M4(2) fully. Whilst the amenity space to the rear is accessible only via steps, there is the area of communal

amenity space that is located between the existing and proposed buildings that is accessible.

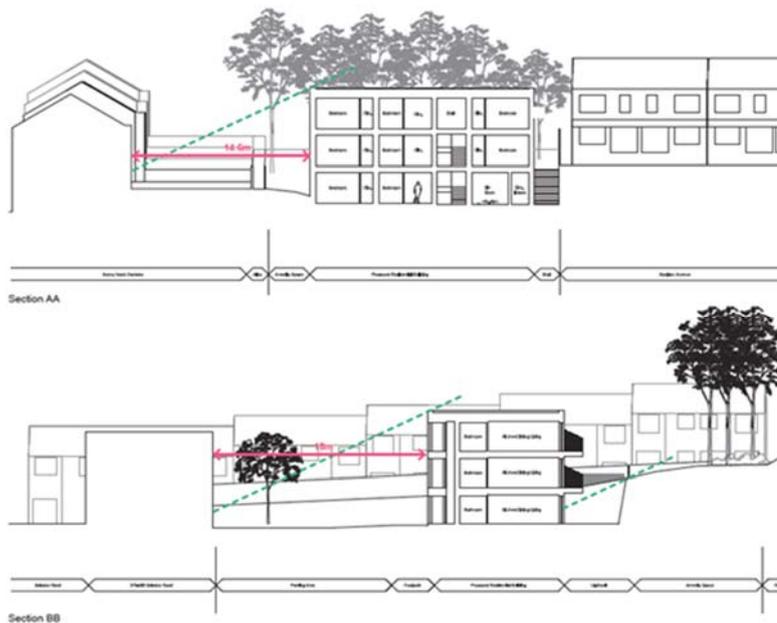
## **Residential Density and Effects on Immediate Neighbours**

### Density of Development

- 8.32 The site has a suburban setting with a PTAL rating of 5 and as such, the London Plan indicates that the density levels ranges of 200-350 habitable rooms per hectare (hr/ha). It also advises that where there is an average of 2-3 habitable rooms per unit, a scheme should normally expect to achieve 70-130 units per hectare. Treating the combined living/kitchen/dining areas as a single habitable room, the proposed density of development would equate to around 106 habitable rooms per hectare and 53 units per hectare, for the red line application site.
- 8.33 As Members will be aware, 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 optimising potential such as local context, design and transport capacity. The acceptability of the development in terms of scale, mass, layout and appearance was discussed earlier in this report which represents an important dimension when determining the acceptability of a particular density of development. This project has clearly emerged out of a design-led response to the site and its various relationship challenges.

### Neighbour Impacts

- 8.34 The application site is within an established residential area and as advised above, its impact on local character would be acceptable. The site has relatively close relationships to neighbouring residential properties and the adjacencies and the extent to which overlooking and outlook has been mitigated is an important consideration.
- 8.35 There is a distance of 18 metres between the proposed and existing flats at the site, which is in compliance with the requirements of the Suburban Design Guide (2019) to avoid overlooking and is acceptable. The distance and height of the proposed building also does not impinge on a 25 degree line taken from the centre of the existing ground floor windows. The proposed block of flats is no closer to properties in Sunnynook Gardens than the existing flats and there are no windows that would face towards these properties. Given that the proposed block is set into the rising land levels, and that the proposed building does not encroach beyond a 45 degree line taken from the centre of the nearest ground floor windows the height of the proposal is acceptable in the context of the properties in Sunnynook Gardens. The proposed block would project forward of the existing adjacent properties in Selsdon Avenue, but they would not encroach beyond a 45 degree line drawn from the centre of the nearest window and therefore are considered to be acceptable in terms of outlook.
- 8.36 Therefore, having considered all of the above against the backdrop of housing need, officers are satisfied that the scheme proposes an acceptable impact on the occupiers of neighbouring properties.



Relationships with existing buildings.

### Daylight and Sunlight Effects

- 8.37 The assessment reviewed daylight and sunlight received by neighbouring properties (including within rear gardens) with the development in place. Officers agree that the level of daylight and sunlight received by neighbouring properties would continue to comply with BRE Guidance. The assessment also confirmed that this would be the case for their associated garden and amenity spaces.

