

PART 6: Planning Applications for Decision

Item 6.5

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/04047/FUL
 Location: Land adjoining Norbury Railway Station, Norbury Avenue, SW16 3RW
 Ward: Norbury Park
 Description: Construction of a four-storey building comprising of 12 flats with balconies and a ground floor commercial unit (218sq.m floorspace, Use Class B8 storage and distribution) with associated parking (for 7 cars), bicycle and refuse storage area; vehicle crossover, pedestrian footpath improvements, new landscaping including communal area
 Drawing Nos: 009 rev 2, 010, 004 rev 3, 007 rev 1, 005 rev 1, 008.
 Applicant/Agent: Peter Jeffrey
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	0	0
Flats	2 (50-53sqm)	5(61-71sqm)	4(74-89sqm)	1(97sqm)
Totals	2	5	4	1

Type of floor space	Amount proposed	Amount retained	Amount lost
Residential	928Sq.m	0 Sq m	0 Sq m
Commerical	218Sq.m	0 Sq m	0 Sq m
Number of car parking spaces		Number of cycle parking spaces	
7 (including 1 car club space)		27	

- 1.1 This application is being reported to Planning Committee because the Norbury Park Ward Councillors (Cllr Alisa Flemming and Cllr Sherwan Chowdhury) have requested it to be referred to the Planning Committee and objections are above the threshold in the Committee Consideration Criteria have been received.

2 RECOMMENDATION

- 2.1 That the Planning Committee be resolved to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission, conclude a S.106 Agreement and impose conditions and informatives to secure the following matters:
- 2.3 S.106 Agreement to cover the following obligations
- The provision of 4 (33% by unit numbers / 42% by habitable room numbers) affordable housing units (all affordable rented)
 - Financial contribution to air pollution measures £1300.00
 - Employment and training strategy and financial contribution of £4,500.00

- Provision of car club space in perpetuity and funding of resident participation in the car club scheme for a period of 3 years
- Restriction of on-street car parking permits for future occupiers of the development
- Carbon offset contribution of £18,685.70

2.4 Planning Conditions

- 1) To be built in accordance with the approved plans
- 2) Materials to be submitted for approval
- 3) Details to be provided:-
 - a) Datum height confirming finished floor levels
 - b) Hard and soft landscaping – including species / size / planting density and permeable surfaces
 - c) Boundary treatment – including private amenity space
 - d) Balcony screening
 - e) Vehicle sight lines along Norbury Avenue
 - f) Window design to control noise from railway
- 4) Details of refuse storage requirements
- 5) Details of cycle storage requirements
- 6) Demolition and construction method statement
- 7) Confirmation of carbon reduction measures
- 8) 110 litre water consumption target
- 9) Sustainable drainage/run off rates/surface water measures
- 10) Security lighting
- 11) Commercial Delivery and Serving Plan
- 12) Restrict use (D8 Storage and Distribution)
- 13) To be built in accordance with Build for Life
- 14) Parking to be provided before the building is occupied
- 15) No use of flat roof as a terrace other than specified
- 16) Street Tree Planting programme and protection measures to neighbouring site
- 17) No piling to take place until piling method statement submitted
- 18) Details of land contamination mitigation measures
- 19) Archaeological condition
- 20) The proposed flats in the three-storey core are to be built in accordance with Part M4(2) while the flats in the four-storey core are to be built in accordance with Part M4(3)
- 21) Hours of operation for the B8 Unit.
- 22) Commence within 3 Years

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

Informatives

- 1) CIL - granted
- 3) Code of Practice regarding small construction sites
- 3) Highways works to be made at developer's expense
- 4) A ground risk management permit from Thames Water will be required for discharging ground water into a public sewer.
- 5) The developer should follow the sequential approach to the disposal of surface water.

- 6) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 7) Removal of site notices.

Any other informative(s) considered necessary by the Director of Planning

- 2.5 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 would involve construction of a 4-storey building on a vacant area of land north of Norbury Railway Station to provide a total of 12 flats (4 of which would be affordable rented units) with a storage and distribution centre at ground floor level.



