

Agenda Item: 6.3

This is a Major Application for which the 13 week period expires on 15/08/2008.

08/01754/P 16/05/2008 Woodside

Application for full planning permission

Applicant:

Mr Ivan Bateman
St Aidans Developments
2 Leathermarket Street
Bermondsey
London
SE1 3HN

Location: 48-50 Portland Road, South Norwood, London, SE25

Description: Erection of 1 four storey building comprising use as business centre on ground floor and 7 two bedroom and 1 one bedroom flats over; erection of 1 two bedroom, 3 three bedroom and 6 four bedroom houses; formation of vehicular access from Farley Place and provision of associated parking

Drawing No(s): 010 B PP10, 09, 08, 07, 06, 05, 04, 03, 02, 01, 010 PE 01

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. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters:-
 - (1) boundary treatment
 - (2) external security lighting
 - (3) vehicular access gates
 - (4) cycle parking
 - (5) refuse collection facilities

Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon 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 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 having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
3. No works on site shall commence until details of parking arrangements comprising 14 spaces 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)
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. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Such details shall include existing planting to be retained, species and size of proposed new planting, hard landscaping materials (which shall be permeable as appropriate), and all boundary treatment within and around the development. The approved details 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. All planting 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 Policies UD1, UD2, UD6, UD13 and UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
6. 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)

7. No window shall be provided in the southern elevation of unit 1
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 Document No 2 on Residential Extensions and Alterations
8. Unless otherwise previously agreed by the Local Planning Authority in writing no development shall take place until the applicant has provided to the Local Planning Authority for approval a design stage report, verified by a Code for Sustainable Homes assessor, confirming that the design will achieve Code for Sustainable Homes Level 4. The approved scheme shall then be provided in accordance with these details. Prior to the first occupation of the development, the developer will provide a report and certification, confirming that Code for Sustainable Homes Level 4 has been achieved in construction.
Reason: To accord with Policies UD1-3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
9. 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. If such requirements are to be provided by means of a

biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply 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)

10. 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)

11. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no enlargement of the dwelling (including the erection or enlargement of a garage or any other building or enclosure within the curtilage of the dwelling) shall be carried out without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

12. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no window shall be inserted or constructed in the roof of the development without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

13. Unless otherwise previously agreed by the Local Planning Authority in writing the dwellings designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users shall be provided as specified in the application and shall be retained as such for so long as the development remains in existence.

Reason: To ensure that an acceptable standard of flexible and adaptable housing is provided and retained in accordance with Policy H14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

14. Unless otherwise previously agreed by the Local Planning Authority in writing all the dwellings shall be provided in conformity to "Lifetime Homes" standards as specified in the application and shall be retained as such for so long as the development remains in existence.

Reason: To ensure that an acceptable standard of flexible and adaptable housing is provided and retained in accordance with Policy H14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

15. 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, UD2, UD3, UD6, UD7, UD8, UD12, UD13, UD14, UD15, EP1, EP16, T4, T8, T11, H2, H5, H13, H14, EM5 and CS1.

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) sustainability issues
- (p) the urban design policies of the development plan
- (q) the environmental protection policies of the development plan
- (r) the transport policies of the development plan
- (s) the community services policies of the development plan
- (t) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised.

08/01754/P – 48-50 Portland Road, South Norwood

1. SUMMARY

- 1.1 This application is seeking full planning permission for the erection of 1 three storey building comprising use as business centre on ground floor and 7 two bedroom and 1 one bedroom flats over; erection of 1 two bedroom, 3 three bedroom and 6 four bedroom houses; formation of vehicular access from Farley Place and provision of associated parking

2. RECOMMENDATION

- 2.1 Grant planning permission subject to the conditions and reasons set out in the agenda and the prior completion of a s.106 agreement.
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3. BACKGROUND

(a) Site Description

3.1 Site Description

- The site area is 0.22ha
- The site is located on the south western side of Portland Road comprising of a mix of retail, industrial, community and office buildings.
- The buildings within the site have been vacant for some time and many of the buildings are in a poor state of repair
- The site is bounded by Portland Road, Farley Place, Clifford Road and Crowther Road
- There are no trees existing on site of any value.

