

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 21/01297/FUL
 Location: Land R/O 58 - 60 Westow Hill And Land Rear Of 62 Westow Hill.
 Ward: Crystal Palace and Upper Norwood.
 Description: Demolition of existing rear ancillary storage building to former Plumbase store, erection of a three storey building comprising 1 three bedroom flat and 4 one bedroom flats, provision of associated amenity space, refuse storage and cycle storage.
 Drawing Nos: 60WHRL 200 ELN REV 1 ; 60WHRL 200 ELS REV 1 ; 200 GA 00 REV 2 ; 200 REV 3 ; 300 CAA 01 REV 2 ; 300 CAA 02 REV 2 ; 60WHRL (location plan) ; 60WHRL (site plan) ; 100 ELE ; 100 GA 00 ; 100 ELN ; 100 GA R ; 100 ELS ; 100 ELW ; 200 ELE ; 200 GA 01 ; 200 GA R ; 200 GA 02 ; 300 VW ; 200 ELW ; 200 SC.
 Applicant: Antic London.
 Case Officer: D Gibson.

Residential Accommodation

	1 bedroom/1Person	3 Bedroom/6 Person	Total
Existing	0	0	0
Proposed Market Housing	4	1	5
Total Proposed	4	1	5

Car Parking and Cycle Storage Provision

Car Parking Spaces	0
Cycle Spaces	10

- 1.1 This application is being reported to Planning Committee in accordance with the following committee consideration criteria:
- Objections above the threshold in the Committee Consideration Criteria.
 - Referral (objection) from Councillor Stephen Mann.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission subject to the completion of a legal agreement to secure the following:
- Restriction of residents parking permits in Controlled Parking Zone.
 - Monitoring fees as appropriate.

2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to issue a Grant of planning permission subject to the following conditions and informatives :-

1. Development to be implemented within three years.
2. In accordance with the approved plans.

Pre-Commencement Conditions

3. Submission of environmental and historical site review for contaminated land for approval prior to commencement of demolition/construction works and any remedial works to be undertaken as necessary.
4. Submission of detailed Construction Logistics Plan for approval prior to commencement of demolition/construction works.
5. Implementation of (prior to demolition and construction works) and adherence to actionable measures of arboricultural report and specified tree protection measures set out in submitted arboricultural report.

Pre-Commencement Conditions Except for Demolition and Below Slab Level Works.

6. Full details of external facing materials.
7. Full details of soft and hard landscaping, including new tree planting details and biodiversity enhancements, and boundary treatment to be submitted for approval and retained as appropriate thereafter.
8. Finished Floor Levels.
9. Submission of SUDs scheme for approval.

Pre-Occupation Conditions

10. Following details to be submitted to Council for approval and prior to first occupation of dwellings : security lighting (siting/manufacturer) ; cycle storage appearance. Once approved, items listed to be implemented and retained as such.
11. Refuse storage management plan. Once approved, refuse storage management plan to be implemented and retained as such.
12. Following to be provided as specified in application prior to first occupation of new dwellings : refuse storage areas.
13. Development to meet energy efficiency/carbon reduction targets as appropriate.
14. Provision of Green Roofs to flat roof areas with details to be submitted to Council for approval, and Green Roof areas to be implemented and retained as such.
15. Submission of a full Delivery and Servicing plan.
16. Provision of a gated access to the communal garden area and submission of its siting and design details to the Council for its written approval. Gate to be implemented and retained thereafter.

Compliance Conditions

17. Development to meet 105 litre per person/day water use target.
18. Window design to protect adjacent residential amenity to be provided to flank elevations as specified and retained as such thereafter.
19. Flat roof area not to be used as roof terraces or similar.

20. All dwellings to meet accessibility standards as appropriate.
21. Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration.

- 2.3 That, if within 3 months of the issue of a draft planning permission decision notice, the legal agreement to secure the restriction of residents parking permits has not been completed, the Director of Planning and Sustainable Regeneration has delegated authority to refuse planning permission.

Informatives

1. Granted subject to a Legal Agreement
2. Community Infrastructure Levy
3. Code of practice for Construction Sites
4. Compliance with Building/Fire Regulations
5. Asbestos (if present) to be removed by specialist contractor.
6. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.