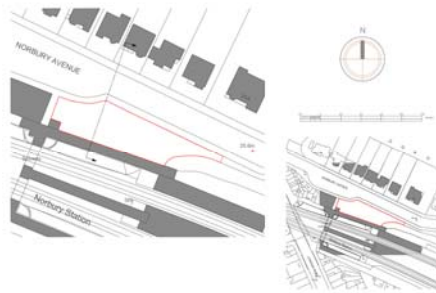
- 3.2 The proposal would have the following dimensions:
- A maximum of height 11.6m, 46m wide and a depth of 10m.
- 3.3 The proposed building would be constructed of the following materials:- stock brickwork; aluminium windows and doors, bi-folding doors, ply membrane/sedum roof, zinc cladding, glass balustrade.
- 3.4 The proposal would include parking for 7 parking spaces (including 1 car club space) storage for 27 bicycles to the rear of the building with refuse store area for commercial and residential premises within the front approach.
- 3.5 The proposal would provide balconies for the flats and communal play area comprising of child play space to the east of the site. The proposal would include programme of planting street trees along the front site boundary.

Amendments:

- The proposed drawings have been amended to include planting of street trees and new cycle storage facilities and an increase in cycle provision from 15 to 27 on site.

Site and Surroundings

- 3.6 The application relates to 0.1ha area of hardstanding adjacent to Norbury railway station and facing north towards Norbury Avenue.



- 3.7 There is an existing single storey modular building located within the western end of the site with a 2.8m high perimeter fence along the boundary with Norbury Avenue. There is a solid double access gate into the site, but no dropped kerb.
- 3.8 The site was previously used for car storage but is now vacant. Adjoining to the west of the site are neighbouring buildings and an open car park area related to the railway station use. To the east is a wooded embankment and a number of the trees which are subject of Tree Preservation Orders. To the south of the site is an enclosed ramped walkway leading up to platform 1 of the railway station, it is brick and covered with ivy. Opposite the site to the north are residential dwellings on Norbury Avenue.
- 3.9 The site is located within an area of Surface Water Flood Risk (1:30yr) There are no other designations for the site identified on the Croydon Local Plan 2018 Policies map. In the previous plan the site was designated as Local Open Land. However, this designation no longer applies as it was removed during the recent local plan process.

Planning History

- 3.10 The following planning decisions are relevant to the application:-

15/05308/P refused planning permission for retention of use of site for the storage and distribution of vehicles, retention of hardstanding, porta-cabin and entrance gates. The application was refused for the following reasons:

- loss of local open land;
- results in an employment use greater than 500m² outside of borough employment areas and therefore detrimental to the vitality and viability of employment areas;
- siting of vehicle access gates a hazard. (Dismissed on appeal 2016).

15/00094/C – Enforcement investigation into car storage use.

15/00098/C – Enforcement investigation into removal of trees. No breach found as trees were young self-seeded specimens.

02/1140/P Refused outline permission for erection of three storey building comprising 5 one and 4 two bedroom flats and a roof garden; formation of vehicular access and provision of 5 parking spaces and 12 cycle spaces

The application was refused on the following reasons

- not provide satisfactory amenity space,
- single aspect nature of flats prejudice maturity of trees

02/02215/P Refused planning permission for erection of a building to provide 12 flats with 4 parking spaces, 12 cycle spaces.

The application was refused on the following reasons:

- standard of accommodation,
- proximity of rail station , associated structures and buildings and valuable role in green landscape (Dismissed on appeal 2003).

02/02217/P Refused outline permission for erection of a building to provide 9 flats with 4 parking spaces and 12 cycle spaces

The application was refused on the following reasons:

- standard of accommodation,
- proximity of rail line and valuable role in green landscape (Dismissed on appeal 2003).

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The principle of a contemporary mixed use development on this brownfield site is considered to be acceptable. There are no in principle policy issues that would prevent the use of the site for residential and commercial use.
- 4.2 The proposed new building would preserve the character of the area and would not have a harmful affect upon the appearance of the street scene along Beulah Road.
- 4.3 The proposed new building 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 sustainable modes of transport other than the car, 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 technics as part of the overall drainage strategy.
- 4.6 The proposal would not result in the loss of any protected trees on this site.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 The following were consulted regarding the application:

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of neighbour letters. 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: 14 Objecting: 13 Supporting: 0

No of petitions received: 1 (95 Signatures)

Petition comments: The land was originally woodland and two previous applications were turned down by the Inspector who designated it as open land which is part of the character and environment of Norbury to both the residents and the commuter using the station (Officer comment: The land is not protected as open land in the current Croydon Local Plan 2018).