### **Highway Safety, Access and Parking**

- 8.38 The planning application is supported by a Transport Statement, dealing with the various transport impacts and associate mitigation measures. The site is located in an area with a good PTAL of 5, with 5 bus routes within close proximity of the site and South Croydon Rail Station is 600m away. The site is located adjacent to a Controlled Parking Zone (CPZ), which restricts the ability to park in very close proximity during the day, although it is noted that there are roads within 200m of the site that are not located within the CPZ.

### Car Parking

- 8.39 Census data (Ward Level) suggests that 42% of residents of flats in South Croydon do not own a car, with 49% owning 1 car and 8% owning 2 or more cars. The applicant's transport consultant has predicted (based on this Census analysis) that the proposed development would be expected to generate demand for 5 car parking spaces.
- 8.40 The adopted London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character; 1 bedroom flats should provide less than 1 space per unit. The car parking standards also look at PTAL and for a PTAL of 5, there should be up to 1 space per unit. As these are maximum parking standards, a lower provision can be accepted and the London Plan sets out that all developments in areas of good public transport accessibility in all parts of London should aim for significantly less than 1 space per unit. The Draft New London Plan (2019) stipulates that all developments with a PTAL of 5 or 6 are to be brought forward as car-free.

- 8.41 The application does not propose any parking for the proposed flats. Six parking spaces are proposed on site, but these are for the existing residents, therefore a Car Park Management Plan will be required to ensure that this is the case. It is not proposed to replace the parking provision for the existing garages. The existing garages are leased to local residents, however the leaseholders are registered at addresses at a distance of 960m, 9,500m and 9,600m from the site. Therefore, it is considered that it is highly unlikely that these garages are used for car parking and their loss is not resisted.
- 8.42 To inform the Transport Statement, the applicant's transport consultant carried out a car parking beat survey (utilising the Lambeth Methodology) to determine the level of on street car parking capacity and whether the likely car parking demand could be suitably accommodated in neighbouring streets (within 200 metres of the application site). Both night time and daytime surveys were carried out.
- 8.43 The beat survey suggests that whilst the parking stress during the day is in excess of 100%, overnight the parking stress is 69%, indicating that there is capacity. However, if you take into account only the roads that lie outside the CPZ (i.e. excluding Selsdon Road), the parking stress goes over the 85% threshold, although it is recognised that you can park on Selsdon Road between 7pm and 7am. In order to mitigate the impact of a potential additional 5 cars parking on the highway, it is considered appropriate to require sustainable transport mitigation. Therefore, new residents of the site will be restricted from applying for on-street resident parking permits and the developer will be required to contribute towards the provision of an on-street car club bay, with membership for the residents for a period of 3 years. A residential travel plan would also be appropriate and this can be secured by condition and the monitor of this can be done through the S106 agreement.
- 8.44 Overall, officers are satisfied that with the mitigation measures identified, the car parking implications of the development are acceptable.

#### Cycle and Refuse Storage

- 8.45 Cycle parking is shown to be located within a secure storage area within the building, which includes 10 double stacked racks and a Sheffield stand for adapted bikes. A visitor cycle parking space is proposed to the front of the building. This level of provision is acceptable. Details can be conditioned for future discharge.
- 8.46 The proposed refuse storage area would also be included within the ground floor of the building and is of a sufficient size. This refuse storage area is proposed to be a sufficient size to accommodate the refuse for both the existing and proposed flats as the refuse store for the existing flats is proposed to be. Refuse storage and collection facilities for the existing flats during the construction period will need to be provided and this can be secured by planning condition. It is proposed that refuse will be collected on site and tracking has been submitted to indicate that it is possible for a refuse vehicle to manoeuvre on site. Details of this can be conditioned within a waste strategy and it is considered that this approach is acceptable.

#### Other Highway Impacts

- 8.47 A Construction Logistics Plan has been submitted as part of the Transport Statement and this can be secured by a planning condition.