3.0 PROPOSAL AND LOCATION DETAILS

- 3.1 The proposal is an application for full planning permission:

- 3.2 The proposal includes the following:

- Demolition of the existing ancillary warehouse building.
- Erection of a terrace of 3 storey building comprising 5 flats. These are 1 three bedroom flat, and 4 one bedroom flats.
- Provision of associated covered cycle storage for residents and covered refuse storage for residents.
- Provision of separate communal garden space behind 62 Westow Hill.

Site and Surroundings

- 3.3 The site comprises two separated land parcels. The principle land parcel of comprises a vacant and ancillary double-height warehouse building to the rear of a three storey building facing at 58/60 Westow Hill. It was previously ancillary to a plumbing merchant shop (Plumbase) that occupied the ground floor of 58/60 Westow Hill, however, the ground floor of that building is now occupied by a Public House (Coopers). The upper two floors of the building are in use as self-contained flats. To the rear (south) of the warehouse are the back gardens of two storey houses in Brunel Close and there are some trees at the end of those rear gardens. To the west is a car park/servicing yard associated to retail uses on Westow Hill. To the east is hardstanding serving a four storey block of flats facing St Aubyn's Road. To the east there are 4 trees adjacent to the hardstanding (all within the grounds of the St. Aubyn's Road flats) and some of the canopy extends across the hardstanding close to the existing warehouse. The warehouse is accessed via a former vehicle access, now a pedestrian access only, between 58/60 Westow Hill and 62 Westow Hill.
- 3.4 The second land parcel behind 62 Westow Hill comprises a redundant hardstanding that used to serve as off-street parking for the former Plumbase

shop and it is accessed via the former vehicle access (now pedestrian access only) between 58/60 and 62 Westow Hill. It is bounded to the north by the rear elevation of a three storey building (62 Westow Hill) which has a shop and ground floor and flats above it. To the east, it is bounded by a high boundary wall separating the land from the rear yard of a ground floor shop at 64 Westow Hill. To the south, the land parcel is abutted by the flank wall of a recently built two storey dwellinghouse behind 60-64 Westow Hill which was granted planning permission under Ref: 15/05753/P and which is accessed from St. Aubyn's Road.

- 3.5 There is tree behind 6 St. Aubyn's Road. The trees are not within the extent of the application site or former vehicle access, but some branches from the trees overhang the former vehicle access. None of the trees are subject to Tree Preservation Orders, although they are within a conservation area which means consent is required to carry out works to them.
- 3.6 The site is in the Upper Norwood District Centre and is within the Upper Norwood Triangle Conservation Area.
- 3.7 The site is also captured and influenced by the Crystal Palace and Upper Norwood Place Specific Policy which advises there will be some opportunity for windfall sites, and limited infilling. Dispersed integration of new homes will respect existing residential character and local distinctiveness.

Transport and Accessibility

- 3.8 Transport for London Ptal Rating is 5 (good).
- 3.9 The site is within a Controlled Parking Zone.
- 3.10 Westow Hill is served by bus routes and the Crystal Palace railway station is within a 10 minute walk.
- 3.11 The site is within a 5 minute walk of Crystal Palace Park.

Figure 1 - Site Location



Relevant Planning History

- 3.12 19/04423/FUL - Demolition of existing rear ancillary storage building to former Plumbase store, erection of a three storey building comprising 1 three bedroom flat and 4 one bedroom flats, provision of associated refuse storage and cycle storage. NB: This development only related to the warehouse building behind 58/60 Westow Hill, it did not include the land parcel behind 62 Westow Hill. Decision Pending.
- 3.13 19/05853/CAT – No objection for works to a Horse Chestnut tree.
- 3.14 19/05096/CONR – Variation of Condition 1 – Drawings Numbers – of Planning Permission 18/06058/FUL. Granted Planning Permission and implemented.
- 3.15 18/06058/FUL for Alterations and use of ground floor for A3 (Restaurant and Cafe) and A4 (Drinking Establishment) Uses, installation of new shopfront and awning, erection of extractor fan at rear, erection of gate in side access and provision of landscaping features, provision of associated refuse storage to rear. Granted Planning Permission and Implemented.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of a residential development is acceptable given the national and local need for housing and the existing brownfield status of the land.
- The proposal is for 5 flats. The mix would include a family unit dwelling and single occupancy dwellings.
- The design and appearance of the development is appropriate. The form, height and massing of the new build would be of a contemporary character but would be finished in materials befitting the local conservation area status. The

overall form, massing and height of the new build would be in context with the overall size of the site and gradient of the land.