- 6.2 The following issues were raised in individual 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>	
<ol style="list-style-type: none"> 1. Loss to the community of valuable green previously considered to be local open space; 2. overdevelopment of site; 3. pressures exist over sewage exacerbated by development at the Old Police Station; pressure on local infrastructure; 4. residential road not a commercial one. 	<ol style="list-style-type: none"> 1. The land is not protected as open land under the current CLP 2018 see para 8.2 of this report; 2. See para 8.11 of this report; 3. CIL contribution to local infrastructure see para 8.11 of this report; 4. The proposed uses are considered appropriate given the location of the site on the edge of the Norbury District Centre and adjacent to Norbury Station; see para 8.4 and 8.11 of this report.
<i>Scale, massing, appearance</i>	
Previous proposal have been refused for 3 storey buildings this is 4 storeys; proposed building in no way complementary of the station; large, ugly , dominant , overbearing; loss of character of road; not sympathetic to the local character; not visually attractive; will not add to quality of the area.	Officers consider that the proposal in terms of scale, massing and design creates an acceptable form of development. Refer to paragraph 8.8-8.10 of this report.
<i>Daylight and sunlight, overshadowing</i>	
The proposal would affect natural light and sunlight to	Officers consider that due to the position and height of the building the resultant impact on

properties opposite, the proposal would overshadow the lower houses opposite	neighbours daylight/sunlight are acceptable within an urban setting. Refer to section 8.11-8.17 of this report.
<i>Outlook and privacy</i>	
Loss of privacy by overlooking neighbours.	Officers consider that the proposal will not result in an unacceptable amount of overlooking given the position of the building on the opposite side of Norbury Avenue to the nearest residential neighbours Refer to paragraph 8.11-8.17 of this report.
<i>Noise</i>	
Increase in pollution. Norbury Avenue is heavily polluted; Nuisance, disruption and noise pollution for commercial activity	Officers consider that the introduction this mixed use development in the residential area would not lead to an unacceptable level of noise and disturbance. Refer to paragraph 8.11-8.17 of this report.
<i>Standard of accommodation</i>	
Previous applications have been rejected because of poor residential accommodation due to close proximity of railway; overlooking of flats from platform; does not provide adequate private and communal amenity space; deficiencies in sunlight;	Officers consider the proposal would provide a reasonable standard provision in line with London Plan and up to date local plan standards. Refer to paragraph 8.18- 8.22 of this report.
<i>Waste</i>	
The proposal does not meet waste storage standards; does not provide recycling facilities	The applicant plans includes refuse storage provision. Refer to paragraph 8.28 of this report.
<i>Transport</i>	
Traffic safety issues for cyclist with coaches also using the station; more congested with more cars and delivery van; proposed parking insufficient; will increase on-street parking demand; provision of 7 car spaces for 12 flats woefully inadequate; area already suffers from parking problems.	Officers consider the level of on-site parking and bicycle provision to be appropriate and that detailed planning conditions would secure suitable and safe vehicle movement to and from the site. New residents will be restricted from applying for on-street parking permits. Refer to paragraph 8.24 to 8.26 of this report.
<i>Construction</i>	
Excavation near embankment may affect development; land unsuitable; generate increased	Disruption during build will be minimised through an approved Construction Management Plan (CLP). Refer to paragraph 8.16 of this report.

traffic; noise during construction.	
<i>Ecology and Trees</i>	
The site has been an important source of natural habitat for local wildlife; loss of trees; detail of building foot print not clear to demonstrate that the proposal would not have impact on woodland	No protected trees have been identified on site. Refer to paragraph 8.23 of this report.
<i>Other issues</i>	
Carbon contribution required.	The proposal includes contributions to air quality and to meeting carbon measures. Refer to 8.16 and 8.21 of the report.

