

## PART 6: Planning Applications for Decision

## Item 6.1

## 1.0 SUMMARY OF APPLICATION DETAILS

Ref: 20/01300/FUL  
 Location: Albury Court, Tanfield Road, CRO 1AP, 9-11 Bramley Hill, CR2  
 And 30-35 Dering Road, CR0 1DS  
 Ward: Waddon  
 Description: Demolition of existing garages and refuse stores; erection of a residential development comprising a total of 58 new dwellings within 8 buildings over 7 locations ranging in height from 2 to 6 storeys, with associated parking and landscaping.  
 Drawing Nos: 1501 rev 1, 1502 rev1, 0106 rev 1, 0100 rev 1, 0101 rev 1, 0102 rev 1, 1500 rev 1, 0108 rev 1, 0104 rev 1, 0107 rev 1, 0115 rev 1, 0110, 0116 rev 1, 0120 rev 1, 0135 rev 1, 0130 rev 1, 0145 rev 1, 0140 rev 1, 0146 rev 1, 0150 rev 1, 0160 rev 1, 0003 rev 1, 0002 rev 1, 0005 rev 1, 0006 rev 1, 0001 rev 1, 0010 rev 1, 0020 rev 1, 0021 rev 1, 06, 07, 00103.  
 Applicant: Brick by Brick Croydon Limited  
 Agent: Carter Jonas  
 Case Officer: Helen Furnell

	1 bed (2 person) flat	1 bed (2 person) WC flat	2 bed (3 person) flat	2 bed (4 person) flat	3 bed (5 person) house	Total	Tenure
<b>Site A</b>	4	3	2	15	5	29	Private sale
<b>Site B</b>	4	1	0	3	0	8	Shared ownership
<b>Site C</b>	0	0	0	0	2	2	Affordable rent
<b>Site D</b>	0	0	0	0	4	4	Shared ownership
<b>Site E</b>	6	1	3	1	0	11	Affordable rent
<b>Site F</b>	0	0	0	0	2	2	Affordable rent
<b>Site G</b>	0	0	0	0	2	2	Affordable rent
<b>Total</b>	14	5	5	19	15	58	Affordable rent

Number of car parking spaces	Number of cycle parking spaces
Re-provision of 10 existing spaces 3 new accessible bays 5 new spaces	110

- 1.1 This application is being reported to Committee because the ward councillor (Cllr Andrew Pelling) and the Vice-Chair (Councillor Paul Scott) made representations in

accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

## **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 10 x 3 bed/5 person houses as affordable housing (4 shared ownership and 6 affordable rent) and 19 flats (mix of 1b2p, 2b3p and 2b4p) as affordable housing (8 shared ownership and 11 affordable rent) -50% by unit number and 52.8% by habitable room
  - b) Employment and training contribution (£27,872) and strategy
  - c) Car parking permit free restriction for future residents
  - d) Sustainable transport (£50,000 contribution)
  - e) Car club (funded from the sustainable transport contribution)
  - f) Monitoring of the travel plan
  - g) Capital Asset Value of Amenity Trees contribution (totalling £27,195)
  - h) Carbon offset payment of £12,551 (to be reviewed if energy strategy is amended)
  - i) Air quality contribution of £5,800
  - j) Provision of public realm upgrades within the estate.
  - k) Monitoring fees for all obligations
  - l) 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 (pre-commencement)
- 4. Details of surface water drainage scheme (pre-commencement)
- 5. Ecological pre-construction survey (pre-commencement)
- 6. Tree Method Statement for removal of the existing structures (pre-commencement)
- 7. Contaminated land (pre-commencement)
- 8. Accordance with Tree Protection Plan (compliance – measures to be implemented prior to commencement)
- 9. Details and samples of materials to be submitted (including window reveals, balustrade/privacy screen details) (pre-ground slab)
- 10. Landscaping details to be submitted (hard and soft landscaping, boundary treatment/retaining walls, benches, play equipment and surface treatment) (pre-ground slab)
- 11. Bin and bike stores (pre-ground slab)
- 12. Electric vehicle charging point to be submitted (pre-ground slab)
- 13. Details of a lighting scheme (pre-ground slab)

14. Details of photovoltaic panels (pre-ground slab)
15. Details of air source heat pumps (pre-ground slab)
16. Confirmation of 'as built' CO2 reduction (with remainder to be off-set through the S106 contribution, in accordance with the energy strategy) (pre-ground slab)
17. Details of green roofs on buildings 'A' and 'E' (pre-ground slab)
18. Public art (pre-ground slab)
19. Section 278 Agreement for highway works (prior to occupation)
20. Accord with mitigation and enhancement measures outlined in the Preliminary Ecological Survey (prior to occupation)
21. Provision of a Car Park Management Plan (pre-occupation)
22. Provision of a Delivery and Servicing Plan (pre-occupation)
23. Provision of a Community Management Strategy (pre-occupation)
24. Provision of a Waste Management Plan (pre-occupation)
25. Car parking provided as specified (compliance)
26. Unexpected contamination (compliance)
27. Noise levels – internal to flats (compliance)
28. Inclusive access M4(2) and M4(3) (compliance)
29. 110 litre Water usage (compliance)
30. No infiltration of surface water drainage into the ground (compliance)
31. 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) Light pollution
- 5) Requirement for ultra-low NOx boilers
- 6) Thames Water informatives regarding underground assets and public sewers
- 7) Party Wall Act 1996
- 8) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

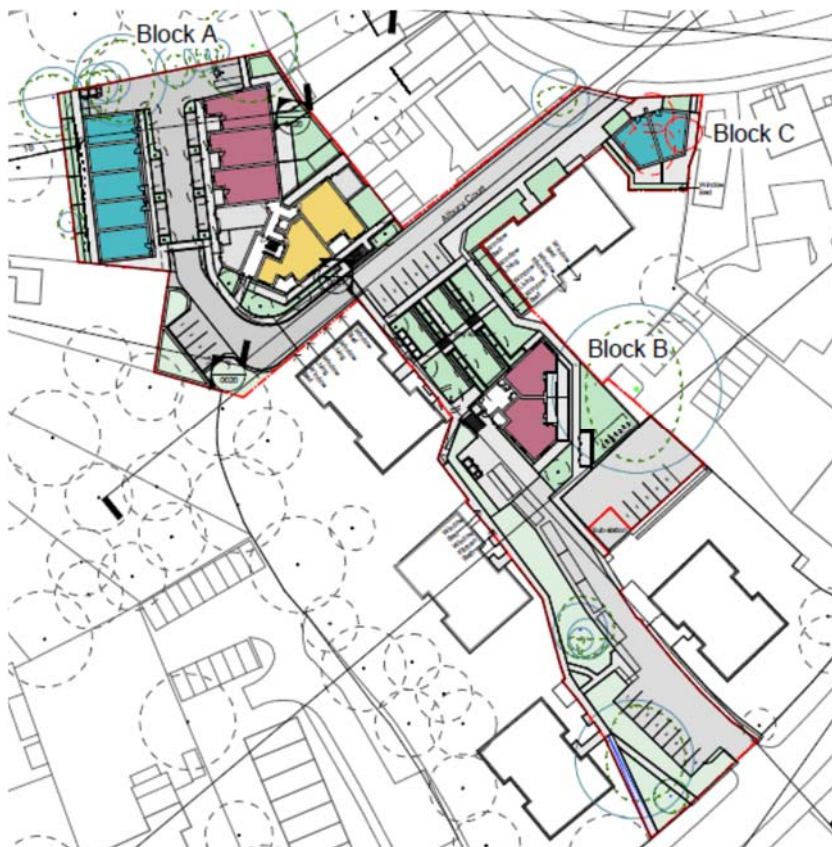
- 2.4 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Waldrons Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.5 That the Planning Committee 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.
- 2.6 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 is to erect a number of buildings across the sites. There would be 8 buildings across 7 sites within the existing local authority estate on either side of Bramley Hill. The sites would be located as follows:



**Overview of the Site and Surroundings**



**Proposed site plan (Blocks A, B and C)**

- 3.2 **Site A** – located to the north of Albury Court. It is proposed to accommodate a mix of houses and flats to provide 29 private tenure homes. On the west side of this site, five 3 bed/5 person houses are proposed and on the eastern/southern side of the site a flatted block containing 24 homes (7 x 1bed/2 person, 2 x 2 bed/3 person and 15 x 2 bed/4 person), is proposed. The houses would be 2.5 storeys in height (2 storey with rooms within the roofspace). The flatted block would be part 3 storey and part 6 storey (on the corner). Between the houses and the flats, a mews street is created,

with a turning head at the northern end. These homes are proposed to be accessed via Albury Court.

