

Application Number: 05/5166/P; 4-8 Downsview Road, SE19

1. SUMMARY

- 1.1 On 2 March 2006, the Committee resolved to grant full planning permission for the demolition of existing buildings; erection of a two/four storey building comprising a total of 24 two bedroom flats; alterations to the vehicular access and the provision of associated car parking spaces and cycle storage area. A copy of the report to this Committee is attached for information.
- 1.2 The resolution to grant permission was subject to the prior completion of a legal agreement under Section 106 of the Town & Country Planning Act 1990 to cover the occupation of the development for affordable housing, financial contributions towards public open space deficiency and sustainable transport. The applicant now wishes to vary the terms of the legal agreement in relation to affordable housing provision.

2. BACKGROUND

- 2.1 It was originally reported to Committee in paragraph 6.2 that the scheme would be 100% affordable housing. A breakdown of the likely split between shared ownership and social rent accommodation was not provided by the applicant.
- 2.2 Following the drafting of the legal agreement, the applicant has re-assessed the financial implications for this scheme and is now seeking to provide all 24 units on the site as shared ownership. Although 100% of the units would still be provided as affordable none would be socially rented, which has been identified across the Borough as being in greatest need. Nonetheless this would be in accordance with the original report and would be acceptable.
- 2.3 However they would like to include a cascade in the agreement to come into force if either the land price or the build cost proves unviable to provide 100% of the units as affordable. Under the cascade the applicant would provide the following mix of dwellings:
 - 14 – private sale
 - 6 – social rent
 - 4 – intermediate sale (shared ownership)

This mix of dwellings to be provided under the cascade meets the terms of the Affordable Housing Policy. The cascade would ensure that 40% of the units would be provided as affordable, with the balance in favour of socially rented flats.

- 2.4 The applicant has confirmed in writing that there will be no alterations to the physical aspects of the scheme such as layout and parking provision. The application was approved by Committee on 2nd March 2006 for 24 two bed

units with 24 parking spaces. This level of parking provision accords with the Croydon Replacement Unitary Development Plan and is acceptable.

3. RECOMMENDATIONS

- 3.1 It is recommended that the Committee accept this change to enable the Section 106 Agreement to be concluded and the planning permission released.

Case Officer: Michael O'Brien

Background Documents: Applicants letter dated 30/10/06

Contact Officer: Mr. P. Mills 0208 686 4433 (x62922)

05/05166/P

30/11/2005

Upper Norwood

Application for full planning permission

Agent:

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Applicant:

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Location: 4-8 Downsview Road, Upper Norwood, London, SE19

Description: Demolition of existing buildings; erection of a two/four storey building comprising a total of 24 two bedroom flats; alterations to vehicular access, provision of associated car parking spaces and cycle storage area

Drawing No(s): 101 Rev G, 102 Rev J, 103 Rev J

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. 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) vehicle access arrangements

Reason: To ensure an acceptable standard of development having regard to the Policies of the Unitary Development Plan and of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

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

- (1) boundary treatment
- (2) refuse store
- (3) cycle store
- (4) security lighting
- (5) visibility splays
- (6) finished floor levels
- (7) green roofs over parking area, bin and cycle stores

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

3. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 2 shall be provided before any works on site commence and shall be retained for so long as the development

remains in existence.

Reason: To ensure that an acceptable standard of development is provided and retained

4. No works on site shall commence until details of the external facing 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 Policies BE1 and BE13 of the Unitary Development Plan and Policy UD2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

5. No window shall be formed in the following elevation(s) at or above first floor level other than as specified in the application:-

- (1) eastern
- (2) western

Reason: To protect the privacy of adjoining occupiers in accordance with Policy BE17 of the Unitary Development Plan and the Supplementary Planning Guidance Note No.2 on Residential Extensions and Policy UD6 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

6. 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. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development.