6.3 Councillor Alisa Flemming and Cllr Sherwan Chowdhury has made the following representations:

- The development site is an ongoing contentious sites as it will remove much needed open green space from the community and result in over development of the area.

6.4 The Love Norbury Planning Committee (LNPC) and the Norbury Community Land Trust:-

- Overdevelopment, loss of local open land, the site previously had been a green space with several mature trees subject to a Tree Preservation Order; replacement trees not worthy of protection; LNPC requested on the consultation stage of the CLP (2018) that area be made Local Open Land, failure to protect site has left it open to residential development; question of subsidence and stability. (Officer Comment: The land is no longer designated as Open Land under the current CLP 2018 and there are no trees subject to TPO on this site).
- Fails to meet 30% of new homes being 3 bedrooms (Officer Comment: Table 4.1 of CLP 2018 requires 40% of 3 bedroom or larger on site. There are 4 units with 3 bedrooms and 1 unit with 4 bedrooms. This equates to 41% and is an acceptable level of provision).
- Out of character with railway station and area, too large, 3-d images look brutal and threatening; does not provide adequate communal and private amenity; deficiencies in sunlight and private amenity space would not provide good quality living accommodation; overlooking of flats from platform; waste requirements in sufficient; noise levels from railways show higher levels of noise than is considered suitable for health and well being (Officer comment. The proposal would provide a contemporary sustainable building of suitable scale and form with good standard of living for all occupiers in line with policy requirements).
- Inappropriate location for warehousing; introduce employment use outside of the Boroughs employment area; in 2003 inspector found storage use was not acceptable;; detrimental to the safe and efficient operation of the public highway; developer required to make carbon emission contribution; traffic movement would be considerably greater than that experienced when the car lot was operating;

predications of vehicle movements from warehouse have not been justified; major problems can be expected with vehicle traffic servicing the site during and after construction with residents expose to excess dirt, noise and danger (Officer Comment: The proposed commercial use is considered to be appropriate in this location and is in accordance with the up to date local plan. It is not considered to impact unduly on road network; the applicant has proposed carbon offset contribution of £18,685.70 with conditions on construction management plan and delivery service plan to mitigate impacts during and after construction).

- Contrary to previous planning inspectors decisions in 2003; previous proposals for residential development have been refused on this site; as there have been no changes to the building structures of the Station; no increase in the size of site; previous identified site constraints remain valid in relation to the current application (Officer comment: There has been significant change in planning policy since the previous applications were decided and the proposal is considered to be in accordance with the up to date local plan).
- Contrary to para 127 of NPPF 2018; which require developments to function well, be visually attractive, will not be sympathetic (Officers comment: officers consider that the proposal would meet the requirements paragraphs 124-132 of the NPPF in achieving well designed places of high quality).
- The Trust remains open to buying the site, if need be with the help of a CPO by the Council (Officer comment: The sale or otherwise of the land is a matter for the landowner. There are no planning policy reasons to justify the compulsory purchase of the site.)

6.5 Transport for London have made the following representations:

1. The site has a Public Transport Accessibility Level (PTAL) of 4, which is considered to be good. The site is located within in 100 metres of Norbury Station, and within 150 metres from bus stops on London Road.
2. TfL welcomes that the number of vehicle parking spaces is compliant with maximum parking standards set out in Policy T6.1 of the draft London Plan 2017. The provision of 1 parking space for disabled persons is also welcomed.
3. TfL expects the number of cycle parking spaces for the residential units to be increased by 13 spaces, in line with Policy T5 of the draft London Plan 2017. (Officer comment: the amended plans have increased cycle parking provision in line with this requirement).
4. It is welcomed that the number of cycle parking spaces for the commercial unit (use class B8) meets minimum parking standards set out in Policy T5 of the draft London Plan 2017.

5. For both use classes, the applicant should ensure that the design of the cycle spaces meet standards set out in Chapter 8 of the London Cycling Design Standards (LCDS).

7 RELEVANT PLANNING POLICIES AND GUIDANCE

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)

Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. 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).

