

Agenda Item **8.2**

Application Number: - 06/1923/P – 10 Tavistock Road, Croydon

1. SUMMARY

- 1.1 On the 7th September 2006, the Committee resolved to grant planning permission for the erection of 2 four/five storey buildings comprising a total of 9 one bedroom and 26 two bedroom flats; formation of vehicular access and provision of 18 parking spaces and cycle stores. A copy of the report to this Committee is attached for information.
 - 1.2 The resolution to grant planning permission was subject to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to cover the occupation of a percentage of the development as affordable housing and financial contributions towards improvement of open space, sustainable transport, health and education.
 - 1.3 The applicants have now requested that the proposed amount of affordable accommodation be reduced to provide a financially viable development.
 - 1.4 Other financial contributions have been reassessed to take into account the changed circumstances.
-

2. RECOMMENDATION

- 2.1 It is recommended that the Committee accept these changes to enable the Section 106 Agreement to be concluded and the planning permission released.

3. BACKGROUND

- 3.1 It was originally reported to Committee in paragraph 3.5 that the scheme would provide 51.4% of the units (46.3% of the habitable rooms) as affordable housing and the applicant agreed to the following contributions;

£41,114 towards Local Open Land.
£24,500 towards Sustainable Transport.
£97,810 contribution towards Health.
£46,964 contribution towards Education.

- 3.2 Following the drafting of the legal agreement, the applicant re-assessed the financial implications for the scheme and stated that the level of affordable housing and contributions required adversely affected its financial viability. The applicant now wishes to vary the terms of the legal agreement in relation to the affordable housing provision and relevant contributions.

- 3.3 The Council has (at the expense of the applicant/developer) engaged an independent financial advisor to thoroughly examine all aspects of the scheme in economic terms. It was assessed by Mouchel Parkman. Their report disagreed with some of the applicants valuation assumptions but, concluded that the scheme could not sustain the quantity of Affordable Housing originally proposed together with the financial contributions whilst retaining a reasonable return for the developer.
- 3.4 Mouchel Parkman has put forward a number of options which reduce the level of affordable housing proposed whilst resulting in a viable scheme. The preferred option proposes that the affordable housing contribution would provide 6 two bedroom flats (2 social rented and 4 shared ownership homes). This equates to 17% of the units and 25% of the habitable rooms.
- 3.5 In terms of the required financial contributions the applicant has also sought to reduce the level of Education and Health contribution required by this development. The required education contribution has been recalculated to reflect the resulting change in tenure and adjusted to allow for the children already living in the Borough and for those attending private and special schools. The payable education contribution has therefore been adjusted and reduced to £28,492 from £46,964.
- 3.6 The Health contribution reported to Committee in September 2007 did not make any adjustments for those residents of the new homes that are likely to be already living within the Borough. The required health contribution has therefore been reduced to reflect this. The required contribution has therefore been reduced to £48,905 from £97,810.
- 3.7 All other financial contributions would remain the same.

Case Officer: Nicola Townsend

Background Documents: Reports by Mouchel Parkman

Contact Officer: Mr. P. Mills 020 8760 5419

Agenda Item: 6.6

This is a Major Application for which the 13 week period expires on 10/09/2006.

06/01923/P 11/06/2006 Fairfield

Application for full planning permission

Agent:
Howard Sharp & Partners Ltd
125 High Street
Sevenoaks
Kent
TN13 1UT

Applicant:
Mr M J Parekh
Wend House
The Wend
Coulsdon Surrey
CR5 2AX

Location: 10 Tavistock Road, Croydon

Description: Erection of 2 four/five storey buildings comprising a total of 9 one bedroom and 26 two bedroom flats; Formation of vehicular access and provision of 18 parking spaces and cycle stores

Drawing No(s): 2240-001 Rev C, 002 Rev A, 003 Rev A

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 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) vehicular turning area
 - (3) visibility splays
 - (4) garden and communal areas
 - (5) vehicular access and drive

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

2. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters:-
 - Section A
 - (1) sight lines
 - (2) refuse collection facilities
 - (3) cycle storage areas
 - Section B
 - (4) any boundary walls and fences or other means of enclosing the site
 - (5) finished floor levels of the building(s) in relation to existing and proposed site levels
 - (6) roads, footpaths and access routes within the site including levels and gradients

(7) security lighting to parking area.