- The living conditions of adjacent occupiers would be protected from undue harm due to the layout and design of the building and subject to conditions.
- The living standards of future occupiers are satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- A car free scheme would be acceptable in this location. The site has direct access to local shops and services and transport connections in and near to the District Centre.
- Sustainability aspects have been properly assessed and their delivery can be controlled through planning conditions.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of 40 letters of notification to neighbouring properties in the vicinity of the application site and erection of a site notice.

6.2 The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 42 Objecting: 41 Commenting: 1

6.3 The following issues were raised in representations. Those objections that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of Objection Comments

Loss of warehouse.	See Para 8.7 below.
Townscape	
Overdevelopment. Cumulative effect of development. Height of development. Cramped development. Effect on conservation area.	See Para's 8.10 to 8.19 below.
Amenity of Adjacent Residents	
Loss of outlook Loss of privacy Loss of light Overbearing effect/loss of openness.	See Para's 8.25 to 8.37 below.

Distance of new building to existing buildings is contrary to Council's design guidance. Communal garden will be used by patrons of pub / noise and anti-social behaviour from patrons of pub using access / cause a hazard to children.	
Amenity of Future Occupiers	
One bedroom flats will not be single occupancy. Cramped accommodation. Poor layout of rear amenity space.	See Para's 8.20 to 8.24 below.
Transport and Highways	
Increased traffic Increased parking	See Para's 8.38 to 8.42 below.
Trees and biodiversity	
Impact on trees including historic Horse Chestnut tree.	See Para's 8.48 and 8.49 below.
Other Matters	
Resubmitted application before existing application has been decided.	Officer Comment: Each planning application is considered on its own merits.
Company runs the pub and has no regard for community.	Officer Comment: This objection is not a material consideration. The application is assessed against planning policy, taking into account representations and other material considerations.
Croydon Planning is corrupt.	Officer Comment: The case officer recommendation has been scrutinised by Senior Officers and is being reported to the Planning Committee for decision under the terms of the Council Constitution.

6.4 Councillor Stephen Mann has objected to the application and referred this application to committee on the following planning related grounds:

Objection.
Height.
Impact on amenity.
Highways access.

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made

in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan 2021, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

- 7.2 Policy H1 of the London Plan 2021 sets out ten-year net housing completion targets for which boroughs should plan. The ten-year overall housing completion target set for Croydon is 20,970 new homes (2019-2029).
- 7.3 Policy H2 of the London Plan 2021 states that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to amongst other things :
- 1) significantly increase the contribution of small sites to meeting London's housing needs
 - 2) diversify the sources, locations, type and mix of housing supply
 - 3) support small and medium-sized housebuilders
 - 4) achieve the minimum housing completion targets set out for small sites and overall housing.
- The ten-year target small site housing completion set for Croydon is 6,410 new homes.
- 7.4 The small sites housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall (small sites) sites each year.
- 7.5 It is important to note that in the London Plan 2021, the overall housing target per annum of 2,079 new homes (2019 – 2029) as compared with 1,645 in the Croydon Local Plan 2018. Therefore, Croydon is required to deliver more new homes than our current Croydon Local Plan 2018.
- 7.6 For clarity, London Plan 2021, the Croydon Local Plan 2018, and South London Waste Plan 2012 are the primary consideration development plans when determining planning applications.
- 7.7 Policy H1 of the London Plan 2021 recognises the pressing need for more homes in London and Policy H10 promotes a varied housing mix to provide different sizes and types of dwellings in the highest quality environments. The impact of the London Plan 2021 is set out in paragraph 7.2 to 7.4 above.
- 7.8 Policy H2 of the London Plan 2021 also recognises the importance developing 'small sites' can contribute to meeting housing targets.
- 7.9 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in 2021. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:
- Achieving sustainable development;
 - Making effective use of land;

- Delivering a sufficient supply of homes;
- Promoting healthy and safe communities;
- Promoting sustainable transport.