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 Architect

Croydon Local Plan: Strategic Policies 2018:

- SP2 Homes
- SP3 Employment

- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication

Croydon Local Plan Policies 2018:

- DM1 Homes
- DM8 Development in edge of centre and out of centre locations
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

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. Housing Tenure Mix
3. Townscape and visual impact consideration of density
4. Residential Amenity Daylight/Sunlight, outlook and privacy, noise for neighbours
5. Housing Quality/Daylight & Sunlight for future occupiers
6. Ecology and arboriculture
7. Transport
8. Other issues

Principle of Development

- 8.2 The proposed site is a mainly a hardsurfaced area of land north of Norbury Station which previously was designated as local open land. The application site however has not been designated in the Croydon Local Plan (CLP 2018) as a protected open space and while local groups and neighbours consider the space of amenity of value to the wider community, its loss through redevelopment can in principle be considered acceptable as it is not protected by policy.
- 8.3 In considering the proposal in line with the principles of the NPPF (2018), the London Plan and the CLP 2018 the local planning authority has had regard to delivering a wide choice of homes for all people at all stages of life and in supplying new housing. In addition, the CLP 2018 encourages innovation and investment in the borough to support enterprise with a presumption in favour of employment, while ensuring that vitality and viability of the town centres is maintained.
- 8.4 The application site is situated on the edge of the Norbury District Centre and the proposed warehouse use (Class B8 use) is not one identified as a main town centre use; therefore in principle its location is considered acceptable. Policy SP3 encourages innovation investment in the borough and applies a presumption in favour of employment related development. The proposed residential flats would add to the Borough's housing stock. Therefore it is considered that subject to an

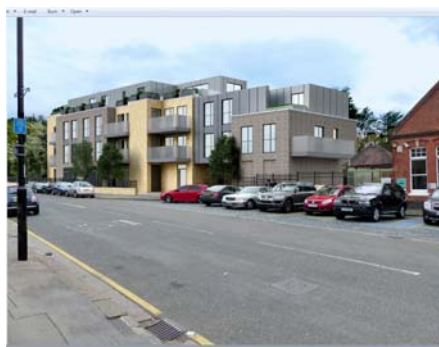
appropriate scale of sustainable development, of good design, with a suitable level of affordable housing provision and subject to amenity considerations, conserving the natural environment, and traffic considerations, there is no objection in principle to the introduction of this mixed use development scheme in this location.

Housing Tenure and Mix

- 8.5 Policy SP2.4 of the Croydon Local Plan (2018) states that on sites of ten or more dwellings the Council will negotiate to achieve up to 50% affordable housing (subject to viability), and seek a 60:40 split between affordable rented homes and intermediate (including starter) homes. The Affordable Housing and Viability SPG states that the Mayor has an expectation that residential proposals on public land should maximise affordable housing provision and deliver at least 50% affordable housing.
- 8.6 The design of building involves a three-storey layout of four flats (three and four bedroom) and a four storey layout with a further eight flats (a mix of one to three bedroom). Despite extensive marketing, this has not been widely welcomed by registered providers due to management issues of the two cores. However, the developers have secured a registered provider to agree to manage the core of four flats (33%) all affordable rent where rent controls will require a rent level of no more than 80% of the local rent market (inclusive of service charges). The proposal has been independently assessed (by Integra) and found that the viability is such that 65% market rent can be achieved and has been agreed with the applicant. This provides the best outcome with much larger family sized units at a more affordable rent. Whilst the proposed tenure mix is not compliant with the preferred mix set out in policy, relevant policy does not seek to restrict the overall portion of affordable housing that can be provided within a development, and instead generally seeks to maximise affordable housing within schemes so long as regard is had to the need to promote mixed and balanced communities.
- 8.7 The Council will calculate the proportion of affordable housing based on habitable rooms so long as the resultant mix of units on the site meets the need for affordable housing in the borough identified by the most up to date Strategic Housing Market Assessment (or equivalent). The proposed affordable flats would provide 42% of habitable rooms and occupy 38% of the total habitable floor area. In addition to the 33% overall affordable housing, the proposed development would provide a mix of 17% one bedroom and 41% two bedroom flats. The total number of habitable family sized units (4 person or more in line with Nationally Described Space Standards, so includes 1 x 2 bed 4 person unit in addition to the 4 x 3 bed units and the 1 x 4 bed unit) associated with the site (affordable and private) would equate to 50% (4 affordable, 2 private) of the total development. This would met the policy aspiration of DM1 for 40% of all new homes (with a PTAL of 4) to have three or more bedrooms with a preferred mix on site.
- 8.8 The provision of four, 3 bed affordable rented units at 65% market rent, which results in a 33% provision (by unit number/42% by habitable room) is acceptable, as is the mix of units.