- 3.3 **Site B** – located to the north of Bramley Hill and to the south of Albury Court, adjacent to existing residential blocks. It is proposed to accommodate a four storey block of 8 flats (5 x 1 bed/2 person, 3 x 2 bed/4 person). These homes would be able to be accessed via Bramley Hill or Albury Court and would be shared ownership tenure.
- 3.4 **Site C** – located on the corner of Albury Court and Tanfield Road. It is proposed to erect a pair of semi-detached houses that would be 2.5 storeys in height (2 storey with rooms within the roofspace). These houses would be 3 bed/5 person and would be affordable rent tenure.



#### **Proposed site plan (Blocks D, E, F and G)**

- 3.5 **Site D** – located to the south of Bramley Hill behind the Peter Sylvester Centre. It is proposed to erect a terrace of four houses that would be 2.5 storeys in height (2 storey with rooms within the roofspace). These houses would be 3 bed/5 person and would be shared ownership tenure.
- 3.6 **Site E** – would have a frontage onto Dering Road. It is proposed to erect a four storey flatted block containing 7 x 1 bed/2 person, 3 x 2 bed/3 person and 1 x 2 bed/4 person flats. This building would be affordable rent tenure.
- 3.7 **Site F** – would have a frontage onto Bramley Hill. It is proposed to erect a pair of semi-detached houses that would be 2.5 storeys in height (2 storey with rooms within the roofspace). These houses would be 3 bed/5 person and would be affordable rent tenure.
- 3.8 **Site G** – would have a frontage onto Dering Road. It is proposed to erect a pair of semi-detached houses that would be 2.5 storeys in height (2 storey with rooms within

the roofspace). These houses would be 3 bed/5 person and would be affordable rent tenure.

- 3.9 The application proposes the removal of 90 garages across the estate. In addition to the existing 56 parking spaces on site, 10 replacement parking spaces (in lieu of the 10 garages currently leased by residents within 200m of the application site) and 5 additional parking spaces are proposed as part of this development and there would be 3 new accessible parking spaces and 2 motorcycle spaces. 110 cycle parking spaces are proposed.
- 3.10 The existing playspace which fronts on to Dering Road would be re-provided between Sites F and G, with two additional areas for new occupiers provided; one on the northern side of Bramley Hill (to the north-west of Site B) and one on the southern side of Bramley Hill (to the north of Site E).
- 3.11 Amended drawings and information was received on 30 June 2020. These showed a minor amendment to the bin location on Site C and provide some additional clarification on contamination, flooding/drainage and highways/refuse matters. Officers are satisfied the amendments are minor in nature and do not require a further round of consultation.

### **Site and Surroundings**

- 3.12 The application site is located to both the north and south of Bramley Hill and forms part of the Bramley Hill Estate. The Bramley Hill Estate is surrounded by residential development on all sides. The Waldrons Conservation Area lies to the west, bordering Site A. The Bramley Hill Estate comprises a 1960s residential estate with buildings of mixed scale and design with a mix of flatted blocks, one 11 storey tower and smaller two-storey buildings. There are 128 existing residential units.
- 3.13 The part of the estate to the north of Bramley Hill is comprised of five, four storey residential blocks located between sloping grassed amenity/landscaping areas with two garage courts to the centre (Site B) and north-west (Site A) of the Estate. This area is accessed off Bramley Hill and Tanfield Road/Albury Court. The access road off Bramley Hill is level, but land to the west of this access road is approximately 3 metres higher. The Albury Court entrance into the site slopes gently upwards from Tanfield Road. Residential development in Tanfield Road is 2-3 storeys in height. Residential development in Bramley Hill is varied in height (2-11 storeys) and consists of varying styles.
- 3.14 The part of the estate to the south of Bramley Hill contains one 11 storey tower, a number of two storey houses, a children's play area (Site G) and the two storey Peter Sylvester Centre (the community centre itself does not form part of the application site, but its rear parking area is adjacent to Site D). This part of the estate can only be accessed off Bramley Hill by vehicles. Access off Dering Road is pedestrian only.
- 3.15 The Public Transport Accessibility Level (PTAL) varies with the PTAL of the area to the south of Bramley categorised as 4 (good) while the area north of Bramley Hill North has a PTAL of 2 - 4 (moderate - good).
- 3.16 Site A is currently occupied by 49 garages and associated hardstanding. It also contains a number of waste bins.





3.17 Site B is also occupied by garages (27), hardstanding and waste bins. There is a large Horse Chestnut tree in the centre of the site.



3.18 Site C is occupied by a sloping grassed area in front of an existing flatted block. The change in land levels are approximately 4-5 metres. The site has a frontage onto Tanfield Road. It contains three trees that are not protected. These trees are 'B' and 'C' category trees.



3.19 Site D comprises 6 garages and a refuse store located north of Dering Place. It is behind the Peter Sylvester Community Centre. At present, the parking to the rear of the Peter Sylvester Centre is used for parking by existing residents of the estate. This would continue to be the case if the proposed development is implemented and these existing spaces form part of the 56 existing spaces on site.



- 3.20 Site E consists of an area of hardstanding and a small area of grassed amenity space. It is immediately adjacent to the existing 11 storey tower.



- 3.21 Site F consists of grassed amenity land adjacent to the existing 11 storey tower, with a frontage onto Bramley Hill. There are four trees (categories 'A', 'B', 'C' and 'U') on the northern edge of the plot.



- 3.22 Site G consists of an area of existing play space which would be relocated as part of the proposals. There are two category 'A' trees neighbouring the site to the south. The site is adjacent to Dering Road.



- 3.23 According to the Environment Agency Flood Maps – the site is located in Flood Zone 1 and has a low risk of flooding from rivers, groundwater and artificial sources and a moderate risk of flooding from surface water.



## **Planning History**

- 3.24 There is no relevant planning history associated with the application site.
- 3.25 Last year, Brick by Brick entered into pre application engagement with the Local Planning Authority regarding these proposals, initially proposing 74 units (LBC Ref 19/04647/PRE). Pre-application proposals were scaled back over the course of 3 meetings, which reduced the scale of development, lessened the impact on the Waldrons Conservation Area and retained a greater number of trees.

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

- The principle of intensified residential development is acceptable given the national and local need for housing.
- The loss of some areas of incidental amenity space is considered acceptable in this particular case given the improvements to other open areas within the estate, especially when one considers the availability of neighbouring open spaces in close proximity of the application site.
- The proposal would contribute positively to the supply of family housing and the family housing strategic target.
- The proposal would also contribute to the delivery of affordable housing, in the form of 12 shared ownership units (5 x 1b2p, 3 x 2b4p and 4 x 3b5p) and 17 affordable rent units (7 x 1b2p, 3 x 2b3p, 1 x 2b4p and 6 x 3b5p). This equates to 50% by unit number and 52.8% by habitable room.
- 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 Bramley Hill Estate.
- The proposed development would have less than substantial harm on The Waldrons Conservation Area and with regard to the relevant legislation, policies and guidance, the harm is considered to be accompanied by clear and convincing justification, and outweighed by the public benefits provided in the form of new housing and affordable housing.
- 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). Each apartment would enjoy private amenity spaces in accordance with adopted standards as well as space for outdoor communal/children's play.
- The level of parking and impact upon highway safety and efficiency would be acceptable.
- The loss of 8 existing trees is acceptable and compensated for by additional tree replanting, suitable tree protection and receipt of CAVAT values.