3.2 Surrounding Area

- The site lies adjacent to the extended South Norwood Conservation Area.
- Portland Road comprises a mix of retail and residential at the ground floor and residential properties above
- To the north west of the site lies the Socochetta Community Centre
- Farley Place, Crowther Road and Clifford Road surrounding the site comprise primarily two storey residential properties

3.3 Designations

- Area of High Density
- Portland Road is a London Distributor Road

Relevant History

3.4 06/5215/P – An application for full planning permission was refused on 13/02/2007 for the erection of 2 three storey buildings comprising 3 three bedroom, 4 two bedroom and 2 one bedroom flats; formation of vehicular access from Farley Place and provision of associated parking.

07/2354/P – An application for outline planning permission was granted on 12/03/2008 for demolition of existing buildings; erection of 1 three storey building comprising 8 two bedroom and 1 one bedroom flats and 4 two bedroom; 3 three bedroom, 1 four bedroom and 1 five bedroom houses; formation of vehicular access from Farley Place and provision of associated parking. Permission remains extant.

3.5 Proposal

Full permission is sought for;

- Demolition of existing buildings; erection of 1 four storey building comprising use as business centre on ground floor 7 two bedroom and 1 one bedroom flats over. Erection of 1 two bedroom; 3 three bedroom and 6 four bedroom houses; formation of vehicular access from Farley Place and provision of associated parking.
- The scheme comprises 3 separate blocks:-
 - Block A comprises a block of two 3 and two 4 bedroom terraced houses and would be located to the rear of the site each with private gardens.
 - Block B comprises one 2, one 3 and four 4 bedroom terraced houses and would be located in the middle of the site. Each would have defensible private garden space and a larger shared amenity area (330m²).
 - Block C fronts onto Portland road and comprised of a mix of uses. The ground floor would comprise a 241m² commercial unit and the upper floors would provide 7 two bedroom and 1 one bedroom flats. All flats except 2 would be provided with private balconies.
- The ground floor commercial unit would be provided to the Council and used as part of the larger Portland Road Business Centre.
- Formation of vehicular access onto Farley Place
- Provision of off-street parking area
- Design & Access Statement, Environmental Performance Statement and Transport Statements have been submitted

4. PLANNING POLICIES

- 4.1 The policies of the Croydon Replacement Unitary Development Plan which are of relevance to this application are SP1 – SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD12, UD13, UD14, UD15, EP1, EP16, T4, T8, T11, H2, H5, H13, H14, EM5, CS1. Planning Guidance Note No. 1 on Planning Obligations and Supplementary Planning Guidance Note No. 6 on Affordable Housing are also relevant.

5. CONSULTATIONS

- 5.1 The application has been advertised on site and in the local press.
- 5.2 The occupiers of 102 adjoining and nearby properties have been notified of the application. One letter of representation has been received objecting to the application on the following grounds:-
- Loss of privacy
 - Potential loss of trees

6. CONSIDERATIONS

- 6.1 The principal considerations are:
1. a) Whether the principle of development would be in accordance with the Development Plan Policies;
 - b) The effect of the proposal on the visual amenities of the locality and whether it will be detrimental to the appearance of the streetscene;
 - c) The effect of the proposal on the residential amenities of the nearby occupiers by reason of its form and siting;
 - d) The impact on parking and highways conditions;
 3. The living conditions for future occupiers;
 4. Planning obligations; and
 5. Sustainability Issues.
- 6.2 Principle of the Development
Policy H2 of the Croydon Replacement Unitary Development Plan (Croydon Plan) permits 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 other protected uses.