Townscape and visual impact and consideration of density

- 8.9 The predominant residential character of the immediate area comprises of detached two storey houses with accommodation within the roof to the north with Norbury Train Station to the south.

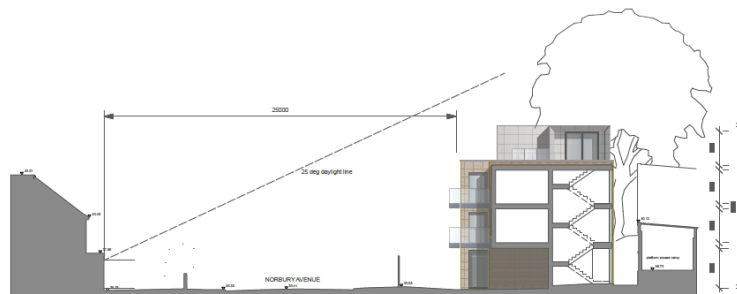


- 8.10 The proposed development would sit comfortably within the application site. Concerns have been raised over the size, scale, bulk and massing of the proposed development. The proposed building would align with the back of footpath and create a new street frontage for the length of the site. At four-storeys the proposed building would complement the existing predominant building heights as identified for new build within this part of Norbury (see policy DM41.1(a) of the CLP 2018). The applicant has provided contextual elevations to demonstrate that the proposal would be of a suitable massing and scale when viewed from along Norbury Avenue. In townscape terms the proposed contextual fit and principle layout of the site is generally supported.
- 8.11 The proposal would introduce a building of contemporary form and design. Neighbours consider the proposal to be out of character with the area resulting in an intrusive and oppressive building in this location, which would ruin the character of the road. In terms of policy, the objective of the evolution of local character is to achieve an intensification of use, without major impacts on local character. Officers consider the proposal would provide an attractive sustainable quality adaptable building taking into account the physical context and local character. The commercial ground floor has been designed to be portioned if required with alternative entrance points. The verticality of the building will complement the horizontal nature of the site. A condition requiring details of materials would ensure that the building establishes a strong sense of place and is recommended. The introduction of a tree line frontage, due to the applicant's agreement to remove part of the front boundary and merge private and public footway would also be secured by condition to ensure that the development respects and enhance the Boroughs natural and historic environment. The applicants have confirmed that the building would be constructed to meet Build for Life requirements in line with NPPF (para 129 of the NPPF).
- 8.12 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 4. With a site area of 0.1 hec the proposed density is 149units/ha 496habitable rooms/ha. Table 3.2 of the London Plan sets a density range of u/ha and hr/ha of between 45-260u/ha and 200-700hr/ha. The proposal would be within the density range set out in the London Plan. The London Plan identifies that density is only the start of the planning housing development and not the end. Furthermore the application of the density range should not be applied mechanistically. 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 in view of the sites location, design, transport capacity (being adjacent to Norbury Railway Station) and parking provision the density range is acceptable. The site would be subject to both Mayoral and Council CIL contributions. The proposal would be in line with the NPPF, London Plan and Croydon Local Plan requirements of sustainable development in promoting housing, good design and conserving the natural environment;

Residential Amenity Daylight/Sunlight, outlook and privacy, noise for neighbours.

- 8.13 The proposed development would impact most on the immediate neighbours directly on the opposite side of the road to the north (Nos.314 to 324 Norbury Avenue).
- 8.14 Neighbours have raised concern over the impact of the new building in terms loss of light, outlook, privacy and noise and construction.
- 8.15 A daylight and sunlight report has been submitted which demonstrates the impact of the development on all of the above properties. The assessment undertaken is in accordance with the BRE Guidelines. In terms of daylight impacts (assessed through calculating the Vertical Sky Component of individual windows all windows are fully compliant. In terms daylight distribution the report identifies that the impact would be negligible and within the acceptable limits of the BRE Guidelines and therefore unlikely to be noticeable. In terms of sunlight impacts (assessed through calculating the Annual Probable Sunlight Hours (APSH) of individual windows that face within 90 degrees of due south) all windows to these neighbouring rooms have passed the sunlight test. The proposed scheme would have a negligible impact on neighbouring properties in term so overshadowing. Therefore overall the proposal would comply with BRE guidelines. Given these results, the proposal is therefore acceptable in terms of its daylight and sunlight.