- 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.
- The loss of the existing playspace is accepted from its current location as it is re-provided close by and the demand generated by the proposed development is provided in addition.

## **5.0 CONSULTATION RESPONSE**

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

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

- 5.2 The LLFA initially issued a holding objection pending the submission of additional of additional information in order to demonstrate that a suitable strategy could be delivered on-site. Further information was submitted to address key criteria and whilst some requested information (in relation to confirmation of site area in relation to long term storage requirements, updates to the drainage strategy layout plan, ground levels on exceedance flows plan) is outstanding, the LLFA have confirmed that this information can be provided via a planning condition.

### **Historic England**

- 5.3 Recommend no archaeological requirement, concluding the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The site at 0.4093ha is under the threshold for consideration as the site is located within a Tier IV Archaeological Priority Area as defined by borough policy and so will not attract an archaeological interest. This position is supported in that no archaeology has been recorded from the site or of significance from the immediate area. No further assessment or conditions are therefore necessary.

### **Mid-Croydon Conservation Area Advisory Panel**

- 5.4 The panel considers that the effect of the proposal on the character or appearance of the conservation area will be detrimental, for the following reasons:
- This development is outside the Waldrons Conservation area, however the development is so extensive that the Panel have been asked to advise on the application although it is recognised that not all of the application impinges directly on the conservation area or the approaches to it.
  - The Waldrons is a fine example of a Victorian gated community, albeit with the sixties developments in certain areas and a number of single storey garage blocks which although did little to enhance the area allowed a reasonable feeling of spaciousness.
  - Development on Site A and Site B are considered to be an over development of the site and will give an overall appearance of cramped, overcrowded poor quality dwellings.
  - Development in general but in particularly adjacent to a conservation area should be complementary to the existing properties and not compete with them.

- The mews houses in Site A have hardly any back gardens and are built far too close to the boundaries of the houses in The Waldrons.
- In order to avoid having an overwhelming influence on the properties in The Waldrons, the mews houses need to be restricted in height to no more than two stories and have proper family sized gardens. The same arguments apply even more to the taller corner block in Part A.
- The proposed metal roofs to the mews houses are of course totally out of character for the conservation area.  
(OFFICER COMMENT: all aspects raised above are covered in the material considerations section below).

## 6.0 LOCAL REPRESENTATION

- 6.1 The application has been publicised by way of 194 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: 57                      Supporting: 1            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:

Objection	Officer comment
<b><i>Housing Issues</i></b>	
Lack of affordable housing and the affordable housing proposed will not be affordable to local people.	Level of affordable housing proposed is in compliance with policy in terms of quantum and tenure. Affordable rent units will be passed to the Council who will lease at an appropriate rent.
Too many flats and not enough family homes with gardens.	The level of family sized accommodation is acceptable and is discussed further in paragraphs 8.13 – 8.14.
<b><i>Townscape and Design</i></b>	
Out of keeping with the character of the immediate area.  Proposal much taller than existing development.  Proposed 3 bed houses not in keeping with terraced houses on the street.  Design of buildings is dull and do nothing to improve the area.	Please see paragraphs 8.21-8.32.

Will be an eyesore.	
<b><i>Heritage</i></b>	
Detrimental impact on conservation area.	Please see paragraphs 8.33-8.37.
<b><i>Scale of Development Density Issues</i></b>	
Overdevelopment of the site. Development is too dense.	Please see paragraphs 8.19-8.20.
<b><i>Neighbour Impacts</i></b>	
Loss of light. Loss of privacy/overlooking. Right to light will be breached. Detrimental impact on quality of living.	Please see paragraphs 8.47-8.63.
<b><i>Highways, Traffic and Parking</i></b>	
Make existing parking problems worse (both on street and on the estate).  Lack of parking proposed by the development given the removal of garages.  Impact on highway safety on Tanfield Road.  Will increase traffic in the area.  Blocking Dering Road entrance will have a detrimental impact on ability to easily access shops and bus stops.  Existing parking is higher than the 84% set out in the application. It is greater than 100%.  Will exacerbate problems of those without blue badges parking in disabled parking bays.	Please see paragraphs 8.64-8.73.
<b><i>Trees, landscaping and Biodiversity</i></b>	
Loss of green space, trees, foliage and wildlife.	Please see paragraphs 8.74-8.84.



<p>Playspace proposed outside of existing residents windows – will cause problems.</p> <p>Plenty of local parks in the area so playspace not needed.</p> <p>Loss of amenity space.</p>	<p>The playspace is provided for the benefit of residents.</p> <p>The playspace is a policy requirement.</p> <p>Whilst some green areas will be built on, large areas to be built on are currently garages and hardstanding. In addition, the open spaces to be retained will be improved for the benefit of existing and proposed residents.</p>
<b>Other Issues</b>	
<p>Will result in increased noise pollution.</p> <p>Exacerbate existing problems of bins overflowing/fly tipping and vermin.</p> <p>Increased problems with crime.</p> <p>Lack of security.</p> <p>Limited local resources (GP's, schools).</p> <p>Devalue property.</p> <p>Asked for feedback in resident consultation, but none of this has been taken on board.</p> <p>Impact on sewers and water supply.</p> <p>Disruption during construction.</p> <p>Noise and dust pollution during construction.</p> <p>Application shouldn't be going ahead under the current situation – feels like it is being forced through under the radar and taking advantage of the situation.</p>	<p>A condition has been added in relation to noise.</p> <p>A condition has been added requiring details of bins.</p> <p>Please see paragraph 8.28.</p> <p>Please see paragraph 8.28.</p> <p>The development is subject to the Community Infrastructure Levy for this purpose.</p> <p>This is not a material planning consideration.</p> <p>The Council is required to determine the application before us.</p> <p>Please see paragraph 8.85.</p> <p>A condition has been added requiring details of a Construction Logistics Plan.</p> <p>A condition has been added requiring details of a Construction Logistics plan</p> <p>The Government expects planning processes to continue even with the current Covid 19 Pandemic. Whilst it is appreciated that the ease of communication is more restricted, the scheme has still generated much interest and comment, all of which has been</p>

	taken into account as part of the officers' assessment of the scheme.
Proximity will impact on ability to maintain existing properties and boundary wall.	An informative has been added in relation to the Party Wall Act.
Health impacts of construction.	A condition has been added requiring details of a Construction Logistics Plan.
Lack of existing infrastructure.	The development is subject to the Community Infrastructure Levy for this purpose.
Proposed playspace will attract drug dealers at night time.	The proposed playspace and landscaping details have been designed to have visual surveillance and there is a condition requiring details of a lighting scheme.
Money should be spent on maintenance and upgrading the existing estate rather than building new flats that the Council will also have to maintain.	The scheme includes a landscaping scheme for the whole estate. The proposals include private and shared ownership housing which will be maintained privately.
Carbon footprint of the development is high.	Please see paragraph 8.86 which sets out the carbon reductions and carbon offset payment.
Development puts profit before health.	The application provides much needed housing and will help meet the need of those in unsuitable housing. The development proposes upgrades to the landscaping and amenity spaces to help improve access to them, both of which have health benefits.
Impact of lots of new developments being constructed on mental health.	As comment above.
Live a short distance away from the proposed development but have not been notified by the applicants nor the planning department.	Notifications were sent to all adjoining occupants, six site notices were erected around the site and a notice placed in the Croydon Guardian. The Council has fulfilled its statutory duty on notifications.
Concern about non-residents accessing the playspace.	The playspace has been designed for the benefit of existing and proposed residents.  See paragraph 8.28.