Reason: To accord with Policies UD1 and UD18 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

7. 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 energy requirements generated by the development will be achieved by 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 Unitary Development Plan and Policies EP22 and EP23 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

8. A landscaping scheme to include existing and 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 BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary

Development Plan (the Croydon Plan)

9. 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:-

1. The relevant policies of the Unitary Development Plan are SP1, SP2, BE1, BE3 – BE14, BE16 – BE18, BE23, SP9, R015, SP10, SP13, EP8, EP10, SP23, T23, T46, SP30 - SP32, H1, H2, H3, H8, H11 and H18.
2. The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1-SP3, UD1, UD2, UD4, UD5, UD6, UD10, UD11, UD13, UD14, UD18, SP8, SP9, SP11, EP5, EP8 – EP10, EP23, RO15, SP16, T14, T30, T43, SP19 – SP20, SP22, SP24, H1, H2, H3, H4, H8, H13 and H13a.

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 housing policies of the development plan
- (l) sustainability issues
- (m) the recreational open space policies of the development plan
- (n) the open land and outdoor recreation policies of the development plan
- (o) the urban design policies of the development plan
- (p) the nature conservation policies of the development plan
- (q) the environmental protection policies of the development plan
- (r) the transport policies of the development plan
- (s) 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 That this permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

Application Number: 05/5166/P; 4-8 Downsview Road, SE19

1. SUMMARY

- 1.1 This report concerns an application for the demolition of existing buildings; erection of a two/four storey building comprising a total of 24 two bedroom flats; alterations to the vehicular access and the provision of associated car parking spaces and cycle storage area

2. RECOMMENDATIONS

- 2.1 That planning permission be granted subject to the conditions, reasons and informatives set out in the Agenda, and the prior conclusion of a Section 106 legal agreement (relating to the provision of affordable housing and contribution to sustainable transport initiatives and Recreational Open Space).
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3. BACKGROUND

(a) Site Description

- 3.1 The site lies on the western side of Downsview Road. The site has no frontage onto Downsview Road, and is only linked by a shared driveway. The site is almost rectangular in shape with an average depth of 50m, a length of 60m and an overall site area of 0.31 hectares (0.78 acres). The land levels of the site drop from the northern boundary to the southern boundary, by approximately 6m.
- 3.2 The site is currently divided into 2 plots. No. 4 is occupied by a two storey detached dwelling house and No. 8 comprises a detached bungalow. Both properties share a similar front building line which is south facing, and the rear gardens are located to the north of the plot. There is a distance of 15m from the rear wall of No. 4 to the boundary shared with properties on Beulah Hill, and a distance of 18m from No. 8 to the same boundary.
- 3.3 The surrounding area is largely residential in character comprising a variety of different forms of accommodation. To the north and east of the application site are detached dwellings which front onto Beulah Hill and Downsview Road. The south and west are occupied by three storey flatted buildings.
- 3.4 Beulah Hill is a Borough Distributor Road as defined by the Unitary Development Plan and the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan).