7.9 The main policy considerations raised by the application that the Committee are required to consider are:

7.10 London Plan 2021

- GG1 Building Strong and Inclusive Communities
- GG2 Making the Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Home London Needs
- GG6 Increasing Efficiency and Resilience
- D1 London's Form Character and Capacity for Growth
- D2 Infrastructure Requirement's for Sustainable Densities
- D3 Optimising Site Capacity Through the Design-Led Approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D11 Safety, Security, and Resilience to Emergency
- D12 Fire Safety
- D14 Noise
- H1 Increasing Housing Supply
- H8 Loss of Existing Housing
- H10 Housing Size Mix
- HC1 Heritage Conservation
- G1 Green Infrastructure
- G4 Open Space
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodland
- SI 1 Improving Air Quality
- SI 2 Minimising Greenhouse Emissions
- SI 5 Water Infrastructure
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T1 Strategic Approach to Transport
- T2 Healthy Streets
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, Servicing and Construction
- T9 Funding Transport Infrastructure
- DF1 Planning Obligations

7.11 Croydon Local Plan 2018

- SP1 Place
- DM39 – Crystal Palace and Upper Norwood
- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP4 Urban design and local character
- DM10 Design and character
- DM13 Refuse and recycling
- DM18.4 Conservation Areas
- SP6 Environment and climate change
- SP6.3 Sustainable design and construction
- DM23 Development and construction
- DM24 Land Contamination
- DM25 Sustainable drainage systems and reducing flood risk
- DM27 Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

7.12 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016 (as updated)
- Croydon Suburban Design Guide Supplementary Planning Document April 2019

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Planning Committee are required to consider are as follows:

1. Principle of development
2. Family Housing
3. Townscape and visual impact
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Parking and highway safety
7. Refuse storage
8. Flood risk
9. Sustainability
10. Trees, landscaping and biodiversity
11. Other planning matters

Principle of Development

8.2 This application must be considered against a backdrop of significant housing need, not only across Croydon, but also across London and the south-east. All London Boroughs are required by the London Plan 2021 to deliver a number of residential units within a specified plan period. Croydon's overall housing target per annum is 2,079 new homes (2019 – 2029). The Croydon Local Plan 2018

states there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.

- 8.3 This presumption includes the Place area of Crystal Palace and Upper Norwood, which is identified in the 'Places of Croydon' section of the Croydon Local Plan (2018) as being an area for '*Sustainable growth of the suburbs with some opportunity for windfall sites, and limited infilling, with dispersed integration of new homes will respect existing residential character and local distinctiveness*'. The Croydon Suburban Design Guide (2019) sets out how suburban re-development can be achieved to high quality outcomes and thinking creatively about how housing can be provided on existing residential sites. As is demonstrated above, the challenging targets will not be met without small windfall sites coming forward, in addition to the large developments within Central Croydon and on allocated sites.
- 8.4 The London Plan Policy D3 does not sets out specific density ranges for new development. Instead, it requires new development to optimise site capacity through a design-led approach. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Officers consider that the density of the scheme would be appropriate and that the proposed development has taken a design-led approach.
- 8.5 The locality is formed of varied commercial and residential uses as befits the District Centre, but rear standalone apartment blocks are found in the vicinity, such as 6 Paddock Gardens, off Westow Street. The area is generally seen as an acceptable location in principle for intensive residential development of a minimum of three storeys height on a brownfield site as sought by policy.
- 8.6 The application is for a residential development providing new and additional homes within the borough, which the Council is seeking to provide. The site is located within an area that has residential use and as such providing that the proposal accords will all other relevant material planning considerations, the principle of development is supported.

- 8.7 The existing warehouse was only used for purposes ancillary to the former Plumbase shop. Therefore, due to its ancillary nature it is not considered to be subject to specific policies which seek to protect employment land.