Will increase anti-social behaviour.	
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- 6.4 In the letter of support, the following comments are noted:
- Will provide much needed accommodation.
  - Only right that others get to live in the area through intensification.
  - Support the principle of making better use of low density housing land.
- 6.5 Cllr Andrew Pelling (Ward Councillor) has referred the application to Planning Committee on the following grounds:
- Part M compliance.
  - Robustness of design to deliver on safety in a stay put response to a fire emergency.
  - Planning challenges arising on an elevated site including views from Tanfield Road west and Southbridge Road.
- 6.6 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;
  - Protecting Metropolitan Open Space.
- 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
- 7.8 Heritage Assets and Archaeology
- 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
- DM18 Heritage Assets and Conservation
- 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
3. Townscape, design and visual impact
4. Heritage impacts
5. Housing quality for future occupiers
6. Residential amenity for neighbours
7. Parking and highway safety
8. Trees, landscaping and biodiversity
9. Flood risk
10. Sustainability
11. 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 limited developable land available for residential development in the built up area, it was only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the CLP (2018) which separates this target into three 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 being further amended) proposes 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 Waddon. The Croydon Suburban Design Guide (2019) was adopted last year, which sets out how suburban intensification can realise high quality outcomes. 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 Notwithstanding the above, whilst some of the sites within the Bramley Hill Estate have been previously developed (through their use for garaging and associated hardstanding (sites A, B and D)), others have not been previously developed and are grassed amenity land between the existing residential development (sites C, E and F). One site is also currently used as child playspace (site G). As highlighted in the neighbour comments, the existing amenity land is valued both visually and functionally by local residents.



- 8.6 Both the public consultation exercise and the responses to publicity for this planning application indicate that the sites currently occupied by amenity space are mainly enjoyed by residents from within the existing estate and therefore have limited wider public benefit. They are also limited in size (ranging from 215sqm to 312sqm). Whilst it is fair to say that these spaces provide an open and pleasant outlook for existing residents living relatively close by, the spaces have relatively limited biodiversity value. Whilst it is noted that some smaller trees are proposed to be removed, the scheme does include landscaping proposals and further mitigation in relation to trees (discussed in the 'Trees' section later in this report). The changes in topography across the estate also limits the use of these areas.
- 8.7 Paragraph 97 of the National Planning Policy Framework advises that existing open spaces should not be built on unless an assessment has been undertaken which clearly indicates that the open space is surplus to requirement or where the loss resulting from the proposed development would be replaced by equivalent or better provision elsewhere. It is significant that the site has not been designated or recognised as an open space in the development plan, although the utility of the space needs to be assessed against the NPPF. The applicant has sought to justify the loss of this space, both from a visual and functional perspective.
- 8.8 As part of the application submission, the applicant has provided details of how the site is currently utilised by local residents and provided information demonstrating extensive alternative provision within the locality (including Duppas Hill Park, 300m from the site).
- 8.9 Officers are of the view that, given the availability, proximity and extent of these nearby recreational areas and facilities, the areas of amenity space lost are surplus to requirements for residents in the immediate area.

- 8.10 Notwithstanding this, officers recognise that some residents feel strongly about the contribution the open space makes to the look and feel of the area and their mental well-being. However, given that improvements are being made to the open space provision on the site; combined with additional playspace provision and a landscaping scheme, it is considered that the proposal accords with the intent of paragraph 97 of the NPPF and officers are comfortable with the principle of the loss of the small open spaces to accommodate much needed new homes.
- 8.11 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**

- 8.12 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 and that this will be achieved by setting 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 urban settings with low PTALs (0-3), the requirement is 60% 3+ bedroom units. Where there are higher PTALs (4-6b), the requirement is for 40% 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.
- 8.13 The site consists of a range of PTALs. The area of the application site to the north of Bramley Hill has a PTAL of 2-4 and that to the south of Bramley Hill has a PTAL of 4. Given the range of PTALs, officers are of the view that the proportion of family size accommodation should be somewhere between 40% and 60%. The development proposes 25.9% of the total development as 3 bed 5 person units. An additional 32.8% of the total development are proposed as 2 bed 4 person units, giving a total of 58.7% family size accommodation. This level of family sized accommodation meets the strategic Borough-wide target of 30% and is within the range identified above as being acceptable to officers.
- 8.14 The applicant has submitted a viability assessment to demonstrate that a greater proportion of 3 bed units is not viable and this position is accepted.

## **Affordable Housing**

- 8.15 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.
- 8.16 The application proposes 50% affordable housing (by unit number), equating to 52.8% by habitable room. There is a split of 59% affordable rented units and 41% shared ownership units. Officers consider that as this tenure split is virtually at the 60:40 requirement, it is acceptable.
- 8.17 The Council have made an undertaking to take on the ownership and management of affordable rent homes built by Brick by Brick as outlined in the Cabinet report from June 2019. The properties are allocated by the Council to those on the waiting list and



rental rates are set accordingly. The affordable housing offer would be secured through a S106 planning obligation.

- 8.18 Overall, it is considered that the scheme would provide a good range of family and non-family homes and would positively contribute to the delivery of new homes (including affordable homes).

#### Density of Development

- 8.19 The site has an urban setting with a PTAL rating of 2-4 and as such, the London Plan indicates that the density levels ranges between 200-450 habitable rooms per hectare (hr/ha) for the PTAL of 2-3 and 200-700 hr/ha for PTAL of 4. Treating the combined living/kitchen/dining areas as a single habitable room, the proposed density of development (calculated using the site areas of the individual sites only, and not the wider red line of the application site), would equate to 439.7 habitable rooms per hectare. This is within the density range allowed.
- 8.20 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 is discussed below, 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.

#### **Townscape and Visual Impact**

- 8.21 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. Policy DM10.7 sets out that in order to create a high quality built environment, proposals should demonstrate that architectural detailing will result in a high quality building and demonstrate that high quality, durable and sustainable materials that respond to local character are incorporated.

#### Scale, Height and Massing

- 8.22 The development proposed on Site A is split into two elements. On the western side there would be five houses adjacent to the boundary with The Waldrons Conservation area and on the eastern side would be flats, rising to six storeys on the corner. The massing and the viewpoints have been assessed. The lower 2.5 storey height is appropriate abutting the conservation area and the tallest part of the flatted block is in a corner location, where there is scope for additional height as a marker point. Specific heritage impacts in the context of the conservation area are discussed further in the 'Heritage' section of this report below. The corner of this block has been chamfered to draw the eye around the corner, which is an appropriate arrangement. Opposite the mews houses, the height of the flatted block falls to 3 storeys in height. This is an appropriate response to the scale and height of the mews houses opposite and represents an acceptable relationship to the proximity to the conservation area.
- 8.23 Site B at four storeys is appropriate to its context adjacent to existing flatted blocks. Its massing has been chamfered to take account of its relationship with the large Horse Chestnut tree.

8.24 Site C, with its height of 2.5 storeys and its arrangement as a pair of semi-detached houses fronting onto Tanfield Road, is appropriate for its context in a road characterised by 2 and 3 storey dwellings.

8.25 The view from Bramley Hill looking north (below), shows Site A and B in the context of the existing buildings. It can be seen that the height and massing is appropriate in the context of the streetscene. The second image shows site C fronting onto Tanfield Road and the flats on Site A appearing behind. Whilst Site A is taller and sits on higher ground, it must be viewed in the context of the much taller existing flatted building sitting behind in The Waldrons.



View from Bramley Hill (looking north)



View from Tanfield Road (looking west)

8.26 The proposed houses at Site D would be sited to the rear of the existing Peter Sylvester Centre and provide adequate separation from the existing building and would not compromise future development of this building if it should ever come forward (given the separation distance in excess of 18m). Given its location behind the existing community centre and its limited height it is not easily visible in the streetscene.