(b) Relevant Planning History

- 3.5 04/5177/P – Demolition of existing buildings; erection of 2 three storey buildings comprising a total of 24 two bedroom flats; provision of associated car parking spaces and cycle storage area – Withdrawn 08/12/05
- (c) Proposal
- 3.6 An application for full planning permission has been received for demolition of the existing buildings; erection of a two/four storey building comprising a total of 24 two bedroom flats; alterations to vehicular access, provision of associated car parking spaces and cycle storage area.
- 3.7 The application proposes that the flats would be accommodated within 1 building that would be two storey in height at the flanks, and rise to four storeys in the centre. The building would have an average width of 41m, and depth of approximately 17m. The application is proposing that a large area of land would be excavated in order to sink the building approximately 3m into the slope. The two storey portions of the building would have an elevational height of 5.8m, although from adjoining properties they would appear as only 3m higher than the existing ground level. The four storey portion would sit centrally within the building and have an average width of 21.5m. The highest part of the building would have an elevational height of 11.6m.
- 3.8 The south western corner of the building would be set in 5m from the site boundary, with flat No's 100, 104 and 108 Marston Way located 9m away from the proposed block at their nearest point. The main front wall of the proposed building would be located 19.5m from the southern site boundary, and 36m from the windows of flat No.'s 76, 78, 84, 86, 92 and 94 Marston Way. The building would be set in approximately 15m from the eastern site boundary, with the dwelling at No. 2 Downsview Road located 14m away from the proposed block at its nearest point. The eastern flank wall of the four storey section would be located 23m away from this dwelling at its nearest point.
- 3.9 The ground and first floors would both provide 8 two bed flats, with an identical layout. The smallest flat would provide an internal floor layout of 62.5m², and the largest 77m². The second and third floors would each provide 4 two bed flats with a similar layout. The smallest flat would provide an internal floor layout of 59.5m², and the largest 77m².
- 3.10 Specific materials have not been confirmed although the application suggests that yellow brick and coloured render would be used.
- 3.11 The application proposes that an area of land along the southern boundary would be raised by up to 2m so as to form a new level to provide parking for the proposed flats. A total of 13 car parking spaces would be provided at the front of the site. The remaining 11 spaces would be provided to the eastern side of the building, under a parking shelter with a green roof. Access to the site would be from the existing driveway which links onto Downsview Road. As a result of the raising of the land along the southern elevation of the site, the existing vehicular access is proposed to be widened to 5.8m to accommodate traffic travelling in both directions, as well as service vehicles. The access road leading to the car park is 4.8m wide for the first 15m and widens to 6.5m.
- 3.12 The applicant has submitted a design statement and an environmental performance statement for the development.

4. PLANNING POLICIES

- 4.1 The policies of the Unitary Development Plan, which are of relevance to this application, are SP1, SP2, BE1, BE3 – BE14, BE16 – BE18, BE23, SP9, R015, SP10, SP13, EP8, EP10, SP23, T23, T46, SP30 - SP32, H1, H2, H3, H8, H11 and H18.
- 4.2 The policies of the Second Deposit Draft Croydon Plan which are of relevance to this application are SP1-SP3, UD1, UD2, UD4, UD5, UD6, UD10, UD11, UD13, UD14, UD18, SP8, SP9, SP11, EP5, EP8 – EP10, EP23, RO15, SP16, T14, T30, T43, SP19 – SP20, SP22, SP24, H1, H2, H3, H4, H8, H13 and H13a.

5. CONSULTATIONS

- 5.1 The application was advertised as a Major Application with a press notice.
- 5.2 The occupiers of 53 adjoining and nearby properties were notified of the application. 3 letters and a petition with 98 signatures have been received objecting to the development on the following grounds.
- a) Loss of outlook and privacy
 - b) Loss of security
 - c) Loss of light
 - d) Increased noise and disturbance
 - e) Increased traffic
 - f) Development would be out of character and detrimental to the visual amenity of the locality
 - g) Loss of wildlife
 - h) Detrimental to the safety of the highway
 - i) Increase in lights on the outside of the proposed buildings and in the parking area are likely to cause disturbance to residents of Marston Way
 - j) Increase in noise from the comings and goings of cars

6. CONSIDERATIONS

- 6.1 The principal issues to be considered are:
- (1) The acceptability of the proposed development within the context of the policies of the UDP and the draft Croydon Plan in relation to affordable housing and density;
 - (2) The effect of the proposal on:
 - (a) The character of the area and the visual amenities of the street scene;
 - (b) The amenities and privacy of the occupiers of adjoining residential properties;
 - (c) Parking, traffic and highway conditions in the locality;
 - (3) The amenities of the future residential occupiers;
 - (4) Trees on site;
 - (5) Open Space requirements; and
 - (6) Sustainability Issues.