- 8.16 The proposed development would alter the outlook for the neighbouring properties opposite. However for the reasons identified in the building design, scale and form indicated above the development is not considered to appear overbearing or visually intrusive. A generous separation distance of 25m will exist between these neighbours and the proposed building and the presence of a treeline feature would ensure that the development would not appear visually intrusive to the residential amenities. In terms of the consideration of overlooking, the proposed building would be 25m from the nearest window to the residential properties opposite. In urban locations such relationships between buildings are common. Given the distance between the proposed building and the neighbouring properties, officers are content

that the proposals will afford suitable levels of privacy to the residents on the opposite side of the road.

- 8.17 Neighbours have expressed concern over noise and disturbance from the proposed commercial activity. The proposed warehouse would act as a storage depot for medicine, supplying local pharmacies. Details of the estimated supply and collection trips has been shown at no more than five supplies per week between 0800hrs and 1300hrs and one collection between 0800hrs to 1300hrs from the premises. Based on the extent of the proposal and subject to conditions restricting the development and control of hours of operation, the proposal is not considered to result in undue disturbance for immediate neighbours.
- 8.18 Concerns have been raised regarding the impact of construction, however such impacts would only be temporary and as such should only be afforded limited weight. In order to ensure that impacts such as noise are acceptable during construction are acceptable, it is recommended that a Construction Logistics Plan is secured by condition. An informative requiring the developers to act in accordance with the Council's Code of Practice entitled 'Control of Pollution and Noise from Demolition and Construction Sites' should further reduce any possible nuisance to local residents. The proposed development would pay a greater role in improving air quality during the construction process and in line with Low Emissions Strategies the developer has agreed to contribute £1300 as part of planning obligation to be secured as part of the 106 to fund air quality action plan. Details of external lighting would be submitted for approval and this can be secured by condition.
- 8.19 The proposal would therefore be in line with Council policy DM10 in terms of amenity and DM23 development and construction.

Housing Quality/Daylight and sunlight for future occupiers

- 8.20 All the proposed flats would accord with the National Described Standards in terms of floor space requirements. Each flat would have more than one direction of outlook. The applicant supporting sunlight /daylight report confirms that each flat would receive suitable adequate levels of daylight (Average Daylight Factor, ADF). All but two of the flats (No.4 and 8) would receive excess sunlight levels (APSH) all year run with flats 4 and 8 receiving an acceptable amount of sunlight during the summer months. Based on report the proposed flats should receive good levels of sunlight and daylight. This arrangement is, therefore, considered acceptable.
- 8.21 Each flat would have their own private amenity space with external balconies proposed. In accordance with policy DM10.5 of the Croydon Local Plan (2018) communal amenity space is provided to the east of the site in the form of informal soft landscaping which will be accessible for all future occupants of the proposed development. A condition requiring details of this space would ensure its appearance and provision. The proposed development would provide an appropriate level of amenity space for occupiers in line with London Plan standards.
- 8.22 The proposed building would have level access to the communal lobby. The four-storey core providing lift access to the upper floors of 8 flats would be Part M4(3) (Wheelchair user dwellings) whilst the remaining 4 units would be Part M4(2) (Accessible and adaptable) within the three-storey element. The proposed development would therefore be in accordance with London Plan requirements.