8.27 Site E and Site G, both front on to Dering Road. Site E at 4 storeys is an appropriate height given the existing 11 storey building as its backdrop and the fact the 2.5 storey houses on Site G give an appropriate transition to existing development on Dering Road. The massing of Site F and its height at 2.5 storeys is appropriate in its context alongside the existing building at 7 Bramley Hill which is 2 storey.



View of Site D



View SW along Dering Road (Sites E&G)

8.28 In townscape terms, the massing of the proposed development is supported by officers. The proposed buildings when viewed from Bramley Hill, Tanfield Road and Dering Road, would be seen in the context of buildings of varying heights and styles and would not appear out of context. Whilst concern has been raised by local residents, officers are supportive.

#### Site Layout and Public Realm

- 8.29 The site layout seeks to manage the varying relationships with existing buildings on the estate and adjacent to the site boundary, engaging with the Tanfield Road, Bramley Hill and Dering Road street frontages whilst managing the maximum retention of trees and open space, ensuring appropriate relationships with existing residents and the topographical challenges of the varying site levels across the two parts either side of Bramley Hill. The landscape strategy and design intent represents a comprehensive and high quality approach to public realm and green spaces within the estate. The landscape strategy is supported in principle and specific details can be conditioned. Finer details of the specifics are discussed in more detail later in this report.
- 8.30 The scheme includes proposals to public realm areas within the red line of the application site. This includes the creation of 2 new residential streets, planting within and adjacent to parking areas, upgrades to pedestrian routes through the estate and the creation of amenity spaces (that include community planting beds and playspace) for existing and proposed residents. This will be secured through the S106 agreement.
- 8.31 Overall, officers are satisfied with the form and layout. This is an area where there are varying heights, massing, forms and layouts and the proposed development has responded to this.

#### Architectural Expression

- 8.32 Each building has its own context, in terms of both the design of existing buildings and their scale, height and massing. The application proposes a similar architectural language across the application site, but with each building responding to its individual context. This approach is supported.
- 8.33 The application has picked up on recurring local features, such as symmetry in facades, recessed entrances and projecting bays. These principles have been applied across the buildings, with typologies for mews blocks and mansion blocks, to provide a similarity across the sites in a patternbook approach. This has allowed a family of buildings to be created, but with each one having its own response to its location. This approach and the design of both the individual buildings and how they site as an overall piece, are fully supported by officers.



Site A – design approach



Site A/D – mews design approach

- 8.34 A palette of materials has been suggested with brick the predominant material and the use of standing seam zinc cladding and metal window framing. The proposed palette is considered acceptable and is supported by officers. Specifics of the materials can be controlled by condition. Overall, officers consider the scheme would be a high quality addition to this part of Bramley Hill.

### **Heritage Impact**

- 8.35 The submitted Heritage Assessment assesses the scheme in the context of the adjacent Waldrons conservation area. The application site abuts the boundary of the conservation area and is located to the rear of a crescent of Victorian villas (built in the 1850's). As well as being within the conservation area, all of these houses are also locally listed.
- 8.36 The majority of the proposed development is not visible in the conservation area. The one exception is the 6 storey element of Site A, where glimpsed views of the top corner of this building are visible between the villas. Officers have sought to minimise the impact of this element of the scheme, through pre-application discussions, but changes to the form of this element of Site A to reduce visibility in the conservation area would have a greater impact on the amenity of residents in Albury Court to the South. On balance, it was considered by officers that this is an acceptable solution.



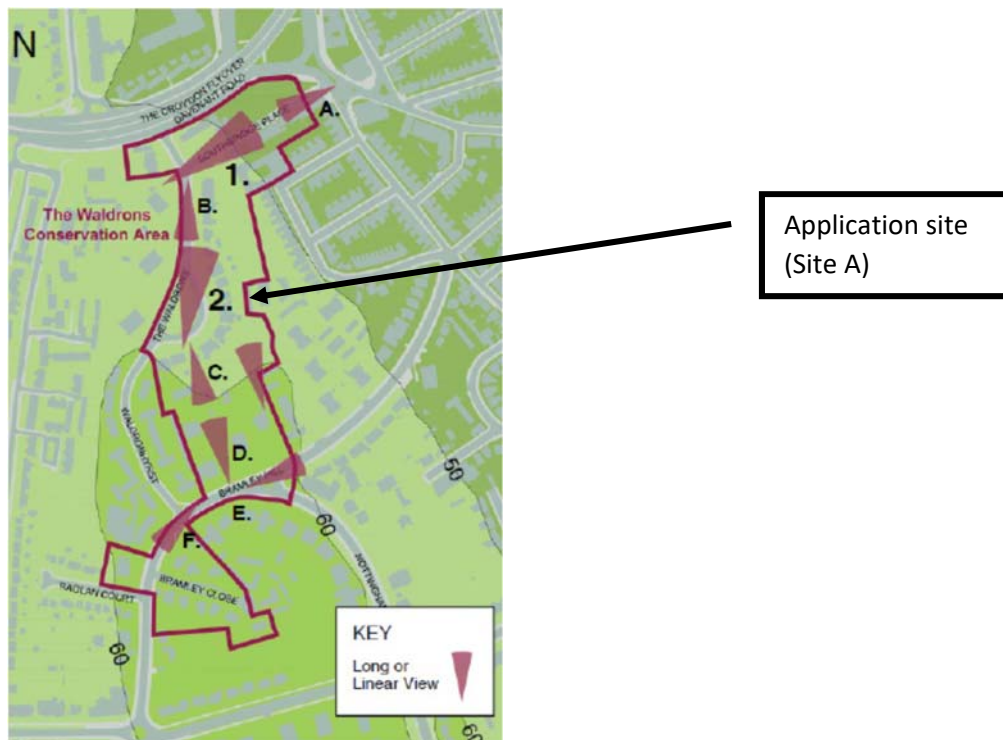
Looking north east along The Waldrons.



Looking east along The Waldrons.

- 8.37 The Waldrons conservation area has a number of designated views as set out in the 'Conservation Area Appraisal and Management Plan'. However, the views of the proposed development do not fall within any of these designated views.





8.38 Officers have reviewed the submitted Heritage Assessment and agree that the proposed six-storey block will cause ‘less than substantial harm’ to the significance of the designated heritage asset because a portion of it will be visible within some parts of the conservation area. As some harm is caused, this must be weighed against the public benefits of a scheme as required by paragraph 196 of the NPPF; in this case the public benefits include the provision of 58 new homes of which 29 would be affordable, a significant proportion of family accommodation, improved landscaping and improved children’s playspace. Officers are of the view that those public benefits would outweigh the harm caused to the Conservation Area and are satisfied that the approach adopted by the applicant in terms of design, heritage and townscape is sound and can be supported.

### **Housing Quality for Future Occupiers**

8.39 All of the proposed new units would comply with or exceed the internal dimensions required by the Nationally Described Space Standards (NDSS). All apartments would be dual aspect, with some units benefitting from being triple aspect.

8.40 The planning application was accompanied by a daylight and sunlight assessment which concluded that 79% of all rooms are in compliance with all 3 of the tests used (Vertical Sky Component - VSC, No Sky Line – NSL, and Average Daylight Factor - ADF). Of the rooms that are not in strict compliance with the three tests, most have marginal fails, which means that most rooms in the proposed development have good levels of sunlight and daylight and are considered to be in compliance with the requirements of policy DM 10.6 of the Croydon Local Plan which requires adequate sunlight and daylight levels for future occupiers.

8.41 In addition, it is considered that the proposed design provides for light and well ventilated residential accommodation, appropriate floor to ceiling heights and access to outdoor amenity space.