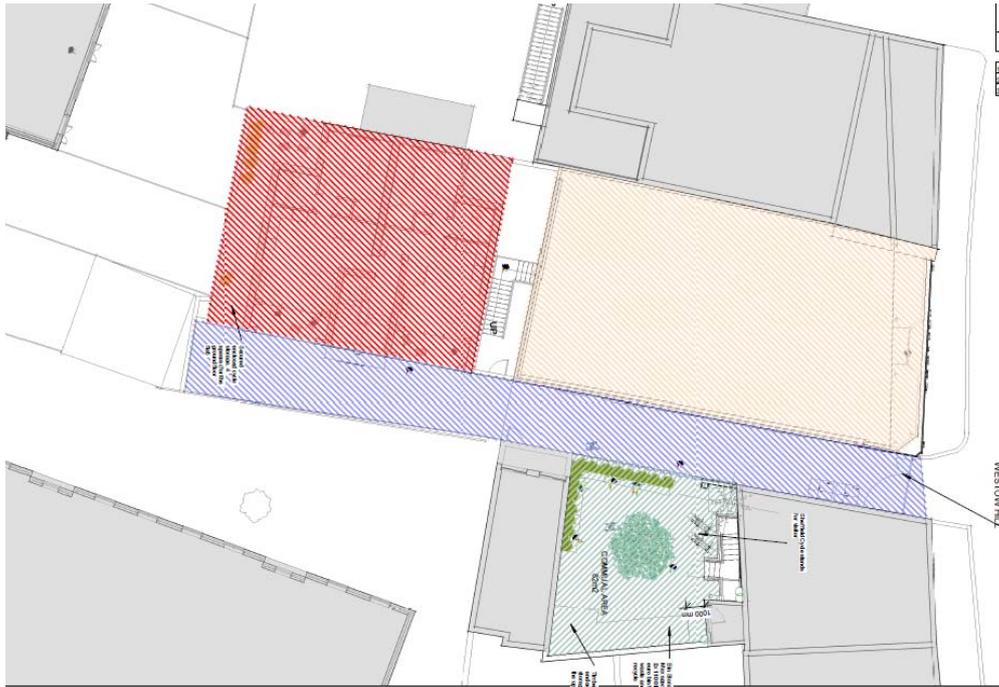
Family Housing

- 8.8 Policy SP2.7 of the Croydon Local Plan seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes. It sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms and for the type of development proposed in this location. In terms of character the Council's Suburban Design Guide (SDG) advises that '*The built character of an area is not defined by the people who live there, but rather the physical characteristics that it is composed of. Character can change over time and it should be acknowledged that well-designed proposals can have a positive effect on an area. This means that new types of dwelling can be integrated into an existing community*'. Therefore, the definition of character would not preclude new housing development within a residential area and especially in this case as the design follows a traditional character approach.
- 8.9 The development would result in provision of a 3 bedrooms dwelling on the site and would therefore make provision for 20% of the accommodation to be provided as family (3 bedroom) accommodation. This would fall short of the strategic target of 30% for family homes sought by policy, however, given the very minor nature of the development and the sites physical constraints the amount of family accommodation proposed is considered acceptable and moreover the proposed 3 bedroom accommodation would be laid out wholly at ground floor level thereby assisting access for family occupiers. The development falls below the threshold for requiring affordable housing provision.

Townscape and Visual Impact

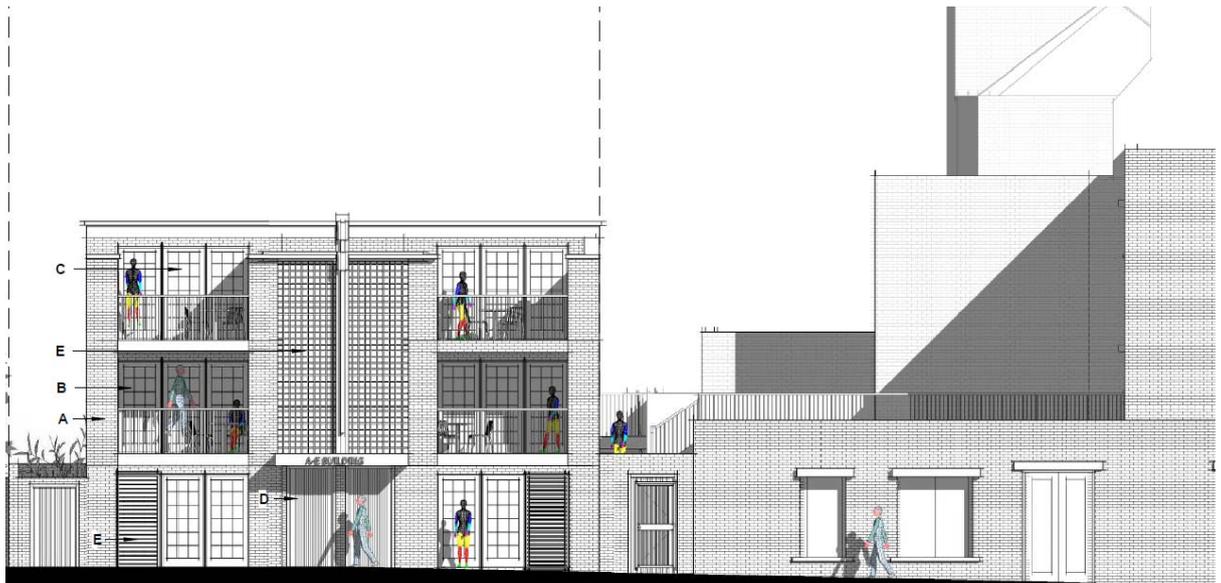
- 8.10 The existing warehouse on site has no aesthetic quality and there is no objection to its demolition. On optimising sites the Suburban Design Guide (SDG) advises that in order to make efficient use of sites new development should ensure they make the best use of the site. This may include the provision of higher density housing, such as flatted development. It further advises that new development should seek to evolve the character in a manner that enhances the neighbourhoods as enjoyable places to live, work and play in. This can be achieved through pursuing development that references and reinforces existing architectural styles or introduces new well-designed architectural styles that add interest to the area. This does not exclude increased building sizes.

