

APPLICATION DETAILS

Ref: 17/06360/FUL
 Location: Garages and Forecourt North Of Avenue Road, South Norwood, London
 Ward: South Norwood
 Description: 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.
 Drawing Nos: LBC/0003/E/GA/0001, LBC/0003/E/GA/0002, LBC/0003/E/GA/0003, LBC/0003/E/GA/0151, LBC/0003/E/GA/0001A, LBC/0003/E/GA/0005A, LBC/0003/E/GA/0006, LBC/0003/E/GA/0007, LBC/0003/E/GA/0008, LBC/0003/E/GA/0151A, LBC/0003/E/GA/0152, LBC/0003/E/GA/0160A, LBC/0003/E/GA/0161, LBC/0003/E/GA/0165, LBC/0003/E/GA/6001, LBC/0003/E/GA/7001, LBC-0003-P-GA-0010, Design and Access Statement Addendum (1st March 2018), Design and Access Statement Addendum (5th February 2018).
 Agent: Jenny Islip
 Case Officer: Tim Edwards

	1 bed	2 bed	3 bed	Total
Houses				
Flats	9 x 1b, 2p	3 x 2b, 4p		
Totals	9	3		12

Number of car parking spaces	Number of cycle parking spaces	PTAL Area
1 (Wheelchair accessible)	15	1a

Affordable Rented Units	Private Market
7	5

This application is being reported to Planning Committee as the number of representatives received exceeds the required for committee consideration criteria.

1 RECOMMENDATION

- 1.1 That the Planning Committee resolve to GRANT planning permission.
- 1.2 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) Legal agreement to secure the following planning obligations:
 - Affordable housing provision including local lettings strategy

- Local employment and training strategy
 - Carbon offset payment
- 2) The works shall be carried out wholly in accordance with the submitted plans.
 - 3) Details of all external materials shall be submitted to the LPA and approved in writing.
 - 4) No windows shall be provided within either flank elevation.
 - 5) Details of bin and cycle stores to be submitted and approved prior to occupation
 - 6) Landscaping scheme to be submitted and approved prior to occupation
 - 7) Unit G.01 shall be meet building regulation requirement (M4)3 as 'wheelchair user dwelling' with all other units meeting building regulation requirement (M4)2
 - 8) The proposed parking space shall be provided as detailed on the plans as wheelchair accessible.
 - 9) Contaminated land assessment to be submitted and approved
 - 10) Approval of detailed design of a surface water drainage scheme
 - 11) Water Efficiency
 - 12) Sustainable development 35% carbon dioxide reduction as specified in the energy and sustainability statement.
 - 13) A detailed construction logistics plan shall be submitted to the LPA and approved in writing before works commence on site.
 - 14) Noise from air handling units
 - 15) Commence the development within 3 years of the date of this decision.
 - 14) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

Informatives

- 1) Community Infrastructure Levy
- 2) Code of practice on construction sites
- 3) Boilers
- 4) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The applicant seeks full planning permission for the:

- Demolition of the existing two sets of garages.
- Erection of a three storey building to provide 12 flats.
- One wheelchair accessible parking space.
- Proposed refuse and cycle stores.
- Associated soft landscaping including eight additional tree specimens.

Site and Surroundings

3.2 The site has the following characteristics:

- Residential in character
- PTAL rating of 1a, in close locations to PTAL 4 rated areas.
- The site falls away from south to north

- To the rear of the site is 40a Warminster Road, a residential premise with large garden area. To the North West of the site is Rochester Court and the associated garage located at the rear of this site.
- The site has evolved over the last 100 years to its current garage function.

Planning History

3.3 There is no planning history associated with this site. However, there is planning history associate with the adjoining site at 40a Warminster Road. Further details are below:

1. 14/00980/P - Demolition of existing house and garden structures; erection of three storey building comprising 8 two bedroom and 1 one bedroom flats; provision of associated parking area, cycle stores, refuse store: **Permission Refused for the following reasons:**

- *The proposal would result in an overdevelopment of the site out of keeping with the character and visual amenity of the site and area by reason of its siting, massing and scale.*
- *The siting, layout, form, and design of the development would not respect or improve the existing pattern of buildings and the spaces between them, nor maximise the opportunities for creating an attractive and interesting environment.*
- *The development would be detrimental to the amenities of the occupiers of nearby residential properties by reason of loss of privacy and visual intrusion.*
- *The proposal would introduce additional traffic movements that would exacerbate an already unsatisfactory situation in the shared access leading to the site and its environs.*

An appeal was lodged and dismissed on the grounds of its impact on the character, residential amenity of adjoining occupiers and highway safety.