- 8.42 There are some concerns regarding the privacy to the ground floor unit at Site B that is adjacent to the main N/S pedestrian route (as there are secondary living space windows facing this route). Therefore, it is considered that appropriate landscaping will need to be secured to act as a buffer and this can be secured by planning condition. It is noted that the positioning of the houses on Site C are located in close proximity to the existing flatted block on Albury Court. However, the impact of this is mitigated by the change in land levels and the orientation of windows. It is also suggested that the flank wall of Site C is 'greened' to improve outlook for existing residents, this can be controlled by condition. Details of bin storage areas and their integration with the proposed buildings on the southern side of Bramley Hill can be controlled by condition.
- 8.43 Any noise issues associated with neighbouring traffic would be mitigated through standard noise insulation measures and planning conditions have been recommended to ensure that external noise effects are minimised.
- 8.44 The application proposes 5 x 1 bedroom/2 person wheelchair homes spread across the sites (3 in Site A, one in Site B and one in Site E). All of these units are located on the ground floor of the buildings in which they are situated, have level access into the building and level access to private amenity space. Furthermore, the applicant proposes re-grading of the slopes of pedestrian paths across the site to ensure that all pathways are compliant with Part M of the Building Regulations. This will be secured in the s106 agreement.
- 8.45 Access to all floors above ground level in flatted blocks would be via a central staircase. Within the Site A flatted block, which rises to 6 floors, there is also a lift, to improve accessibility and provide full M4(2) compliance. Lifts have not been provided in the four storey blocks on sites B and E. However, the London Plan requirement is for buildings that are greater than four storeys and in this case, the two buildings are designated as affordable housing and there would be an impact on future maintenance and servicing charges for these residents.
- 8.46 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 unit. Private amenity space has been provided for all units in the form of terraces and balconies (for the flats) and gardens for the houses. The provision of private amenity space is acceptable.
- 8.47 Whilst individual playspaces have not been provided for each building, officers are satisfied that the overall strategy of providing a centralised play and amenity area for existing and proposed residents on both sides of Bramley Hill is an high quality solution and introduces playspace to the part of the application site on the northern side of Bramley Hill and the benefit of the spaces to be enjoyed by both existing and proposed residents. A range of spaces are being proposed, including community growing areas. It is considered appropriate that a condition should be added to include a Community Management Strategy for such spaces that will need community involvement for maintenance and activation.
- 8.48 Communal amenity space is provided centrally, split in to an area for the part of the application site to the north of Bramley Hill and an area for the part of the application site to the south of Bramley Hill. The area on the north side of Bramley Hill is a combined communal amenity and child play space and also include other improvements to landscaping around the site.



Landscape strategy

8.49 The existing child play space of 245 square metres is proposed to be moved to accommodate the pair of houses on Site G. This would be re-provided between Sites F and G. In addition, the GLA child yield for the proposed development requires the provision of an additional 270 square metres of child play space. This has been proposed on site with 182 square metres proposed to the north of Bramley Hill and 88 square metres proposed to the south of Bramley Hill (split into 2 areas of 44 square metres each). This is supported and final details will be secured by condition.

## Residential Density and Effects on Immediate Neighbours

### Neighbour Impacts

8.50 The neighbours most affected by the proposed development include those adjacent to the site boundary and the existing residents within the site. These are assessed in relation to each of the sites below:

#### *Site A - Houses*

8.51 These proposed dwelling back on to properties in The Waldrons. There is a separation distance of 18 metres between the existing properties and the proposed houses and this is in accordance with guidance and considered sufficient to ensure that there is not a loss of amenity.

8.52 A new residential street is created between the houses and flats on Site A. There would be a gap of 12.5 metres between the front elevation of the houses and the closest part of the front elevation of the flats. This is an acceptable distance between new development.

#### *Site A - Flats*

8.53 The northernmost flats are at an angle to properties in Tanfield Road and the windows/deck access are at an angle to existing windows. There is a distance of 25 metres between the closest windows and this distance is acceptable. The southernmost flats on this site are located at a distance of 14 metres from the existing Albury Court flats. The building has been given a chamfered corner to cut away the bulk of this building and to allow proposed windows to be angled away and to minimise the number of windows facing existing windows. On this block there is only one bedroom window on each floor that would face towards the existing building and this is not a direct alignment. There are no windows on the southernmost element that face towards Tanfield Road.

*Site B*

8.54 Windows on this block have been orientated to ensure that they do not directly face towards existing windows and are set away from existing blocks.

*Site C*

8.55 There would be no windows on this block facing towards the existing flats at Albury Court. In addition the proposed houses would be sited half a storey lower and a landscape buffer is proposed to be installed. This can be controlled by condition.

*Site D*

8.56 The proposed houses would be located 18 metres from the Peter Sylvester Centre and would be 21 metres from the houses in Dering Road. This is sufficient to not raise any concerns with regard to amenity.

*Site E*

8.57 This is located 15 metres from the existing tower block, which is considered to be an acceptable distance. This relationship would also be mitigated by proposed landscaping and tree planting. In relation to the residential building to the south, the proposed building would be located forward of the existing building and is at an angle. It is considered that windows on the side elevation would not be overlooked by the proposal.

*Site F*

8.58 This would front on to Bramley Hill and would not have any side facing windows to nearby properties. There are side facing windows on 7 Bramley Hill, but they appear to be secondary windows. Windows on the existing tower block are angled away from the proposed houses.

*Site G*

8.59 This would front on to Dering Road and would be adjacent to the new development on Land rear of 94-110 Southbridge Road. There would be no windows facing the adjacent development and the form would not be significantly forward of any of the building lines. The properties to the north and north-west of this site are in excess of 25 metres from the proposed building and this relationship is considered to be acceptable.

Daylight and Sunlight

8.60 A daylight/sunlight assessment was submitted with the application which has assessed the impact on existing residents. The impact of the proposed development has been assessed in terms of 24 of the adjacent buildings. However, the submitted assessment has only further considered adjacent properties in more detail if there are BRE (Building Research Establishment) guideline transgressions.

#### *7 Bramley Hill*

- 8.61 This property is NE of Site F. There are 4 windows on the flank elevation which will be compromised in terms of VSC (ranging from a 41-44% loss for each window). However, these windows are secondary windows to rooms that have main windows on the front and rear elevations of the building so when the room as a whole is considered (rather than the individual windows) it is BRE compliant in terms of daylight. There is a very minor winter sunlight breach (4 sunlight hours in winter against a target of 5), but on balance this is considered acceptable.

#### *9 Bramley Hill*

- 8.62 This property is located centrally with Site F to the north, Site D to the south and Site E to the east. This building currently has very good levels of sunlight and daylight, due to its current positioning away from other buildings. As a result of the development, there would be a moderate impact on daylight to 5 windows (VSC reduction between 26% and 36%), but they will still retain a good level of daylight (all rooms meet NSL) and will meet the guidelines for sunlight. The relationship that this building will have with the proposed new development are not unrealistic for an urban location and the BRE guidelines state that they should be applied flexibly in urban areas. On balance the impact is considered acceptable.

#### *70-76 (even) Tanfield Road*

- 8.63 These buildings are located to the east of Site A (with 76 to the east of Site C). 8 windows (out of 30) would experience a minor reduction in VSC (22% to 25% reduction) and five of them a minor reduction in NSL (20% to 29% reduction). There are 2 windows where the NSL impact is greater (over 40% reduction) but these are rooms that are adjacent to fences or returns, so caused by the design of the existing building. There are also some minor winter sunlight impacts. There is one window at 70 Tanfield Road, that currently meets the winter requirement but it would be reduced to 3 sunlight hours where the requirement is 5. As above given the urban location of the site and the flexibility to apply BRE guidelines in such areas, on balance, the impact is considered to be acceptable.

#### *14 The Waldrons*

- 8.64 This building is located to the west of the Block A houses. There is a minor impact on one side window that is 1% above the guideline for VSC. It is considered that due to the minor nature of this impact, and the fact the room complies with NSL and sunlight.