Figure 2 – Proposed Site Layout



- 8.11 The proposed arrangement of the block on the site, facing east, is considered to be a rationale approach as it will allow direct access to the front access leading to Westow Hill. It also allows the principle habitable windows and opening to be provided on the eastern and western elevations, so that they would not face directly north towards the existing rear flats above 58/60 Westow Hill, or south towards the existing houses at Brunel Close. While the eastern facing front elevation of the proposed apartment block would face towards the rear elevation of residential flats in St. Aubyn's Road it is considered that the distances achieved and existing tree screening would prevent any adverse overlooking impact. All of the flats would have directly access to private amenity space in the form of garden space for the ground floor flat and balconies for the upper floor flats.
- 8.12 The position of the communal amenity space behind 62 Westow Hill is separate from the proposed apartment block, but would make effective use of an otherwise redundant parcel of land with otherwise limited opportunity for re-use. A condition is proposed to ensure that the communal garden area would gated to manage accessing to it. The gate would still provide access for occupiers of 62 Westow Hill. The proposal makes for effective re-purposing of that parcel of land as a landscaped communal garden space for the occupiers of the proposed flats and through proposed new planting provides for a bio-diversity net gain in the process. The access to the apartment block and communal garden is now a pedestrian only access and such function has been secured by the recent removal of the dropped-kerb/vehicle crossover from Westow Street that resulted from the re-development of the former Plumbase shop to the pub (Coopers) now in situ at 58/60 Westow Hill.

Figure 3 – Proposed Front Elevation



8.13 As designated heritage assets, conservation areas are given legal status under the 1990 Planning (Listed Buildings and Conservation Areas) Act and are subject to the same national planning policies as listed buildings. All proposals for development within a conservation area must comply with national and local planning policies and the London Plan, and preserve or enhance the area's special character. In this case the site is already occupied by a built form, the warehouse, and the proposed development would provide a contemporary character approach to a replacing the warehouse building with a residential apartment block. There is similar development (i.e. warehouse replaced with contemporary apartment block) at 6 Paddock Gardens off Westow Street, which provides 6 flats and is also a car free scheme. There is also a new build contemporary residential development on land behind 60-64 Westow Hill.

8.14 In that respect the proposed development follows the lead of other windfall sites in the locality that have been implemented with contemporary built forms to provide new residential accommodation. The proposed apartment block would be formed of yellow stock bricks and would have some feature brick that would add interest to the design. The building would have a flat roof. The doors and windows frames would be formed of timber in accordance with design guidance for a conservation area. The frontage east facing fenestration would have a grid pattern and the central stairwell at first and second floors would have a feature grid window arrangement similar to that found on the frontage of the new apartment block at 6 Paddock Gardens. The doors and windows would have deep reveals to create shadow and form and this arrangement would be secured as a condition. The proposed frontage balconies would be in-set and would the balustrades to them would be formed of steel upright railings. The rainwater goods would be formed of cast iron to reference the local conservation area status.

8.15 Therefore, the overall massing and height of the proposed development would sit well in the surrounding townscape and the architectural expression would reference the contemporary character of backland development that has recently come forward in the locality. The proposed choice of materials is

considered high quality and would respect the visual character and historic interest of the conservation area and would be acceptable subject to full detail of it being secured as a condition of planning permission.