09/01868/P – Demolition of existing building; erection of 4 two storey four building terraced houses and 1 two storey four bedroom house, access road: **Appeal against non-determination, dismissed for the following reasons:**

- *Detrimental impact of the proposed development on the character and appearance of the area, with particular reference to trees.*

3.5 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would bring into use an underused garage area and contribute to meeting housing targets.
- Seven of twelve units would be offered as affordable rent.
- There would be no significant harm to neighbouring properties' amenity, given the location and separation distances between the proposed development and surrounding properties.
- The proposed design is considered to enhance the quality of the street scene, despite its back land setting.

- The proposal would accord with the Technical Housing Standards – Nationally Described Space Standards and would provide acceptable living conditions for future occupiers.

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 The LLFA was consulted and originally objected to proposal due to a lack of information. Following further details provided by the applicants, their objection to the scheme was removed with proposed additional details to be secured by condition.

5 LOCAL REPRESENTATION

- 5.1 The application has been publicised by way of letters sent to neighbouring occupiers of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 34 Objecting: 34 Supporting: 0

- 5.2 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:

- Overdevelopment of the site.
- Detrimental impact to the neighbouring occupier's residential amenities.
- Not in keeping with the surrounding area.
- Detrimental impact on the street scene.
- Dangerous access arrangements.
- Increase in traffic levels during construction and after completion.
- Increase in traffic on surrounding roads.
- Inadequate parking provision.
- Impact on local services
- Proposed location for refuse area is inadequate.
- Impact of the development in association with other proposed and approved applications on local services and transport.
- Mix of units does not meet local housing needs
- Risk of flooding
- No or poor quality community consultation
- Potential for litter and fly tipping
- Impact on trees

- 5.3 Non material planning consideration:

- Various application have been made by BxB application in the north of the borough and not the South where there is an abundance of space and need for increased diversity.
- Impact upon views of surrounding occupiers. [*Officer Comment: The right to a view is not a planning consideration*].

- 5.4 Steve Reed MP has also objected to the scheme. Although this is noted, this is not an MP referable application. His proposed objections have therefore been taken into account with the other objections highlighted in point 5.2.

6 RELEVANT PLANNING POLICIES AND GUIDANCE

- 6.1 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 (CLP) and the South London Waste Plan 2012.
- 6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:
- Requiring good design.
 - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions
- 6.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP):

- SP2: Homes
- SP4: Urban Design and Local Character
- SP5: Community Facilities
- SP6: Environment and Climate Change
- SP7: Green Grid
- SP8: Transport and Communication
- DM1 on Housing choice for sustainable communities
- DM10 on Design and character
- DM13 on Refuse and recycling
- DM16 on Promoting healthy communities
- DM19 on Promoting and protecting healthy communities
- DM23 on Development and construction
- DM24 on Land Contamination
- DM25 on Sustainable Drainage Systems and Flood Risk
- DM26 on Metropolitan Green Belt and Metropolitan Open Land

- DM27 Biodiversity
- DM28 on Trees
- DM29 on Promoting sustainable travel and reducing congestion
- DM30 on Car and cycle parking in new development
- Applicable place specific policy

Supplementary Planning Guidance as follows:

- Technical Housing Standards – Nationally Described Space Standards

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

- Principle of development
- Townscape and visual impact
- Impact on neighbouring residential amenity
- Amenities of future occupiers
- Parking and cycle storage
- Waste and refuse
- Trees

Principle of Development

- 7.2 CLP 2018 Policy SP2.1 sets out that the Council will apply a presumption in favour of development of new homes provided applications meet the requirements of other applicable policies. The Mayor’s Housing SPG (2016) is also relevant with respect to the site’s infill nature: “Infill opportunities within existing residential areas should be approached with sensitivity, whilst recognising the important role well-designed infill or small-scale development can play to meeting housing need.”
- 7.3 Policy SP2.4 of the CLP 2018 states that the council will expect sites with ten or more dwellings to; negotiate to achieve up to 50% affordable housing. The proposed scheme would provide 7 x 1b, 2p affordable rented units. This results in 58% of units (or 52% habitable room) being affordable and therefore exceeds the requirements for such sites.
- 7.4 Proposals should also seek a 60/40 split between affordable rented and intermediate homes. The Strategic Housing Market Assessment, (SHMA) June 2015, identified that there is a 76% net need of 1,586 social/affordable rented units which this proposal would positively contribute to. Although the 60/40 split is not meet there is a clear demand for affordable rented units which would provide greater flexibility in the future management of the site. The scheme is also not so large that is would not provide a ‘mixed and balanced community’ as required by Policy 3.9 of the London Plan.
- 7.5 Policy DM1 states that the Council will seek to enable housing choice for sustainable communities by requiring a minimum provision of homes designed with 3 or more bedrooms on sites of 10 or more dwellings. In a location such as this 60% of the units should be three bedroom units. Although the proposal does not fully comply in regards to 3 bedroom units, due to the constraints of the sites, the provision of 25%

