

**Agenda Item: 6.5**

05/04779/P

04/11/2005

South Norwood

Application for full planning permission

**Agent:**

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270 Station Road  
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KT15 2PY

**Applicant:**

Olufemi Oke  
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London  
SW2 3HY

Location: 115 Church Road, Upper Norwood, London, SE19 2PR

Description: Demolition of existing buildings; erection of three storey building with accommodation in roofspace fronting Church Road comprising commercial use on ground floor and 5 two bedroom flats over; erection of three storey building with accommodation in roofspace fronting Lansdowne Place comprising 3 one bedroom and 2 studio flats

Drawing No(s): 503-PO50 RevA; P100RevA; P101RevB; P102RevB; P103RevG; P104RevD; P200RevD; P202; P203RevE; P206RevE; P207

**Recommendation: Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control**

Subject to the following condition(s) and reason(s):-

1. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-

Section A

- (1) design and specification of the green roof
- (2) roof garden parapets and enclosures
- (3) security lighting
- (4) refuse collection facilities
- (5) boundary walls, railings and security gates or other means of enclosing the site

Section B

- (6) finished floor levels of the building(s) in relation to existing and proposed site levels
- (7) shopfronts

Reason: To ensure an acceptable standard of development having regard to the policies of the Replacement Unitary Development Plan (the Croydon

Plan)

2. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 1 shall be provided before any part of the development is occupied and those in Section A thereof shall also be retained for so long as the development remains in existence  
Reason: To ensure that an acceptable standard of development is provided and retained
3. Visibility splays shall be provided as specified in the application before the access is brought into use and shall be retained for so long as the development remains in existence:-  
Reason: To ensure an acceptable level of highway safety in accordance with Policy T11 of the Replacement Unitary Development Plan
4. Unless otherwise previously agreed by the Local Planning Authority in writing the following shall be provided as specified in the application before any part of the development is occupied and shall be retained for so long as the development remains in existence:-
  - (1) parking arrangements
  - (2) garden and communal areas
  - (3) communal facilitiesReason: To ensure an acceptable standard of development having regard to the Policies of the Replacement Unitary Development Plan (the Croydon Plan)
5. No works on site shall commence until details of the external facing materials including windows, doors and ground surfacing materials, have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with such approved details.  
Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy UC3 of the Replacement Unitary Development Plan (the Croydon Plan)
6. A landscaping scheme in respect of proposed planting shall be submitted to the Local Planning Authority for approval before the development is begun; when approved, the planting shall be provided before any part of the development is occupied or within such longer period or periods as the Local Planning Authority may previously agree in writing and shall be maintained for a period of five years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided  
Reason: To enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established in accordance with Policy UD14 of the Replacement Unitary Development Plan (the Croydon Plan)

7. Unless otherwise agreed in writing by the Local Planning Authority the areas identified on the submitted drawings for planting shall be permanently retained for that purpose.  
Reason: To enhance the appearance of the development and to maintain a contribution to the visual amenity of the locality in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
8. Prior to the commencement of works on site including those for demolition, drainage and foundations, a scheme shall be submitted for approval to the Local Planning Authority specifying the means by which the root systems of those trees extending within the site shall be protected during the works in conjunction with a schedule of proposed tree works. The approved scheme shall be implemented on site prior to commencement and retained for the duration of the works.  
Reason: To ensure the survival of the existing trees that contribute to the visual amenity of the area, in accordance with Policies UC3 and NC4 of the Replacement Unitary Development Plan (the Croydon Plan)
9. The windows shown on the approved drawings and located within the southern flank walls of the development shall be non openable below 1.8m above the adjacent floor level, glazed in obscure glass and permanently retained in this form.  
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Replacement Unitary Development Plan (the Croydon Plan)
10. Prior to commencement of the development a method statement shall be submitted to the Local Planning Authority for approval relating to the following matters and the development shall only be carried out in accordance with the approved statement:-
  - (1) protection of the Listed Building and boundary wall at 117 Church Road during construction works
  - (2) works to the existing and proposed boundary wall between 115 and 117 Church Road
  - (3) storage of materials on site
  - (4) delivery and offloading of materials to site
  - (5) parking of contractors vehicles and plant
  - (6) times of operation/deliveries
  - (7) site securityReason: To protect the amenity of adjoining occupants and the integrity of the Listed Building at 117 Church Road
11. The ground floor commercial unit fronting Church Road shall be used only for purposes within Classes A1, A2, and B1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (As Amended).