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

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 Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

5. Prior to the commencement of the development, a hard and soft landscaping scheme to include existing and proposed planting shall be submitted to and approved by the Local Planning Authority; the approved 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 Croydon Replacement Unitary Development Plan (The Croydon Plan)

6. 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)

7. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes 2006 report that achieves 'Excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.

Reason: To accord with Policies UD1-3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

8. The windows in the northern elevation of Block A shall be retained in the form specified in the application for so long as the development remains in existence
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Supplementary Planning Guidance Note No.2 on Residential Extensions

9. Prior to the commencement of works on the site including those for drainage and foundations, details of the proposed construction method for the accessway and hardstanding area adjacent to the western boundary of the site shall be submitted for approval to the Local Planning Authority. The proposed construction method shall comply with British Standard 5837:2005. The approved details shall be implemented and retained for as long as the development remains in existence.

Reason: To ensure that the trees located on the adjoining site that are protected by a Tree Preservation Order are not damaged by construction and associated works in accordance with Policies UD14 and NC4 of the Croydon Replacement Unitary Development Plan (the Croydon Plan)

10. Before the development is begun a report of historical uses of the site shall be carried out to the approval of the Local Planning Authority, to provide an assessment into the possibility of soil contamination.

If the report indicates the possibility of soil contamination 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)

11. Plans of the new street including levels, gradients, surface water drainage and construction shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development; the foundation of the carriageway shall be constructed in accordance with the approved details prior to the commencement of other building operations unless otherwise agreed in writing by the Local Planning Authority; no part of the development shall be occupied until the approved details have been fully

implemented

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

12. Details of the design and siting of the proposed solar water heaters to the roof of the building shall be submitted for approval to the Local Planning Authority. The approved equipment shall be installed prior to the occupation of the building and shall there after be permanently retained.

Reason: To comply with Policies UD1 and EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

13. 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 Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1 - SP3, UD1 – UD3, UD6 – UD8, UD12 – UD16, SP7, R012, SP8, NC4, SP9, SP10, EP1 – EP4, EP16, Sp14, T2 – T4, T8, SP17 – SP18, SP20, SP22, H2,- H5, H9, H10, H13, H14, LR3, SP27 and CS2.

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

and having regard to all other matters raised.

Informative(s) :-

- 1 That this permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 2 Your attention is drawn to the provisions of Part M of the Building Regulations 2000 in relation to disabled access
- 3 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.

Application Number: - 061923/P – 10 Tavistock Road, Croydon

1. SUMMARY

1.1 Full application for :

- Demolition of existing buildings
- Erection of 2 four/five storey buildings comprising 9 one bedroom and 26 two bedroom flats
- 18 parking spaces/31 secure cycle bays.

2. RECOMMENDATION

2.1 Grant: subject to conditions and prior conclusion of legal agreement to secure:

- Affordable Housing
 - Financial contributions to improvement of public open space, sustainable transport, public art, health and education.
-

3. BACKGROUND

3.1 Site Description

- Occupied by 2 buildings. The front building is single storey and was previously used for educational purposes. The rear building is 1.5 storeys high and was previously used as a Judo Club.
- Site area is 0.23ha and (0.57 acres).

3.2 Surrounding Area

Uses/Form:- Mainly residential in character.

- To the north, east and west are 4 and 5 storey flatted developments
- To the south are 2 storey terrace properties and buildings within the boundary of the Territorial Army Centre on Sydenham Road.

3.3 Designations

- Area designated as suitable for High Density
- Opposite to an area of Local Open Land
- Adjacent to a UDP Listed Building and Local Open land

3.4 Relevant history

- 03/01224/P; Outline Planning permission was granted for the erection of a four storey building comprising 12 two bedroom flats and a terrace of 4 three storey four

bedroom houses; formation of vehicular access road and provision of 16 car parking spaces. This permission has not been implemented but remains extant.

- 04/01038/P; In November 2005 the Development Control Committee resolved to grant planning permission for the erection of 2 three/four storey buildings comprising a total of 25 two bedroom and 1 one bedroom flats; formation of vehicular access, provision of associated parking and 13 parking spaces and cycle stores. As yet the Section 106 agreement for this application has not been completed.