2b, 4p units on site and the SHMA detailing that 68% of the requirement for new homes from 2013 – 2036, is for one or two bedroom affordable units, overall this approach is considered to be acceptable.

- 7.6 The proposal in principle adheres to CLP 2018 Policy DM10, which states that proposals should be of high quality, whilst seeking to achieve a minimum height of 3 storeys.
- 7.7 The proposed development would provide twelve units of a good standard – benefitting from external private amenity space and complying with the Technical Standards (relating to internal floorspace).

Density, Townscape and Visual Impact

- 7.8 Table 3.2 of the London Plan and the related Policy 3.4 deals with density of development (linked to PTAL levels) and advises that “suburban” areas are characterised by predominantly lower density development such as detached and semi-detached houses, small building footprints and typically buildings of between two and three storeys. The scheme would equate to approximately 302hr/ha and 134u/ha. Table 3.2 advises that density of residential development within “suburban” locations with PTALs of 0-1 can range from between 100-200 hr/ha, however these figures should not be applied mechanistically. Other factors relevant to optimising potential should be taken into account including local context, design and transport capacity. Although the site is located in a low PTAL, it is 40 metres away from PTAL 4 area, as well as being approximately 1km from Norwood Junction and 615 metres from South Norwood High Street.
- 7.9 The existing area is mostly residential however it is characterised by buildings of differing scale and form with a mix of flats and dwellings, ranging from one to four storeys in height. Particular notice should be taken of Rochester Court, which is a four storey development positioned on an adjoining site. The character of the area is varied with different scaled development on varying plot sizes. Overall, the proposal is considered to respect the development pattern of the surrounding area. Therefore, considering the nature of the area the site is considered to be an urban setting as defined by the London Plan.
- 7.10 The scale of the development is three storeys and although it remains higher than its immediate neighbours, given the back land nature of the site within the wider street scene the proposed built form would not be significantly prominent when viewed within either Avenue Road or Warminster Road. It is acknowledged that the majority of 3 and 4 storey developments front the street, with some of the originally constructed two storey dwellings having also created a third storey through the form of rear dormers. However, it is important to note the formal adoption of the CLP 2018 and Mayors Housing SPG which are now a consideration for in-fill/backland sites such as this. In comparison to the two previous applications at 40a Warminster Road which have different consideration and pre-date this adoption and creation of these plans. Given this existing arrangement and variation, there is clear scope for the intensification of built-form on site.
- 7.11 The development would step up from behind 4 – 4d Avenue Road and the dwellings on Warminster Road all of whom have pitched roofs fronting the street. Whilst flat roofs are not prominent in the surrounding area other flatted developments such as 10 Avenue Road, 9 – 11 Warminster Road, Gilborah and Barwood Court (all on

Avenue Road) provide examples of flat roofs within the immediate vicinity. It is therefore considered that flatted developments with flat roofs are a common feature in the surrounding area and are therefore considered acceptable.

- 7.12 The proposed building would address the entrance area of the site, with deck access provided via the private amenity areas (terraces/balconies) which are located on the front elevation. Front balconies can be seen within other developments at 7 – 20 Avenue Gardens and Embassy Court on Avenue Road. Therefore, overall it is considered that the proposed deck access with front balconies and terraces are considered to be in keeping with the varied character of the site.
- 7.13 The development proposes the use of two different bricks in three styles throughout the development. Brick is a common feature in the surrounding area again in variation of styles. Although the brickwork will be screened to some extent by the timber screen battens in the front elevation, the use of these two core materials is acceptable to the character and appearance of the wider area.
- 7.14 Overall the proposal would respect and enhance the surrounding buildings and street scene.