## **Trees, Landscaping and Biodiversity**

### Trees

- 8.48 There is a group of 'B' category trees at the rear of the site, adjacent to the rail line that are to be retained. These are a mix of species. Whilst the excavation of the sunken gardens to the rear of the flats would encroach within the root protection area of 2 of these trees, it is to an extent that it would not have a detrimental impact on their health (7% and 9% of the RPA which is in accordance with the British Standard which specifies less than 10%), subject to suitable tree protection measures to be put in place and controlled by condition.
- 8.49 There are three trees on the site that are proposed for removal. A 'C' grade Lawson Cypress located between the existing flats and the proposed flats, a 'C' grade Wild Cherry and 'U' grade Rowan (which is already dead), located to the side of the proposed new flats and where access to the rear communal amenity area would be located. The trees proposed for removal are of low quality (or are already dead) and their removal is acceptable. To compensate for the loss of these trees, it is proposed that 3 new trees are planted, along with a comprehensive landscaping scheme. Details of the new tree planting and the landscaping can be controlled by condition. Concern has been raised by local residents regarding the loss of the trees, but in this case it is considered that the proposed replacement is acceptable, subject to conditions.

### Ecology

- 8.50 Some residents have expressed concern over the loss of a wildflower area at the rear of the site. However, the impact of the development would be at the current garage location and adjacent to it, with a reasonable proportion of the rear of the site untouched. The ecological survey submitted with the application confirms that the ecological impact is limited to the loss of the 3 trees and amenity grassland and that overall the site has modest ecological value. The area of the site where the key ecological features are found (adjacent to the eastern boundary) is the area of the site that is least impacted. Subject to the tree planting identified above, details of landscaping to be controlled by condition, and the provision of ecological mitigation and enhancement measures (such as tree removal outside of bird nesting season, retention/provision of dead wood and provision of artificial wildlife habitats), the proposed development is considered to be acceptable in ecological terms.

## **Flood Risk**

- 8.51 The site has a very low risk of fluvial flooding (Flood Zone 1) and surface water flooding. The application proposes that runoff from the parking bays will be attenuated using tanked permeable paving connected to the main attenuation tank, roof runoff will be routed to an attenuation tank via a sedum roof; runoff from all other hardstanding areas will be routed to the attenuation tank; and the attenuation tank will be connected to the Thames Water network via a 2l/s flow control. The space constraints do not permit infiltration on site. This is acceptable and further details can be controlled by planning condition.

## **Sustainability**

- 8.52 CLP Policy SP6.3 requires all new build residential development of fewer than 10 units to achieve the national technical standard for energy efficiency in new homes – set at a minimum of 19% CO2 reduction beyond Part L of the Building Regulations and

requiring new build development to meet a minimum water efficiency standard of 110 litres/person/day. Consequently, it is recommended that planning conditions be imposed to ensure that the development achieves 110 litres water per head per day and a minimum of 19% CO2 reduction.

#### Contamination

- 8.53 A Phase 1 Desk Survey has been submitted in relation to contaminated land matters which is acceptable in terms of the historical assessment of the site. It is recommended that a planning condition is imposed to require an intrusive site investigation and remediation works to be undertaken to render the site fit for purpose, given the potential for contamination from the previous use of the site for garages and potentially contaminative offsite uses nearby.

#### Noise and Vibration

- 8.54 Given the proximity of the site to the railway line an assessment of noise and vibration in relation to the proposed development has been undertaken. This recommends that double glazing is required for living areas and that higher specification glazing is required for bedrooms, with rooms facing the railway line requiring mechanical ventilation. A 2m high noise barrier is also proposed along the eastern elevation. Officers are supportive of this approach and the required details can be secured by a planning condition. A condition will also be required for the submission and approval of the plant requirements for the air source heat pumps to ensure it is appropriate.

- 8.55 The scheme would ensure the creation of a healthy community with access to open space, promote cycling and walking and safeguarding a portion of the site for social interaction and community engagement.

- 8.56 The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools

#### **Conclusions**

- 8.57 Whilst it is accepted that the scheme would result in the loss of existing garaging, there is no justification to retain such uses, especially in view of the urgent need to deliver more homes and specifically affordable homes.

- 8.58 The design of the proposals has been well considered in terms of layout, scale, mass, external appearance and landscaping. The flats would all comply with internal space standards, would be dual aspect and would provide a good standard of accommodation overall. The impact of the development on immediate neighbours would be suitably mitigated and officers are satisfied that with the re-provision of 6 spaces for existing residents, sustainable transport contribution towards the provision of a car club space and a travel plan the parking arrangements are acceptable.

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