Reason: To protect the amenities of adjoining occupiers

12. The ground floor/basement commercial unit/s shall not be used except:-
  - (1) between 07.00 hours and 19.00 hours on Mondays to Saturdays
  - (2) between 10.00 hours and 17.00 hours on Sundays and Bank Holidays

Reason: To protect the amenities of adjoining occupiers

13. Before the development is begun an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority. The investigation report shall include a risk assessment and details of remediation if required.

Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building. A validation report detailing evidence of all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority at the conclusion of the work and before any occupation of the properties..

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.

Reason: To ensure the safe development of potentially contaminated land in accordance with Policy EP3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

14. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained for so long as the development remains in existence.

Reason: To comply with Policy EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

15. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes report that achieves 'Excellent' rating with certification at Design Stage. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes Post Construction Review, or alternative verification agreed with the Planning Authority, shall be provided, verifying that the agreed standards have been met, prior to the first occupation of the development.

Reason: To accord with Policy UD1 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

16. Prior to the commencement of any stripping out to or demolition of the existing building a suitably qualified bat person recognized by English Nature shall be appointed to oversee such works. Should evidence of bat activity be evident all works shall cease and advice shall be sought from English Nature. Reason:  
To ensure that bats are afforded protection in accordance with Policy NC2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
17. The development shall be begun within three years of the date of the permission.  
Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

- . The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are:- SP1, SP2, SP3, SP3, SP8, SP9, SP10, SP14, SP18, SP19, SP20, SP21, SP22, SP23, UD1, UD2, UD3, UD4, UD7, UD8, UD13, UD14, UD15, UC2, UC3, UC6, UC9, NC2, NC4, EP2, EP4, EP16, T4, T8, T11, EM1, EM3, EM4, H2, H14, SH1

The development is considered to be satisfactory in relation to the following:-

- . (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the relationship of the development to trees to be retained
- (h) the safety of pedestrians and motorists on the adjacent highway
- (i) the safety and security of buildings and the spaces around them
- (j) accessibility to buildings
- (k) the shopping policies of the development plan
- (l) the employment policies of the development plan
- (m) the housing policies of the development plan
- (n) the preservation or enhancement of the conservation area
- (o) the setting of the nearby listed building
- (p) the character and appearance of the listed building
- (q) sustainability issues
- (r) the urban design policies of the development plan
- (s) the nature conservation policies of the development plan
- (t) the environmental protection policies of the development plan
- (v) the transport policies of the development plan

- (w) the urban conservation policies of the development plan
- (x) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised.

Informative(s) :-

- 1 The applicant is advised to consult the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites" before commencing work on the site. The Code gives advice on how to undertake work on site in a considerate manner. A copy can be obtained by calling 020 8760 5483.
  - 2 Your attention is drawn to the requirements of the Party Wall Etc Act 1996 in relation to work close to or on a neighbours building or boundary
  - 3 The applicants attention is hereby drawn to the definition of a Class B1 use, being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, smell, fumes, smoke, soot, ash, dust or grit
  - 4 The applicant is advised that any treeworks including pruning to trees within a Conservation Area may require a separate application. Advice should be sought from the Council's Tree Officer.
  - 5 The applicant's attention is drawn to the following technical documents relevant to the assessment of human health risks arising from contaminants in soil (obtainable from the Environment Agency R&D Dissemination Centre, c/o WRc, Frankland Road, Blagrove, Swindon, Wilts SN5 8YF. (Tel 01793 865000; Fax 01793 865001); they can also be ordered on line via [www.webookshop.com/ea/rdreport.nsf](http://www.webookshop.com/ea/rdreport.nsf)):-
    - (1) CLEA (Contaminated Land Exposure Assessment) Contaminated Land Reports (CLR's) 7 - 10,
    - (2) the "CLEA 2002" software, available for downloading from [http://www.environment-agency.gov.uk/subjects/landquality/113813/274663/281779/?version=1&lang=\\_e\\_and](http://www.environment-agency.gov.uk/subjects/landquality/113813/274663/281779/?version=1&lang=_e_and)
    - (3) the Soil Guideline Values for individual substances (SGV)
  - 6 That this permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
  - 7 The applicant is advised that Conservation Area Consent is required for demolition of the existing building
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**Ward: UPPER NORWOOD**  
**Lead Officer: Head of Planning Control**