Impact on Neighbouring Residential Amenity

- 7.15 The site is bound on three sides by residential developments and holds different relationships with these dwellings due to the irregular shape of these buildings, their separation from the development and the position of habitable rooms in each unit.
- 7.16 To the south the site abuts Rochester Court, a four storey development which front Avenue Road with large garage area located at the rear of the site. The site also abuts the gardens of 4-4d Avenue Road. The proposed front elevation would be separated from the rear elevation of Rochester Court by approximately 19 metres and by 22 metres from the rear elevation of 4 – 4D Avenue Road. Considering this separation as well as the land levels on site which fall away from Avenue Road, the proposed planting of additional screening as well as the window battens and planters overlooking would be minimised and the amenities of these adjoining occupiers protected. There have been concerns raised due to the potential impact of additional trees upon the amenities of the adjoining occupiers. It is considered that planting verdidus tree specimens which have a sensible maximum height in this location can be a positive to the wider area without impacting upon the amenity of these adjoining occupiers. Further details in regards to landscaping on site would be secured by condition. Overall, there is not considered to be a detrimental impact upon the amenity of these adjoining occupiers through a loss of outlook, overlooking or loss of light.
- 7.17 The proposed development is not considered to detrimentally impact the other adjoining occupiers, 42 – 58 Warminster Road. There is considerable separation distances with the rear elevations of these dwellings and due to the orientation of the building, the soft landscaping scheme and proposed batten screening within the nearest units, overall the proposal is not considered to significantly impact the amenities of these adjoining occupiers to a significant degree.
- 7.18 To the north of the site falls 40a Warminster Road, which is well separated from the proposed development and is therefore not considered to have a detrimental impact upon the amenities of these adjoining occupiers. The proposal has also been set-in

from the rear boundary by 5.5 metres which is also not considered to inhibit the potential future redevelopment of this site.

- 7.19 60 and 60a Warminster Road are set back from the rest of the dwellings which front Warminster Road. At its closest point the proposed flank elevation would be positioned 10.80 metres away from the rear elevation of 60a Warminster Road. There are no windows proposed in the flank elevation, which is part setback 3 metres with 4.5 metres of the proposed development side elevation along on the boundary line. The proposed building is also at an angle to the rear elevation of 60 and 60a Warminster Road who have west facing gardens. On balance there is not considered to be a significant detrimental impact upon the amenity of these adjoining occupiers through a loss of outlook or overlooking.
- 7.20 A Daylight and Sunlight Assessment has been undertaken using BRE guidance which test for compliance against the British Standard Code of Practice for Daylight and Sunlight. The report has assessed the effects to the surrounding buildings (Rochester Court, 2-2E and 4 – 4D Avenue Road, 60, 60a, 62, 64 and 66 Warminster Road), in terms of daylight and sunlight with comparison to BRE recommendations. Of the adjoining residential properties assessed, four windows in 60 and 60a Warminster Road do not meet the BRE guidelines with a loss of daylight up to a maximum 27.1%. The proposal would therefore impact the amenities of 60/60a Warminster Road but the views of the skyline would remain acceptable. The proposal also meets the BRE guides target criteria for gardens to have at least 2 hours of direct sunlight. The submitted assessment shows a worst case scenario as the scale of the proposed windows at ground floor level are larger with no analysis of the existing roof lights on site. There are noted to be two windows, double glazed double doors and rooflights present at 60 Warminster Road which located within an open plan kitchen. Whilst at 60a Warminster Road there are two double glazed doors and a number of windows which are stated to be located within a family room and playroom. Although the BRE guidance are good practice parameters, they are not linked to relevant policy. Considering the urban setting that the development is set within, the orientation of the development, the proposal continuing to provide acceptable direct views of the skyline and acceptable sunlight levels, on balance it would be acceptable.
- 7.21 The proposal has been designed to minimise any harmful impact on the amenities of the adjacent residential properties. Full details of the boundary treatment, a detailed landscaping scheme, the timber batten screening and to ensure no further windows are inserted in the boundary can be secured by condition.

Amenities of Future Occupiers

- 7.22 The size and layout, including the outlook from each unit would be acceptable. The proposed screening to front amenity spaces would affect light, but the relevant BRE standards are still met.
- 7.23 There would be acceptable private amenity and shared areas to the front and rear of the building. Furthermore, the ground floor flats would have direct access to private amenity space in the form of a rear gardens. Adequate provision has been made for the other units to have private amenity space, with suitable screening to protect the amenity of existing and proposed residents. As such, the proposal would comply with the above policies.