- 6.2 This proposal being in excess of 15 housing units invokes the requirement for affordable housing expressed in Policy SP32 and H18 of the UDP and Policies SP24 and H13 of the draft Croydon Plan and Supplementary Planning Guidance Note 6 on Affordable Housing. Whilst a requirement of 40% is normally sought for a development of this size the applicant has confirmed that 100% of the proposed development would be provided as affordable housing through a Registered Social Landlord.
- 6.3 Policy H2 of the UDP and H2 of the draft Croydon Plan permit housing development within built up areas provided that it does not conflict with the aims of protecting the character of residential areas and there is no loss of protected uses.
- 6.4 Policy H8 of the UDP states that subject to the overriding requirement that new housing should respect its surroundings, on sites larger than 0.25 hectares (0.6 acres) an acceptable level of density for this type of development would be within a density range of 125 to 250 habitable rooms per hectare. Policy H8 of the draft Croydon Plan increases this density to a range of 160 - 300 habitable rooms per hectare.
- 6.5 The proposed development being on a site in excess of 0.25 hectares (0.6 acres) would result in a density of 232 habitable rooms per hectare. This figure whilst higher than that advised by the UDP accords however with the density set out within the draft Croydon Plan and is therefore acceptable in principle.
- 6.6 With regard to the character of the area, the proposed development would result in an intensification of the use of the site. However, such an intensification of use would be in accordance with Central Government advice as set out in PPG 3. Therefore there should be no objection in principle to the increase in the density subject to the effect which the development would have on the street scene, adjoining occupiers, traffic and parking issues.
- 6.7 As a result of the excavation that is proposed, the four storey portion of the building would not exceed the height of the roof ridge of the existing two storey detached dwelling at No. 4, whilst the second storey of the proposed building would not exceed the ridge height of the existing bungalow at No. 8. The two upper floors of the proposal would measure 23m in width at the widest point. This is comparable with the existing bungalow (20m wide at eaves level). The proposed ground and first storey would measure 42m at the widest point. However the building would be sunk approximately 3m into the slope, and therefore only approximately 3m of the first floor would project above the existing ground level. It is considered that the massing and design of the building would respect that of the other flatted buildings in Marston Way. It is only the top two storeys that would be visible from Downsvie Road and the scale of this portion of the building is very similar to that of the existing buildings. It is not considered that the proposed building would be detrimental to the streetscene or the locality within Marston Way or Downsvie Road
- 6.8 The western two storey flank of the proposed building would be located over 9m from the windows of flat No's 100, 104 and 108 Marston Way. Although the two storey flank wall is almost twice the depth of the bungalow, the eaves level of the bungalow is approximately the same height as the proposed building. The two storey flank building also splays away from the shared boundary, unlike the existing bungalow. It is considered that the western flank building would not be so visually intrusive as to

warrant refusal. Due to the orientation it would also not result in a loss of light for these occupiers of Marston Way.

- 6.9 At its closest point the four storey portion of the building would be located over 33m from flat No.'s 76, 78, 84, 86, 92 and 94 Marston Way. It is considered therefore that there would be no window to window overlooking views created that would result in a loss of privacy. As discussed above, the massing of the proposed building is of a similar height to the existing buildings and therefore not visually intrusive. It is also proposed that the parking area to the front of the building would be extensively grassed and landscaped, preventing visual intrusion. There would also be no loss of light for the occupiers of flats 50 to 96 Marston Way.
- 6.10 There are existing habitable room windows in the western elevation of No. 2 Downsvie Road, which are located 5m from and look directly onto the eastern flank wall of the existing No. 4 Downsvie Road. The proposed roof level of the eastern two storey flank wall would be built to a height comparable with the cill level of the habitable room windows at No. 2 Downsvie Road, with a distance of over 14m separating the two. The eastern flank wall of the four storey section would be located 23m from No. 2 at its nearest point. Therefore when the occupants of No. 2 are stood in the habitable rooms, the nearest wall blocking any view would be over 23m from the window. It is not considered that this would be visually intrusive given that the windows currently look onto a wall 5m away. Accordingly, due to the change in distance the habitable rooms may actually receive more light.
- 6.11 The boundary shared with the properties to the north (No.'s 287, 289 and 291 Beulah Hill) is heavily landscaped. The sectional drawings show that the roof level of the two storey sections would not reach the height of the brow of the hill (roughly the point of the boundary). The four storey sectional drawings show the building would exceed the height of the hill by 6m, although would be located approximately 20m from the boundary. It is considered that this distance combined with the level of landscaping on the boundary would prevent any overlooking views from the flats in the northern elevation towards properties on Beulah Hill.
- 6.12 The parking standards contained within the Unitary Development Plan indicate that 1.2 spaces should be provided for each unit for a Housing Association scheme. The draft Croydon Plan has been prepared in the light of the advice contained in PPG 3 on Housing which encourages local authorities to revise their parking standards to allow for significantly lower levels of off-street parking provision.
- 6.13 The standards within the draft Croydon Plan state that for this type of development a maximum of one car parking space should be provided per unit. The application proposes the provision of 24 car parking spaces. This level of car parking is therefore in accordance with the draft Croydon Plan.
- 6.14 The development provides one access road onto Downsvie Road. Access will be required for service vehicles and the 5.8m wide crossover is acceptable. The access road leading to the site is 4.8m wide for the first 15m and widens to 6.5m. The pedestrian footway on the northern side at 1.2m in width is also acceptable. The level of cycle parking meets the standard set out in the draft Croydon Plan of 1 space per unit. Each bicycle space requires a minimum of 2m x 0.5m plus 0.5m manoeuvring space, as proposed. There are no highway objections to the proposed development.