**PLANNING COMMITTEE**  
**27 July 2006**

**05/4779/P 115 Church Road, Upper Norwood**

## **1. SUMMARY**

- 1.1 This report concerns an application for full planning permission for the demolition of the existing buildings; erection of three storey building with accommodation in roofspace and basement fronting Church Road, comprising commercial use on ground floor and basement and 5 two bedroom flats over; erection of three storey building with accommodation in roofspace fronting Lansdowne Place comprising 3 one bedroom and 2 studio flats
- 1.2 This application was originally taken to the meeting of the Development Control Committee on 22nd December 2005 with recommendation to refuse. The Committee deferred the application to enable clarification of plans. Amended plans were received on 13th January 2005. The amendments comprised revisions to the design of the elevations and roof and sought to overcome the issues relating to character and amenity raised within the report to committee of 22nd December.
- 1.3 The application was subsequently included on the Development Control Committee agenda for 26<sup>th</sup> January 2006 with recommendation to approve subject to imposition of planning conditions. The application was withdrawn from the agenda on the instruction of the chief planning officer subsequent to notification of reported bat sightings in the vicinity of the site (bats are a protected species). A bat survey was subsequently carried out and submitted to English Nature.
- 1.4 Since the above agenda the application has been amended as follows:-
  - a) Elevations have been re-designed
  - b) The proposed buildings have been set back from the curtilage of the Listed Building at No 117 Church Road
  - c) Drawings have been clarified
- 1.5 In order to address concerns relating to potential loss of light to neighbouring property a Daylight and Sunlight Analysis was submitted on 21<sup>st</sup> June 2006.
- 1.6 For the benefit of members the Report to Committee of the 26<sup>th</sup> January 2006 is attached.

## **2. CONSIDERATIONS**

- 2.1 The bat survey has been approved by English Nature subject to the imposition of a condition requiring site monitoring during demolition.
- 2.2 The amended elevation treatment would enhance that part of the development conspicuous to streetscene views at this visually important location on the approach to the Upper Norwood Conservation Area.
- 2.3 A proposed setback of the flank wall alignment from the Listed Building curtilage would enable the integrity of the original boundary wall to the Listed Building to be preserved.
- 2.4 The amended drawings now accurately reflect the curtilage of the application site.
- 2.5 The Daylight and Sunlight Analysis Report attempts to address the relationship between the proposed development and residential property at 7 Lansdowne Place (a private dwellinghouse) and at 15 Lansdowne Place (15 flats). The flats at 15 Lansdowne Place have been converted from a former warehouse building fronting Lansdowne Place and from 113 and 111 Church Road. The report is based upon Building Research Establishment (BRE) Guidance. On the basis of the architect's drawings the Report concludes that the development would not materially affect daylight levels to adjoining property.

## **2. RECOMMENDATIONS**

- 2.2 Grant planning permission subject to the conditions and reasons set out in the Agenda.