Transport

- 7.25 The site is located within an area with a public transport accessibility level (PTAL) rating level of 1a, which is considered to be poor but in very close proximity to PTAL rated 4 area which is considered good. The site is located approximately 1km from Norwood Junction station and 615 metres away from the array of local amenities in South Norwood. There are also 34 buses per peak hour within 550 metres of the site.
- 7.26 The existing 18 garages are smaller than the minimum requirement for a modern vehicle (2.8m by 5m) and therefore are unlikely to be suitable for parking vehicles. Therefore, their loss is not considered to impact upon parking within the surrounding area.
- 7.27 Policy SP8.17 seeks to ensure that there is an appropriate level of car parking. The London Plan Policy 6.13 sets out maximum parking standards for new residential development, with 1-2 bedroom units providing less than 1 per unit. At present, the London Plan states that in outer London areas, with low PTAL boroughs should consider higher levels of provision. However, it is important to note that these policies seek to reduce car parking levels – thereby reducing private car trips and encouraging more sustainable modes of travel (including walking, cycling and use of public transport. A reduction in the proportionate availability of car parking spaces associated with the current proposals is considered acceptable. Providing downward pressure on the availability of car parking space is a key approach to slowing the increase of car use within London and in line with the emerging policies of the draft London Plan, which states that car-free developments should be a starting point.
- 7.28 The existing access would be retained with 1 accessible wheelchair parking space provided. Transport Assessment shows that average car ownership in the vicinity of the site is calculated at 0.75 vehicles per household (based against 2011 census). On this basis, it is assumed the future occupiers could generate a parking demand of 9 spaces. The overnight parking stress survey indicates a moderate to good amount of spare parking capacity within Warminster Road and Avenue Road with 67 spaces available overnight and 59 spaces during the daytime. Even when considering the previously approved Brick by Brick application (ref.17/05954/FUL), Warminster Road with this proposal, overall it is considered that the local highway has the potential to reasonably accommodate any new vehicles associated with the development as well as any potentially displaced as a consequence of the proposals.
- 7.29 Cycle storage areas are indicated on the plans which is in accordance with the London Plan standards. There are some concerns in relation to the proposed cycle parking within the ground floor units front terraces, however it is considered that further details can be conditioned accordingly.
- 7.30 A refuse storage area is proposed within the access road, whereby refuse can be collected by Council operatives. This is considered acceptable subject to detailed conditions. Deliveries would also be from the adjacent highway. The existing vehicle access would be retained off Avenue Road, providing acceptable access for the proposed wheelchair accessible parking space and to provide emergency access to the site.

- 7.31 A preliminary Construction Logistic Plan (CLP) has been submitted in the transport assessment. As the development is at planning application stage and a contractor has not yet been appointed, it is therefore considered that the applicant will not be able provide full details of site layout and management or the numbers or timing of deliveries. Prior to the appointment of the Principal Contractor, a Construction Management Plan (CMP) should be developed alongside the Pre-commencement Health and Safety Information (PCI), also required by the Construction (Design and Management) regulations 2015. A detailed CLP will be secured through condition.

Impact on trees

- 7.32 There are no trees on site but there are a number of trees located on the adjacent site to the rear. The proposed development is not considered to detrimentally impact the existing specimens with the proposed additional trees considered to be benefit of the scheme and wider area.

Flooding

- 7.33 The proposed sites fall within Floodzone 1 for fluvial flooding and in a very low surfacter water area. The proposed Flood Risk Assessment with Drainage Strategy has been designed to reduce surface water run-off and provide water retention through the use of a biodiverse roof. Permeable paving and soft landscaping will also attenuate surface water flows, providing water quality treatment and preventing downstream flooding. A condition will be imposed to ensure the development accords with the measures outlined in the Flood Risk Assessment with Drainage Strategy and to ensure that surface water is not increased as a result of the development. Further additional details will be secured by condition.

Other Planning Issues

- 7.34 The applicant has submitted an Energy Statement which outlines that sustainable design and energy management measures have been incorporated to meet the requirements of Policy SP6 – 35% reduction in carbon emissions over the Building Regulations 2013 whilst a carbon offset payment will be made towards the zero carbon compliant development in residential areas. Water fittings are specified to meet a target of 110 litres per person per day or less. These measures can be secured by planning condition.
- 7.35 Community Infrastructure Levy – The development would be CIL liable which would be utilised to support local services.

Conclusions

- 7.36 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.