- 6.15 The Supplementary Planning Guidance Note on Planning Obligations recommends contributions towards Sustainable Transport for residential developments of more than 10 dwellings. These contributions are based on £700 for each 1-2 bed unit which equates to a contribution of £16,800 which the applicant has agreed to meet.
- 6.16 Policy H11 of the UDP requires that new development should have access to either a balcony or sitting out area which is not overlooked from the street or other public areas. Policy UD6 c) of the draft Croydon Plan states that amenity space should respect the character of the surrounding area and provide useable amenity area for residents.
- 6.17 Private amenity space is not proposed for each individual unit. However the development would provide a rear garden over 18m deep in some parts and over 60m wide. Due to the proposed excavation works it is proposed to form a landscaped slope with a 6m deep plateau at the northern boundary. This is considered to be sufficient amenity space for this number of properties.
- 6.18 There are no trees which are considered to be worthy of protection within the site. The plan shows that the boundaries of the plot would be screened from the neighbouring properties by existing planting. A landscaping condition is suggested, should planning permission be granted which would supplement the existing planting and soften the impact of the proposed development.
- 6.19 The site layout of the proposed development would allow for natural surveillance of the communal and parking areas in accordance with the requirements of Policy BE18 of the UDP, Policy UD4 of the draft Croydon Plan and Planning Policy Statement 1 which supersedes Circular 5/94 "Planning Out Crime".
- 6.20 Policies RO15 of the UDP and draft Croydon Plan states that in areas deficient in Recreational Open Space that the Council requires large housing schemes to include open space provision sufficient to meet the demands arising from the proposed development and particular encouragement to the provision of accessible open space. The application site does lie within an area which is deficient in Recreational Open Space, and the applicant has agreed to make the required contribution of £28,238.
- 6.21 Policies UD1 and UD18 of the draft Croydon Plan require applicants for large housing schemes to submit an environmental sustainability statement and in areas well served by public transport developments will be required to achieve an 'Eco Homes Excellent' rating. The applicants have submitted a sustainability/environmental performance statement, and in the information supporting the application they confirm that the preliminary Eco Homes rating would be 'Excellent'.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The requirement of Policy EP23 of the draft Croydon Plan states that 10% of the total energy demand from the development should be met from renewable energy technologies. The applicant has stated that they intend to install a Micro CHP (Combined Heat and Power) system to achieve the 10% requirement.
- 7.2 The proposal results in the development and intensification of previously developed land in accordance with national guidance encouraging the use of brown field sites.

8. EQUALITIES CONSIDERATIONS

- 8.1 The proposed building would not include a lift, however level access would be provided to the ground floor entrances.
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Case Officer: Michael O'Brien

Background Documents: 3 letters from adjoining occupiers, and a petition signed by 98 people objecting to the development

Contact Officer: Philip Mills 020 8760 5419