## **3. BACKGROUND**

### **(a) Site Description**

- 3.1 115 Church Road is a narrow rectangular shaped commercial site of 0.04hectares, fronting Church Road and backing onto Lansdowne Place. The frontage comprises a single storey workshop premises. Two-storey elements lie centrally within the site, while the rear comprises a yard area with vehicular access via industrial mesh gates onto Lansdowne Place. The premises have been vacant for approximately 10 years having previously been used for light industrial purposes. The site is now in a semi-derelict condition.
- 3.2 The site lies both within the Upper Norwood Triangle Conservation Area and within the Upper Norwood District Centre as shown on the Unitary Development Plan Proposals Map. Church Road is categorised as a Borough Distributor Road while Lansdowne Place is an unclassified service lane with one way traffic controls.
- 3.3 The site is bounded to the north west at 113 Church Road by a five storey mixed use business and residential conversion property fronting Church Road and forming the end of a secondary retail frontage, and to the north east by a

- residential development within the shell of a former warehouse fronting Lansdowne Place. The curtilage of a Grade Two Listed detached two storey dwellinghouse at 117 Church Road lies directly to the south of the site while the south east boundary adjoins a small wooded amenity area attached to Highland Lodge a flatted development on the corner of Fox Hill with Lansdowne Place. Large detached residential properties lie to the west directly opposite the site on Church Road, while to the east and on the opposite side of Lansdowne Place are a cluster of small two storey residential properties. Lansdowne Place forms the boundary with the Borough of Lambeth.
- 3.4 The surrounding area is residential in character and is characterised by a mix of predominantly Victorian property varying between two and five stories in height. With the exception of the application property, development in Church Road is characterised by formalised frontages while that in Lansdowne Place is more utilitarian in character reflecting the historically, semi-commercial character of the lane.
- 3.5 Although there are no trees within the curtilage of No 115 Church Road, a number of mature trees are located in close proximity to the southern boundary of the site within the curtilage of the Listed Building at 117 Church Road and within that of Highland Lodge.
- (b) **Relevant Planning History**
- 3.6 05/03275/P: Withdrawn - Demolition of existing building; erection of 3 storey building with accommodation in roofspace fronting Church Road comprising commercial use on ground floor and 5 two bedroom flats over; erection of a 3 storey building with accommodation in roofspace fronting Lansdowne Place comprising 5 one bedroom flats.
- 3.7 05/3277/CA: Withdrawn – Demolition of existing buildings.
- (c) **Proposal**
- 3.8 The application seeks full planning permission for the demolition of the existing commercial buildings, and erection of two, three storey buildings with accommodation in the roofspace. In respect of the building fronting Church Road, the ground floor is to be assigned for commercial purposes with a shopfront fronting Church Road. A basement is proposed below the front half of the ground floor unit. The applicant proposes that the commercial unit could fall within Use Classes A1, A2 and B1. The upper floors comprise 5 two-bedroom flats and high level roof garden with balcony surround. The building fronting Lansdowne Place is to have a bin store, covered disabled parking bay and other open covered areas to the ground floor and 3 one-bedroom flats and 2 studio flats above with high level roof garden. A courtyard amenity area is to be located centrally within the site and a private gated footway access will link Church Road with Lansdowne Place below cantilevered first floor overhangs.

- 3.9 Both buildings are to be constructed in red brick facades with cream stucco render panels. Fenestration is to be vertical sliding sash windows. The third storey of each block is now to be set back behind a parapet and is to have a contemporary roof design with potential for the creation of a green roof. The courtyard area is to be paved with sitting out areas and elevated planters. The cycle area is to be housed within an existing mono-pitch shed which protrudes into the curtilage of the adjoining Listed Building at No 117 Church Road. One disabled car parking place is to be provided with access off Lansdowne Place.
- 3.10 The applicant has submitted a Travel Plan in order to justify the low parking level. A comprehensive Architectural Design Statement has also been submitted and the proposed development is intended to achieve an Eco Homes 'Excellent' rating. A Tree Survey Report dated October 2005 has been submitted in order to address arboricultural issues.
- 3.11 During the course of consideration of the application, the scheme has been amended in order to address those issues identified within the report to committee of the 22<sup>nd</sup> December which resulted in a recommendation for refusal of planning permission. In order to address character issues relating both to the Conservation Area designation and the impact on the setting of the adjoining listed building amendments have been made to the roof design and elevational treatment. The scheme now incorporates a modernist roof design in lieu of the former mansard roof, whilst elevations have been amended in order to harmonise more sympathetically with the frontage of existing properties in Church Road and in order to improve the streetscene impact of the return flank wall as viewed from the south west.