- 6.3 Policy EM5 of the Croydon Plan states that “outside Employment Areas, Croydon Metropolitan Centre and Town, District and Local Centres shown on the proposals map, the development for other uses of sites or premises in, or last used for, employment uses will not be permitted unless:
- (i) the existing use materially harms residential amenity; or
 - (ii) it has been demonstrated that there is no demand for an appropriate alternative employment use; and
 - (iii) the proposal is for housing or a community use; and
 - (iv) the proposed use would not prejudice the continued use of adjacent employment sites.”
- 6.4 The first issue is whether the former employment use or the commencement of an alternative employment use would harm residential amenity. Access to the site is via a residential street and the majority of the sites’ boundaries are shared with residential properties. The degree of harm to residential amenity would depend on the nature of employment activities, noise from activities and disturbance from traffic for example.
- 6.5 The previous application contained further information to suggest that an alternative employment generating use would be harmful to residential amenity particularly in Farley Place. The applicants also submitted evidence in relation to the marketing of the site. The site has been vacant for between 5 to 10 years and is in a poor state of repair which causes some harm to residential amenity. Furthermore, it is only the central part of the site that is strictly subject to policy EM5 and the only access to this is via Farley Place. However on this particular application it is also worth weighing up the contribution that the business centre would make to local employment opportunities in the area. The loss of employment use was considered acceptable.
- Density
- 6.6 The plot measures 0.22ha based on the definition of ‘net residential area’ given in the Croydon Plan. This definition is used for calculating residential density. The proposed building would provide 68 habitable rooms, and therefore the proposal would have a residential density of 309 habitable rooms per hectare. Policy H9 sets an upper density limit of 300hrh for sites larger than 0.25ha; density does not therefore need to be formally considered. However Policy H10 permits proposals for residential development at densities higher than those specified in H9 on appropriate sites in areas of high accessibility to services and public transport. The site is located adjacent to a District Centre, and in an area

with a PTAL rating of 4. It is considered that this is an acceptable location for a residential density of 309hrh.

Appearance

- 6.7 The development is formed of 3 main parts. A 2 storey residential development to the rear of the site which is accessed from Farley Place (Block A); a 3 storey residential block in the middle of the site (Block B); and a mixed use 4 storey development which fronts onto Portland Road (Block C). Block A to the rear has a similar layout to the outline scheme that was approved (07/02354/P). However the underground car park has been removed and provided above ground adjacent to No. 7 Farley Place. The semi-detached property that was previously located in this position has been moved to the south west corner of the site to provide a row of 4 terraced properties. The terraced properties would be constructed of similar materials to the properties in Farley Place (cream render and slate tiles) and certain elements of the design have carried through. The proposal would not impact negatively on the appearance of Farley Place.
- 6.8 A further change to the previous approval is the addition of a recessed second floor to Block B. The second floor would be set back 1m from the front building line and would relate well to the approved 2 storey building. The 2 storey element would be constructed of brick and render and the second storey would be flat roofed and covered in terne-coated stainless steel. The appearance of Block B would enhance the appearance of the locality.
- 6.9 The design of Block C has been altered since the last proposal. The ground floor would provide a commercial unit and an additional recessed third floor has been added to the roof. The design been altered further during the course of the application. The Juliette balconies and wooden screens have been replaced with features that better respect the locality given that the properties on the opposite side of Portland Road are within a Conservation Area. These changes include soldier coursing above the first floor windows, shortening some of the windows, providing a more defined parapet line and raising the fascia position. The appearance of the Block C would fit comfortably within the streetscene of Portland Road.

Amenity Issues

- 6.10 Separation distances between the proposed buildings and the existing neighbouring dwellings were considered on the previous approval and deemed acceptable. The expanded Block A has moved closer to properties fronting Crowther Road, however the distance between habitable room windows and blank flank wall of the new development exceeds 16m which the required standard. The additional floor added to

Block B is located 30m from the rear of dwellings on Crowther Road and 14m from the rear of properties fronting Farley Place. This distance is below the required standard, however the previous scheme was approved with a pitched roof which is only marginally smaller than the current proposal. Also of relevance is that the environment for the occupiers of No. 7 Farley Place would be hugely improved by the development. These distances are therefore considered acceptable.