#### *1-16 Albury Court*

- 8.65 This property is NE of Site B and west of Site C. There are minor impacts on VSC to 8 windows (between 20.6% to 31.5%). All windows would retain 20% of VSC and this is considered to be a good light level. Each of the rooms would comply with NSL. There are 3 windows that would fall short of winter sunlight targets (with winter sunlight hours of 4, 2 and 3), but in these cases the annual sunlight targets are met. This impact is considered acceptable.

#### *17-32 Albury Court*

- 8.66 This property is NW of Site B and south of Site A. 13 windows on the north elevation of this building are affected in terms of daylight. Bedroom windows on this elevation are dual aspect and therefore the rooms (rather than the windows) are compliant. Whilst the living room windows are affected, they are large and retain 20% of VSC and therefore the impact is considered to be acceptable. This property is BRE compliant in terms of NSL and APSH.

- 8.67 The daylight and sunlight assessment has considered the impact of the development on sunlight received to garden areas of adjacent properties. BRE indicates a reduction of the garden area that receives 2 hours of sunlight on 21<sup>st</sup> March beyond 20% would be noticeable. There are two properties that are affected: 68 and 74 Tanfield Road. Number 68 would receive a 27.6% reduction in the current area. Number 74 would receive a 29% reduction in the current area. Both gardens would retain an area that is marginally above the 20% area required by the BRE. It is noted that these gardens already have restricted sunlight due to existing boundary treatment, and in the case of number 74, the presence of garaging. On balance, this is acceptable.
- 8.68 Overall, whilst there are some impacts to neighbouring windows, these are considered to be relatively minor and in the urban context are considered to be acceptable. Whilst the proposed development would inevitably change existing relationships and modify existing open outlook enjoyed by neighbouring residential occupiers, the form/mass, window location and detailing of the proposed development would successfully engage with surrounding existing properties both within the estate and surrounding the application site with acceptable amenity impacts.

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

- 8.69 The planning application was supported by a Transport Statement, dealing with the various transport impacts and associated mitigation measures. The site is located in an area with moderate PTAL (2-4) and is reasonably located to local bus stops and within a Controlled Parking Zone (CPZ), which restricts the ability to park in close proximity to the site during the day.

### **Car Parking, Trip Generation and Highway Safety**

- 8.70 The existing site has 90 garages that are proposed to be removed. 53 would be removed from Site A, 27 from Site B, 6 from Site D and 4 which are currently located to the south east of site D. At present 44 garages are let, 6 are let to Croydon Council for storage and 40 are vacant. Of the garages that are let, 10 are to residents within 200m of the site. The 200m distance is considered to be a reasonable maximum distance that someone would park their car from their property (and is the distance on which parking stress is assessed). Therefore, the proposal includes the re-provision of 10 car parking spaces. In addition, there would be an additional 5 car parking spaces that would be designated for the occupants of the houses on Site A and there would be 3 disabled parking bays (one on site A and two adjacent to the access road on the south side of Bramley Hill). 2 motorcycle spaces are proposed close to the entrance to the site to the south of Bramley Hill. At present there are a total of 56 existing marked car parking spaces across the entire application site and the proposed spaces would be in addition to this number. A condition will be applied to secure the disabled parking bays and electric vehicle charging points for them.
- 8.71 Parking stress has been assessed in line with the Lambeth Methodology and has shown that there is an overnight parking stress of 84%. Given that Croydon Council's assessment of a 'high stress area' is at 85%, the site is at high parking stress and that there is very limited capacity for additional on-street parking. The site is located within a controlled parking zone (the west permit zone) where parking is restricted to permit holders only.



- 8.72 Given the lack of parking availability in the area and the limited provision of new on-site parking, it is considered appropriate to restrict new resident access to on-street parking permits. It is also considered appropriate to secure by condition an on-site Car Park Management Plan (CPMP), so that existing residents are not inconvenienced by future residents wanting to park on site. Parking on the estate is currently managed privately and the CPMP will ensure that future residents are unable to park on site (with the exception of the 3 disabled parking bays and the 5 bays associated with the houses on site A). It is also appropriate to have a travel plan for the site, monitoring of which can be secured through the S106 agreement.
- 8.73 The site is located in an area with a PTAL of 2-4, which indicates that there is moderate public transport accessibility. Policy DM30 requires the provision of a car club bay and the membership of the car club by new residents for a period of three years, at the expense of the developer. This provision would be included as part of the sustainable transport contribution detailed below. Whilst it is noted that the Transport Assessment identifies a car club bay at Mason's Avenue, it is considered that its distance at 545m away is not convenient for residents of this site.
- 8.74 Officers are satisfied that the level of traffic generated by the development would be acceptable. Existing accident data has been reviewed and there have only been a limited number of collisions in the area at a nearby junction. There does not appear to be an issue with highway safety in the area and this would strongly suggest that the existing network is sufficiently robust to accommodate further development.
- 8.75 Officers are satisfied that vehicles will be able to enter and exit the car parking spaces safely. It is also noted that the revised arrangements mean that refuse vehicles would be able to service the development on-site. However, it is prudent to apply a planning condition for details of deliveries and servicing.

#### Cycle and Refuse Storage

- 8.76 Space for cycle parking (designed to accommodate 110 cycles) would be provided which would accord with the emerging New London Plan standards. Details would need to be approved as part of a planning conditions discharge process. With regards to refuse, sufficient space has been proposed for each of the sites. Specific details can be secured by planning condition, along with a condition for a waste management plan.

#### Sustainable Transport

- 8.77 Given that the development would provide only 8 car parking spaces, increased walking, cycling and public transport use is expected. Therefore a sustainable transport contribution is to be secured in the s.106 agreement to mitigate the impacts of the development. This has been calculated as £50,000.

#### Other Highway Impacts

- 8.78 Access arrangements to the application site would remain unaffected, although highway works would be required which will be secured through the s.106 agreement. This will include the need for a condition survey of the public highway prior to commencement.
- 8.79 A draft Construction Logistics Plan has been submitted which has highlighted details issues that can be suitably resolved at planning condition discharge stage.

#### **Trees, Landscaping and Biodiversity**

### Trees

- 8.80 There are a number of trees both on the application site and immediately adjacent. An arboricultural assessment has been submitted with the application and it is considered that it has properly assessed the value of the trees to be protected, the value of the trees proposed to be removed and tree protection measures. For ease of reference the impact of the proposed development on trees has been considered on a site by site basis as follows:
- 8.81 Site A – does not propose the removal of any trees. However, development would be close to existing off-site trees and the impact on their health has been assessed. There would be a minor encroachment into the root protection areas of these existing trees, and the existing garages and hardstanding to be removed would also be within these areas. The encroachment into the root protection area is of an acceptable extent. It is also likely that the presence of the existing garages and hardstanding has had an impact on root development in this area. Notwithstanding this, there will need to be careful removal of the existing structures and surfacing and details of this can be controlled by the imposition of a method statement, secured by a planning condition. As these existing trees overhang the site, there will need to be some works to the crown height of these trees. This work is detailed within the tree protection plan submitted with the application and these details can also be secured by condition. The impact of development on Site A is considered to be acceptable in relation to the trees.
- 8.82 Site B – does not propose the removal of any trees. There is a large Horse Chestnut tree in close proximity. The existing garages and hardstanding encroach into the root protection area of this tree so the removal of these will require a method statement, to be controlled by planning condition. The footprint of the proposed building has been chamfered to minimise its impact, although there is a minor encroachment into the root protection area. It is considered that the extent of the encroachment would not have a detrimental impact on the health of the tree and appropriate tree protection measures during construction can be secured via the imposition of a planning condition.
- 8.83 Site C – three trees are proposed to be removed to facilitate development. They are two 'B' category and one 'C' category cherry trees. These trees are relatively limited in size and CAVAT values have been calculated (£17,107.36).
- 8.84 Site D – two trees are proposed to be removed to facilitate development. They are a 'C' category holly and a 'C' category sycamore which are of limited amenity value and their CAVAT value has been calculated (£240.30). There is an encroachment into the root protection area of two lime trees to the rear of the proposed houses, but the extent of this is such that subject to the tree protection details being secured by condition, it would be acceptable. The proposed houses would not encroach into the root protection area of an 'A' grade lime tree to the front, which is acceptable.
- 8.85 Site E – one 'C' grade sycamore tree is proposed to be removed to facilitate development, the CAVAT value of which is £1,925.07. The adjacent 'A' grade lime tree and a 'C' grade maple tree are to be retained and the minor incursion into the root protection area is acceptable, subject to a tree protection condition.
- 8.86 Site F – one 'B' grade whitebeam tree is proposed to be removed to facilitate development, the CAVAT value of which is £7,922.98. It is acknowledged that this tree is in a pretty prominent location in the Bramley Hill streetscene, hence its CAVAT value.