#### **4. PLANNING POLICIES**

- 4.1 The relevant policies of the Unitary Development Plan are  
SP1, BE1, BE3, BE4, BE5, BE6, BE7, BE10, BE11, BE12, BE13, BE14, BE16, BE17, BE18, BE23, UC9, UC11, T23, T46, SP30, SP31, H2, H3, H8, H10, H11.
- 4.2 The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) which would amend the above are:-  
SP1, SP2, SP3, SP4, SP20, SP21, SP22, UD1, UD2 (1, 2 & 3), UD4, UD5, UD6, UD11, UD13, UD14, UD18, UC2, UC3, UC4, UC8, EM5, E P22, EP23, T30, H2, H4, H8, H9, H10, H13A.

#### **5. CONSULTATIONS**

- 5.1 The application has been advertised in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning (Listed Buildings and Conservation Areas) Regulations 1990.
- 5.2 In respect of the original application thirteen adjoining and nearby occupiers were notified of the application. Two replies were received from an adjoining occupier

and from the Highland Lodge Management Company Ltd. objecting on the grounds of:-

- a) The design is out of scale with existing development and is intrusive and overdominant.
- b) Too high a density – overdevelopment of the site
- c) The development will lead to increased enclosure and harm the setting of the Listed Building at 117 Church Road.
- d) The design fails to preserve or enhance the character and appearance of the conservation area.
- e) Serious overlooking of gardens of 117 Church Road and Highland Lodge.
- f) Loss of outlook to Highland Lodge
- g) Noise associated with proximity of courtyard amenity area to 117 Church Road.
- h) Potential damage to root systems and canopies of trees within the curtilages of 117 Church Road and Highland Lodge.
- i) Development without satisfactory parking will create serious difficulties over parking and traffic congestion.

5.3 In respect of the original scheme a letter of objection has also been received from the North Croydon Conservation Area Advisory Panel. The panel advise that while they do not raise objection to redevelopment of the site, development should respect the urban setting, the streetscene and the setting of 113 and 117 Church Road. It is suggested that a new building should be the same height and profile as the terrace of buildings to the north of No 113 Church Road. As submitted, the proposals do not follow this criteria and the vertical feature and horizontal emphasis which form part of the flank wall produces a design which is out of character to and unsympathetic to the setting of the listed building at 117 Church Road.

5.4 Reconsultation has been undertaken in respect of the amended scheme and all representations will be reported to committee by way of addendum report.

## **6. CONSIDERATIONS**

6.1 The principal issues are:-

- (1) Whether the development complies with the land use policies of the UDP and the draft Croydon Plan, and
- (2) The effects of the development on:
  - (a) the character and appearance of the Conservation Area;
  - (b) the impact upon the setting of the adjoining Listed Building
  - (c) the residential amenity of neighbouring property;
  - (d) the residential amenity of future occupiers of the development;
  - (e) parking and transport considerations;

- (f) security; and
- (g) arboricultural considerations.

(1) The principle of development

6.2 The application comprises the loss of an existing commercial use and redevelopment of the site for residential purposes. Although the existing premises is authorised for light industrial use it has been vacant and in a state of semi-dereliction for some 10 years. As the site lies within a District Centre there are no policies requiring the retention of commercial use. The proposal is for a mixed use incorporating residential and commercial uses. Given that an element of commercial use is to be retained and bearing in mind the extensive period of dereliction and the potential detrimental impact of a retained industrial use adjoining a residential property, the principle of development is acceptable. In respect of the proposed uses to which the commercial element is to be put it is considered that given the district centre location consideration could be given to A1, A2 or B1 (office) use controlled through imposition of appropriate planning conditions particularly in respect of times of operation.

(2) The effects of development

(a) Character Issues

6.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Authorities to have special regard for the preservation or enhancement of Conservation Areas. Policy UC5 of the draft Croydon Plan requires that proposals affecting Conservation Areas preserve or enhance the character or appearance of the area, while Policy UC4 requires proposals to respect surrounding development and not adversely affect character through disturbance as might arise from excessive traffic generation, parking or noise. Policy UD2 requires that the detailed design of buildings together with the layout and siting and scale and massing is of a high standard and reinforces local character.