115 Sydenham Road

- 04/2333/P; In April 2005 Planning Permission was granted for Demolition of existing building; erection of four storey building with accommodation in roofspace comprising 41 flats; formation of vehicular access and provision of associated car and cycle parking spaces. This permission has been implemented.

3.5 Proposal

Full permission is sought for:

- 2 four/five storey buildings.
- Maximum height 15.4m
- Includes communal green space, landscaping and balconies.
- Facing materials include brick and render and a steel roof.
- 35 flats – 9 one bedroom units and 26 two bedroom units
- 51.4% of the units (46.3% of the habitable rooms) would be provided as Affordable
- 18 parking spaces
- Applicant Agrees to:

£41 114 contribution towards Local Open Space

£24 500 contribution towards Sustainable Transport

£97 810 contribution towards Health

£46 964 contribution towards Education

Contribute 1% of development costs towards Public Art

3.6 The application has been amended during the course of its consideration to include;

- Reduction in the size of the footprint of Block A
- Reduction the footprint of Block B
- Revised turning head layout
- Amended car parking layout
- Amended bicycle and bin store facilities
- Increase in the number of Affordable Housing units
- Confirmation of the site boundary
- Submission of an Eco Homes 2006 Preliminary Assessment

4 PLANNING POLICIES:

- Unitary Development Plan : SP1 - SP3, UD1 – UD3, UD6 – UD8, UD12 – UD16, SP7, R012, SP8, NC4, SP9, SP10, EP1 – EP4, EP16, Sp14, T2 – T4, T8, SP17 – SP18, SP20, SP22, H2, - H5, H9, H10, H13, H14, LR3, SP27 and CS2.
- SPG's: Supplementary Planning Guidance Note 6 on Affordable Housing, SPG Note 10 Designing for Accessibility, 15 Renewable Energy, Note 19 Public Art and Planning Guidance Note 1 on Planning Obligations.

5. CONSULTATIONS

5.1 Advertised: press as a major application.

5.2 137 adjacent occupiers notified. 3 replies.

5.3 Main grounds of objection:

- a. Loss of privacy to future occupiers of 115 Sydenham Road
- b. Noise and disturbance
- c. Loss of light
- d. The boundary adjacent to 8c Tavistock Road is incorrectly shown
- e. A building is shown as being located on MOD land
- f. Loss of trees
- g. There are restrictive covenants on the site which prevent buildings being sited within 5 feet of the TAVRA garage.
- h. The layout of the site is more open than at present. The MOD should be satisfied that this does not increase the threat to the security of the adjacent Territorial Site. Boundary treatment should be improved to ensure security.
- i. The buildings are 1 storey higher than the majority of surrounding flatted buildings.
- j. Insufficient car parking provision.
- k. Due to TPO trees the access road should be provided as shown on the submitted plans
- l. The building is close to the eastern boundary of the site which may prevent further parking provision being provided at 12 Tavistock Road.

5.4 1 letter of support has been received commenting:

- a. Sound and Aesthetic proposal.
- b. Design would complement Tavistock Road.
- c. The proposal takes into account the trees subject to a TPO
- d. Obscure glazing would prevent overlooking to the flats at Cavendish House.
- e. The site is currently an eyesore.

5.5 Croydon Crime Prevention Design Advisor has commented:

- a. A safety and security statement has not been provided
- b. Suitable lighting should be incorporated into the design of the scheme
- c. secure cycle area should be robust, well lit and in a prominent position.
- d. A clear area of defensible space should be provided whilst maintaining good natural surveillance.
- e. Car parking area should be well lit and therefore should be good natural surveillance of pedestrians and other users.
- f. If the gates are automatic they will need control to prevent casual access.
- g. Parking bays 10 – 17 are offered limited natural surveillance. This could be improved by placing a window in the living room of block B.

6. CONSIDERATIONS

Use policies

- 6.1 The principle of change of use to residential is has already been established by planning permissions 03/4194/P and 04/1038/P. The development would have a density of 171.9 habitable rooms per hectare which would be within the required density range of 160 - 300.
- 6.2 The development would provide 18 affordable housing units comprising 51.4% of the units and 46.3% of the total number of habitable rooms. The tenure of the accommodation (35% social rented and 15% shared ownership/intermediate) would comply with the requirements of Policy H13 and Supplementary Planning Guidance Note 6 on Affordable Housing.
- 6.3 Due to its size the development would generate a need for public open space that cannot be provided on site. The applicants offered contribution to the improvement to existing areas of public open space or the provision of new open space in the locality, is acceptable. It would be in accordance with Planning Guidance Note No 1
- 6.4 The development would generate a need for additional Health/Education/Sustainable Transport services. The applicants offered contributions of £97 810, £46 964 and £24 500 respectively would be acceptable and in accordance with Planning Guidance Note No 1.