The adjacent 'U' grade holly tree is not impacted by the proposed development, but due to its poor condition will be removed, in line with good arboricultural practice.

8.87 Site G – does not result in the removal of any trees. The adjacent 'A' grade lime tree is proposed to be retained and the minor incursion into the root protection area is acceptable, subject to a tree protection condition.

8.88 Whilst the preference is to retain trees wherever possible, this has to be balanced against the benefit of the provision of much needed housing and therefore, in relation to this site, it is accepted by officers that on the basis that the S106 Agreement can secure the payment of the CAVAT value and a detailed landscaping scheme can be secured by planning condition, the loss of these trees can be accepted.

8.89 In summary, officers are satisfied with the removal of these trees. To compensate for the loss it is proposed to plant 22 trees to the north side of Bramley Hill and 16 trees to the south of Bramley Hill, within the communal landscape areas. In addition, it is proposed that six Liquidamber trees (3 to the north and 3 to the south of Bramley Hill) would be planted as feature trees. This arrangement is considered to be acceptable when combined with securing the CAVAT values. The arboriculture assessment has properly assessed the value of the trees to be protected and tree protection measures, to be secured by condition, will ensure that the trees are protected during the construction phase.

#### Landscaping

8.90 The landscape masterplan seeks to deliver a series of landscape 'character areas', including playspace, amenity space, seating areas, communal growing areas and new planting. These different areas would serve differing needs of the estate. It is important that these areas are provided to a high standard and consequently; these finer details would be dealt with by landscaping condition.

#### Ecology

8.91 A Biodiversity Report was submitted confirming that the site is dominated by areas of amenity grassland and hard standing areas and is of modest ecological value. Some scattered trees, scattered shrub and non-native hedging would need to be removed. Protection of trees to be retained is recommended and this is in line with officer consideration of the tree impact above. Given the presence of mature trees and areas of shrub, the report recommends ecological enhancement to achieve biodiversity net gain. This is supported by the proposed tree planting and landscape proposals and can be secured via planning condition. Specifically, the report suggested the following, which will be secured by condition and informative:

- Light spillage from the site is minimised.
- Replacement planting should be wildlife and bat friendly.
- A pre-construction survey should be undertaken to ensure that animal holes in boundary fencing are not in current use.
- Any loss in habitat should be replaced to ensure a net gain in biodiversity.
- Provision of artificial wildlife habitats (eg bird boxes, bat boxes, log piles, insect houses).
- Clearance of all suitable nesting bird habitat must be completed outside of the nesting bird season.

#### **Flood Risk**

8.92 The site is in Flood Zone 1 and has a low risk of flooding from rivers, groundwater and artificial sources and a moderate risk of flooding from surface water. The mitigation measures proposed by the scheme include permeable surfaces to parking areas (that are tanked to reduce runoff from these areas), discharge from rainwater pipes into rain gardens where feasible (and connected to the mains system via high-level overflow), and green roofs on buildings 'A' and 'E'. The proposed surface water infrastructure will be restricted to two litres/second for each catchment area prior to its connection onto the Thames Water surface water sewer. Infiltration on site is not suitable due to the underlying geology. These details have been assessed in consultation with the Lead Local Flood Authority and it is considered that they are suitable, subject to the imposition of a suitable planning condition.

### **Sustainability**

8.93 CLP Policy SP6.3b requires all new build residential development of more than 10 units to achieve the London Plan requirements or National Technical Standard for energy efficiency performance in new homes. This requires new homes to be zero carbon and if this cannot be achieved on site, a minimum on-site reduction of at least 35% beyond the requirements of Part L the Building Regulations, with the shortfall secured through a S106 financial contribution.

8.94 The energy assessment submitted with the application sets out that the development will achieve a 90% on-site reduction in carbon dioxide emissions, delivered through enhanced fabric and significant amount of solar PV (coupled with air source heat pumps). This is significantly above the minimum 35% onsite requirement. It is proposed that the shortfall will be made up by a carbon offset payment which has been calculated as £12,551. This offset payment is correct on the basis of the predicted carbon dioxide savings. It is considered prudent to ensure that the S106 clause is drafted to ensure that the offset payment received is calculated on the basis of the 'as built scenario' to account for any variations during construction and that conditions are imposed requiring details of the 'as built' dwelling emission rate as calculated at the Building Regulations stage and evidence of the installed solar photovoltaic panels.

8.95 New development is also required to meet a minimum water efficiency standard of 110 litres/per person/per day. This can also be controlled by the imposition of a planning condition.

### **Other Matters**

#### Contamination

8.96 The Council's Environmental Health Service has assessed the Phase 1 Desk Study submitted by the applicant and the Ground Investigation Report and consider that the assessment of the historical uses of the site and the site investigation is acceptable. It is recommended that a planning condition is imposed to require remediation works to be undertaken to render the site fit for purpose.

#### Air Quality

8.97 It is increasingly recognised that new development has a role to play in improving air quality. On that basis, a S106 contribution is required for mitigation, in line with the Greenwich formula of £100 per dwelling.

#### Fire Safety

8.98 A fire strategy was submitted as required by Policy D11 of the Draft London Plan. It identifies how the scheme has been designed to ensure that appropriate fire safety measures have been incorporated into the scheme. In summary, this sets out that all of the proposed homes will be within the distances required by the fire service to be able to fight fires, that the six storey element of Site A will have a sprinkler system installed, that all of the flatted blocks will have dry risers, that there will be a 60 minute compartmentation between each home and a 60 minute structural fire resistance period. In addition, all homes in the development will be provided with a fire detection and alarm system. Officers are of the view that for the purposes of the planning application, the details submitted are acceptable and that any further required changes to the building fabric can be controlled under the Building Regulations and the imposition of a condition to control external facing materials.

#### Health

8.99 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.

#### Safety and Security

8.100 It is noted that there is the potential that the hammerhead turning area at Site A could attract anti-social behaviour. However, the crown height of the trees in this area will be raised to allow large vehicles to turn, which will improve natural light, there will be visual surveillance from windows on the flank elevations of the adjacent buildings and there will be activity from vehicles turning and its use as a parking area. It is also suggested that a comprehensive lighting strategy for the site, and in particular this area is secured by condition.

8.101 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**

8.102 Whilst it is accepted that the scheme would result in the partial loss of incidental open space/amenity land and the loss of garaging and hardstanding, the loss of this is outweighed by the provision of new homes and specifically affordable homes.

8.103 The design of the proposals has been well considered in terms of layout, scale, mass, external appearance and landscaping. The accommodation would comply with internal space standards, with all units being dual aspect and would provide a high standard of accommodation overall. Whilst there will be some limited loss of daylight to some surrounding occupiers, when considered in the balance it is deemed acceptable, measures have been put in place to manage parking and the loss of trees is compensated for through s106 contribution, tree planting and a comprehensive landscaping scheme, which includes the provision of additional playspace.

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