6.4 The original scheme has been amended and has sought reference from the adjoining terraced property in Church Road in respect of height and detailing of elevations through repetition of horizontal rendered banding and window proportions. Crucially the proposed building provides a positive architectural statement when viewed from the southern approaches to Upper Norwood through incorporation of a successful corner and return flank wall treatment along the boundary with the listed building at No 117 Church Road. Given the height of surrounding development it is considered that the scale and massing of the proposal would not be inappropriate As such the proposal both preserves and enhances the Conservation Area and consequently satisfies Policy UC4 of the Second Deposit Draft Croydon Plan.

(b) Impact upon the setting of the Listed Building

6.5 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. The Act requires local planning authorities to have special regard to

certain matters including the desirability of preserving the setting of the building. In respect of the Development Plan, Policy UC8 of the draft Croydon Plan provides criteria for development which affects the setting of a listed building. In this instance the listed building at No 117 Church Road is considered to be of particular importance as it retains its original form and integrity. As the listed building is substantially set back from adjoining properties in Church Road, redevelopment of the adjoining site at No 115 Church Road will consequently have a considerable impact upon the setting of the listed building. In respect of skyline impact the listed building at No 117 is dominated by the much taller locally listed building at No 113 Church Road. The proposed development at No 115 although significantly higher than the listed building at No 117 is itself significantly lower than the existing 5 storey building at No 113. Given that the proposal represents a transition between the extremes of height to either side it is considered that the setting of the listed building is not unacceptably prejudiced by virtue of the massing or height of the proposed development. Although the architectural style of the proposed building is markedly different to that of the listed building the proposal by utilising a contemporary design complies with -- . Trellises have been incorporated into the flank return of the building to soften the impact of development and provide opportunity for green walling. The modernist treatment to the proposed development while contrasting with the traditional form and character of the listed building provides a positive architectural statement and enhances the setting of the listed building. Given that boundary wall treatment and material specification will be controlled through imposition of planning condition it is considered tghat the proposal accords with Policy UC8 of the Second Deposit Draft Croydon Plan and is acceptable in this regard.

(c) Amenity of surrounding properties

- 6.6 In accordance with Policy UD6 of the draft Croydon Plan, new residential development should protect the privacy and amenity of surrounding buildings to ensure that both new and existing occupiers are protected from undue visual intrusion and loss of privacy, have amenity space that respects the character of the surrounding area and takes account of sunlight and daylight amenity for occupiers of adjacent properties.
- 6.7 In respect of privacy, the principal aspect of the development is to the west across Church Road, to the east across Landsdowne Place and across the internal courtyard. There are no overlooking issues in respect of properties on the opposite side of Church Road. Although dwellinghouses on the opposite side of Landsdowne Place are somewhat closer to the development, given the precedent of redevelopment of the adjoining site to the north and by reason of the physical relationship between the proposed development and those properties in Landsdowne Place, overlooking is not an issue. Where appropriate, upper floor courtyard windows have been angled away from the adjoining dwellinghouse at 117 Church Road and can be subject to obscured glazing condition where appropriate. Flank wall fenestration is high level and together with stairwell fenestration can be subject to imposition of further obscure glazing condition. Roof gardens have been amended so that a parapet surround,

prevents direct overlooking of adjoining curtilages. This element can be subject to a planning condition requiring submission of a detailed design and retention of the balcony surround screening. As the proposed development lies directly to the north of 117 Church Road there will be no loss of sunlight to that building. Although there will be a degree of overbearance upon No 117 Church Road it is considered that this is indirect and is offset by the proximity and height of the existing building at No 113. By reason of height, separation and orientation there will be no loss of amenity to the flatted conversion properties lying directly to the north of the site. Highland Lodge is sited to the south and 33m from the closest part of the development. Consequently there is no amenity impact in respect of overlooking, overshadowing, overbearance or loss of outlook to that property. Concern has been expressed by the occupier of Lansdowne Place, on the opposite side of Lansdowne Place and to the North East of the development, that as this property is single aspect, and has been compromised by the recent conversion of the former warehouse at Nos. xx - xx directly opposite, that the development will exacerbate the overshadowing of No