Townscape issues

- 6.5 The proposed four/ five storey buildings would not be out of keeping with the pattern and scale of development in the locality. Such buildings exist along Tavistock Road. Furthermore, a new part 4/5 storey 41 flat residential building has been constructed to the east of the site at 115 Sydenham Road.
- 6.6 The buildings would be of a similar design to those granted planning permission under planning permission 04/1038/P and would be of an acceptable design.

Amenities of adjoining and nearby occupiers

- 6.7 The flank wall of Block A would be located 13.6m from the flank wall of Cavendish House at 12 Tavistock Road. This is a similar distance to that proposed by the earlier planning application 04/1038/P. Block A would not therefore have an unacceptable effect on the amenities of the occupiers of this building. Number 8c Tavistock Road, a two storey end of terrace dwelling house adjoins the southern boundary of the application site. Block A would be 4m from the northern elevation of this end of terrace dwelling house. The rear building line of Block A has been designed to ensure that it would not project beyond the rear building line of this adjoining property. The siting of Block A would ensure that Block A would not appear as an overly dominant or overbearing structure when viewed from the adjoining residential property.
- 6.8 There would be a distance of 36-37m between the rear of Block B and 115 Sydenham Road. This is considered a satisfactory separation distance between the two buildings to ensure an acceptable level of amenity for the future residents of both developments.

- 6.9 There would be a distance of 30m between Block B and the rear elevation of the flats at Cavendish House (12 Tavistock Road) and a distance of 27m between this building and the rear of 8C Tavistock Road. It is considered that these distances are sufficient to ensure that this building does not result in unacceptable levels of overlooking to these adjoining occupiers.

Amenities of future occupiers

- 6.10 The proposed one bedroom flats would have a GIA of between 45m² and 61m² and the proposed two bedroom flats would have a GIA of between 65m² and 96m². The Council does not have policies which set out minimum standards for new residential units but it does aim to ensure that new residential developments provide an acceptable standard of accommodation for future occupiers. The size and layout of the proposed flats are considered to be of an acceptable size and stacking.
- 6.11 The application proposes that a landscaped shared amenity space would be provided and the majority of the flats would have a private balcony or small garden area. The proposal provides sufficient amenity space to meet the demands arising from the development.

Security

- 6.12 The proposed car park would be overlooked and development would be reasonably secure with regard to designing out crime. Furthermore, the layout and Planning Statement have been amended to take into account the comments made by the Crime Prevention Design Advisor (see para. 5.5)

Highways and parking

- 6.13 The access arrangements into the site and sight lines are acceptable. Good local public transport links and the proximity of the site to Central Croydon makes the proposed 50% parking provision acceptable. The level of parking proposed is equal to that permitted by planning application 04/1038/P. Cycle parking at a ratio of 88.5% is acceptable.

Trees

- 6.14 The siting of the proposed building and the access road are similar to that proposed by planning application 04/1038/P. The trees within the boundary of Cavendish House at the northern end of the site, which are the subject of a Tree Preservation Order would not be harmed by the proposed development, subject to the proposed accessway and hard standing within the proximity of these trees being constructed in accordance with accepted arboricultural practices. A condition of planning permission requiring such is recommended.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal would attain:
- BREEAM/Eco Homes “Excellent” rating, which is acceptable.
 - 10% renewable energy to be secured via condition which is acceptable

8. EQUALITIES CONSIDERATIONS

8.1 The proposal would attain:

- 2 disabled person's car parking spaces
- Level Access would be secured under the Building Regulations
- Both the buildings would be served by lifts. There are no other equal opportunities implications arising from this proposal.

Case Officer: Nicola Townsend

Background Documents: 4 letters from adjoining occupiers
1 letter from the Crime Prevention Design Advisor

Contact Officer: Phil Mills 020 8760 5419