- 8.23 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy 5.2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. An energy and sustainability report has been submitted with the proposal. The submitted energy strategy is compliant with London Plan requirements. The applicants proposed a solution which results in 10.3809 tonne CO₂ needing to be offset via a cash in lieu contribution. As the commercial unit is below 500m² there are no energy/environmental targets to meet (other than Building Regulations). However, the proposal will achieve the 35% reduction below Building Regulations. A carbon offset contribution of £18,685.70 will need to be secured within the S106.
- 8.24 The development will need to achieve a water use target of 110 litres per head per to meet policy standards and Mayor best practice guidance and this can be secured through condition. Thames Water have not raised any objection subject to condition. Details of such requirements would need to be approved before any works are commenced. A GLA compliant energy statement would need to be approved before those part of the works are implemented. In view of the previous use of the site a condition requiring a ground investigation report and remediation measure is to be undertaken to establish the suitability of the site for residential purposes.

Ecology and arboriculture

- 8.25 Neighbours have raised concern over the loss of trees on site. The site which is primarily hardstanding has few trees on it. The applicant has submitted a tree report which confirms that the site contains 3 trees, two category U trees of poor quality (T1 Sycamore Tree, T3 Cherry Tree) and one (T2 Horse Chestnut) of moderate quality. The report also identifies three other trees (T4, T5, T6) within the adjoining site close to the proposal boundary. The report identifies that trees T1, T2 and T3 will have to be removed as part of the development with pruning work to neighbouring trees. The trees to be removed are either of substandard form or their loss will not impact upon the wider visual amenity. New tree planting will help to enhance the site and improve the street scene. The canopies of the neighbouring T4 and T5 will require pruning back to accommodate the new build but this will not prove detrimental to the health of the trees or the wider amenity. Officers found no evidence of nesting birds or bat on site and such control would be protected under separate European legislation.

Transport

- 8.26 The site is located within an area of PTAL 4 which is considered to be moderate and within a 150 metres of the A23 London Road, which forms part of the Transport for London Road Network (TLRN). The proposal includes 7 parking spaces including a car club which will be available to the public will be secured as part of the 106 agreement and on site loading bay area for the commercial use . Neighbours have raised concern over the lack of parking associated with the development and the potential for accidents with increase in traffic movement at this point coupled with station entrance as a vehicle drop off point. However it is considered that the level of parking is appropriate. TFL also supports the proposal and have raised no objection, welcoming the provision of disabled bay and increase in cycle storage on the site. The applicant has provided details of vehicle turning patterns out of the site and a service and delivery statement outlining the number of

collection trips and vehicle movements for the commercial activity, details of which are to be conditioned. The proposal has increased the number of cycle spaces to 27, in line with Policy T5 of the draft London Plan 2017. Transport officers recognise that the site is located close to a Control Parking Zone. Given the proximity of the site and any potential for future parking to be an issue, it would be reasonable to control prospective occupiers from applying for control parking permits to be secured by way of the 106 agreement.

- 8.27 Details would be required to ensure suitable visibility splays are introduced vehicles leaving the site in forward gear. Furthermore, a S278 agreement for necessary highway works to amend access to the site would be required. The applicant is to meet the cost of any new access improvements associated with the development.
- 8.28 Therefore subject to suitable details and 106 agreement the proposal is therefore considered to be in accordance with London Plan policies 6.3 assessing effects on development capacity, 6.9 cycling, CLP policies SP8, DM29 and DM30.

Other issues

- 8.29 The site is located in an Archaeological Priority Area and a condition will be required to ensure that there are no remains of any Archaeological value attributed to this.
- 8.30 The proposed development includes separate waste for both the residential and commercial schemes within appropriate collection distances the details to be controlled by condition
- 8.31 The applicant has submitted a flood risk report and a detailed condition would ensure that the details of sustainable drainage measures can be agreed. Using the SUDS model, it shows that there is a possibility to reduce surface water runoff rates and volumes and in turn reduce flood risk. The proposed development would need to provide full details of suitable SUDS measures which would need to be submitted for consideration to ensure that the proposal would introduce adequate safeguard against potential flooding. These would need to be in line with the Councils requirements to demonstrate suitable runoff rates. Therefore subject to a suitable worded condition the proposal would be in line with the principles of the NPPF in meeting flooding requirements; London Plan policy 5.12 flood risk management; CLP policies SP6 and DM25.
- 8.32 As this is a major development, an Employment and Training Strategy is required to be included in the S106, along with a commuted sum proportional to the build costs of the scheme. This has been included in the S106 requirements and has been agreed with the applicant.

Conclusions

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