(d) Amenity of future occupiers

- 6.8 Given the district centre location and proximity to public open land at Westow Park which is located on the opposite side of Church Road some 35m to the south west, together with the provision of internal courtyard space and roof gardens, the level of amenity provision is acceptable. The internal layout provides satisfactory circulation space, outlook and daylight levels to habitable rooms in accordance with design standards and the gross floor area of each residential unit is satisfactory.

(e) Parking and Transport

- 6.9 Policy T30 of the draft Croydon Plan states that the Council will restrict the amount of car parking in new development in order to promote sustainable transport choices and reduce the growth in the number of motorised journeys. The site is in an area with a PTAL accessibility rating of 3 (on a scale of 1a-6b, where 6b is the most accessible) as indicated on maps produced by Transport for London. The site is therefore considered moderately accessible to public transport links, being within walking distance of a bus route and rail station. Covered secure cycle parking is provided in accordance with the standard required by Policy T14 of the draft Croydon Plan. One disabled covered car parking space is proposed. A travel plan has been submitted in order to address the issue of insufficient parking. The plan seeks to promote walking and cycling and it is intended to set up a site management office to provide a base for travel information. Although there is to be no dedicated parking for the commercial units this is no different to the situation governing neighbouring commercial premises. Concern has been expressed in respect of visibility splays, sightlines and access to the covered parking area. Given that Lansdowne Place is a one-way street, that access gates can be remote control roller operated and given the presence of existing vehicular access arrangements, it is considered that this aspect of the

application is acceptable subject to the imposition of appropriate planning conditions.

(f) Security

6.10 The proposal is for a secure gated environment in accordance with Policy UD4 and UD2.1 which requires that issues of safety and security are an intrinsic consideration in the detailed design of buildings and the spaces around them.

(g) Arboricultural Considerations

6.11 A number of mature trees are located in close proximity to the southern boundary of the site within adjoining garden curtilages. Although there are no 'specimen' trees, the trees contribute to the amenity of the area and provide a valuable contribution to the surrounding built environment. A tree survey has been submitted in order to mitigate the impact of development on the trees. Although the trees are outside the control of the applicant, a degree of pruning may be necessary where there is canopy overhang. The Tree Officer has commented that the proposed development, given its siting will have a direct impact upon adjacent trees and may result in a degree of shading to the roof garden of the eastern block. The trees do not merit inclusion in a Tree Preservation Order. However imposition of a condition requiring submission of a method statement detailing ground protection measures, storage of materials, service routeing and schedule of proposed tree works is recommended.

## **7. ENVIRONMENTAL CONSIDERATIONS**

7.1 The proposal is unlikely to have a detrimental effect on the amenity of adjacent properties as might arise from noise or pollution. The Council's Specialist Pollution Team has requested an intrusive site investigation in order to assess the presence of any contamination, to be followed by requisite remedial works. This can be addressed through the imposition of a planning condition. The proposal comprises high density residential development within a district centre. The applicant has indicated that in respect of sustainable development the proposal will achieve an Eco-Homes 'Excellent' rating.

## **8. EQUALITIES CONSIDERATIONS**

8.1 Policy H13A states that the Council will encourage all new housing development to be designed, where practicable, in accordance with the concept of 'Lifetime Homes' and for 10% of new accommodation to be designed to be wheelchair accessible or easily adaptable for wheelchair use. In this instance it is considered that the site is unsuitable for wheelchair access provision. The applicant has addressed access within the context of the Design Statement and parking provision is to be made for one disabled parking space. There are no other equal opportunities implications arising from this proposal.

Case Officer Jeff Sadler

Background Documents: Original representations –

- 1) 2 letters of objection received from the management company of Highland Lodge
- 2) 1 letter of objection from the occupier of the Listed Building at 117 Church Road
- 3) 1 letter of objection from the North Croydon Conservation Area Advisory Panel.

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