- 6.11 The proposed Block C building would not project beyond the rear of adjoining properties at 46 and 52 Portland Road and would thereby not result in loss of light or visual intrusion for neighbouring occupiers.
- 6.12 The car park area is located adjacent to No. 7 Farley Place. The applicant has agreed with the occupiers of No. 7 that the existing two storey building on this location would be replaced with a boundary wall to prevent any noise and disturbance caused by the car park area. The proposal would not have a detrimental impact on the amenities of adjoining occupiers.

Parking and Highways

- 6.13 The car parking standards described in the Croydon Plan require a maximum of 1 space to be provided per flat and 1.5 parking spaces per terraced dwelling, equating to a total of 23 spaces. The applicant proposes 18 parking spaces on-site which equates to 78% of the required car parking standard. Taking the location and the PTAL rating of 4, this level of parking would be acceptable. However the size of the spaces shown on the drawings and the manoeuvring space are considered unacceptable. Officers would be willing to accept a minimum provision of 14 parking spaces (1 space per terraced dwelling and 0.5 per flat) with 2 allocated as disabled spaces. The provision of an acceptable parking layout is achievable and a planning condition to secure this is suggested.

Standard of Accommodation

- 6.14 All dwellings would be of acceptable size and have satisfactory circulation space, levels of natural lighting and outlook. Each dwelling within Block A would have a private garden area 10m in length. The dwellings within Block B would have a private defensible space to the front as well as a shared garden. Of the 8 flats within Block C, 6 would have a balcony area and only 2 flats would have no private amenity space. Given site constraints and District Centre location, this is considered acceptable subject to a requirement to provide a financial contribution of £9,000 towards Local Park deficiency in accordance with Policy RO12, to be secured by means of S106 legal agreement.

Planning obligations

- 6.15 Contributions towards Health (£22,000) and additional book stocks (£320) have also been sought. The applicants have confirmed that they would be willing to offer the above contributions. The applicant has agreed to a contribution of £15,300 towards sustainable transport, which would be secured via a Section 106 legal agreement.

Affordable Housing

- 6.16 This proposal being in excess of 14 housing units invokes the requirement for affordable housing expressed in Policy H13 of the Croydon Plan. A requirement of 40% is normally sought for a development of this size. The applicant is proposing a package whereby the affordable housing provision on this site be substituted for the 241m² ground floor commercial unit which would be provided to the Council on a 125 year peppercorn rent. However 36 rooms (40% of the 91 habitable rooms proposed at Victory Place) of the 68 habitable rooms would be provided for affordable units as part of an off-site provision of the affordable housing from Victory Place (08/1755/P). It is proposed that the units within Block C would be the location for the affordable housing. Given the importance of the Portland Road Business Centre to the local employment opportunities the exchange of affordable housing for the ground floor commercial unit is acceptable in this instance.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The requirement of Policy EP16 of the CRUDP states that the Council will require residential development comprising 10 or more units to incorporate renewable energy production equipment to off-set at least 10% of the predicted carbon emissions. The applicant has stated that they intend to use a variety of different methods to achieve the 10% requirement.
- 7.2 Policy UD1 of the CRUDP requires applicants for large housing schemes to submit an environmental performance statement. The applicants have submitted an environmental performance statement, and in the information supporting the application they confirm that Level 3 Code for Sustainable Homes can be achieved but not Level 4.

8. EQUALITIES CONSIDERATIONS

- 8.1 The scheme has been designed to achieve Lifetime Homes Standards and the internal spaces including access corridors, lifts and doors allow adequate space for wheelchair users. Two parking spaces would be for disabled persons' use. One house and one flat have been designed to Full Wheelchair Accessibility standards.
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Background Documents One letter of objection
Case Officer: Michael O'Brien
Contact Officer: Mr P Mills Tel: 020 8760 5419