Figure 4 – Site Section



- 8.16 The siting of the apartment block be comparable to that of the existing warehouse on site and its massing and height would provide a proportionate footprint of built form in relation to the land itself. The proposed layout would make the most of the opportunity to provide outside amenity space for the ground 3 bedroom family accommodation and balconies for the upper floor flats. The proposed communal amenity garden for the flats would be provided behind 62 Westow Hill and would make the most of the opportunity to improve what would otherwise remain a redundant hardstanding area.
- 8.17 Soft landscaping would be provided at ground level to one side and partly to the rear of the apartment building and there would be an opportunity to provide a green roof to the building. This can be secured through the imposition of a planning condition. New planting is also proposed within the communal amenity garden along with outdoor seating and the area can also provide childrens play. The Council would ensure through a condition that a significant amount of new tree and other planting is provided to enhance ecology and promote biodiversity. The condition also includes a requirement for children’s play provision. Therefore, the proposed landscaping scheme would provide an opportunity to offer a variety of different planting aswell as practical and pleasant private and communal amenity spaces for the occupiers of each new flat.
- 8.18 Overall it is considered that the proposed development site layout, mass, height and scale of the proposed development would respond well to the circumstances of the site and would make efficient use of the land in line with guidance set out by the CLP 2018 and the SDG. The application site is within a District Centre location which makes shops, services and transport highly accessible and in an area where the acceptability of contemporary backland residential development has been established through recent new build schemes. The individual and cumulative impact of the development on the local character is considered to be acceptable as assessed above. The impact of the development on the neighbouring highway network (including car parking capacity) is acceptable, as considered in detail further on in this report. The proposal would make a more effective use the site and it would accord with the national and local requirements to intensify the development potential of sites,

particularly brownfield sites, and to optimise the delivery of additional housing in a sustainable manner.

- 8.19 Therefore, having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of providing a high quality sustainable development and optimising land use through new development.

Housing Quality for Future Occupiers

- 8.20 All of the proposed new flats would comply with or exceed the internal dimensions required by the Nationally Described Space Standards (NDSS) and London Plan and all of the habitable rooms would have acceptable outlooks and natural light. All of the new flats would have private external amenity spaces in the form of the private garden area for the ground floor flat and balconies for the upper floor flats.
- 8.21 The London Plan Policy D7 states that new development must ensure that 10% of new dwellings within a scheme (which are created via works to which Part M volume 1 of the Building Regulations applies) should meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. For this 5 unit scheme as proposed this would equate to 0.5 of a unit.
- 8.22 All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Policy SP2.8 of the CLP (2018) states that the Council would ensure that new homes in Croydon meet the needs of residents over a lifetime.
- 8.23 The access to the proposed apartment block has been designed in line with Part M of the Building Regulations to provide a level approach threshold to the shared communal access. The proposed ground floor unit would be laid out to meet M4(3) compliance and as a result 20% of the proposed units would be M4(3) compliant, so exceeding the 10% requirement. No lift is provided within the building, so M4(2) compliance would not be achieved for the upper floor flats. However, given that the proposed development would be very minor, and considering an M4(3) flat is provided, then it is considered that provision of a lift would not be financially viable for the developer to provide and nor for the future occupiers to enter into financial maintenance obligations. There are therefore exceptional circumstances as to why the provision of a lift would not be achievable within the proposed new building. The London Plan 2021 Policy H7 on Accessible Housing does provide flexibility in this matter for new buildings of four storeys or less being developed on 'Small Sites' as defined by Policy H2 of the London Plan 2021. Therefore, on balance the non-provision of a lift to serve the upper floor flats would be acceptable in this instance.
- 8.24 Overall, the proposed development could provide an interesting and pleasant place to live for future occupiers.

Residential Amenity for Neighbours

- 8.25 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties or have an unacceptable impact on the surrounding area. This can include loss of privacy, daylight, sunlight, outlook or an increased sense of enclosure. It is considered that the position of the site and siting and massing of the proposed houses on the site would not have any adverse effect in terms of light, privacy, or outlook on the amenities of residents in adjacent properties.
- 8.26 The existing warehouse part of the site is adjacent to residential accommodation to the north where there are first and second floor flats above the pub at 58/60 Westow Hill, to the south by the rear gardens of houses at 2, 4 and 6 Brunel Close, and to the east by the access road and flats of at 6, 7, and 8 St. Aubyn's Road.

Effect on Flats at 58/60 Westow Hill

- 8.27 *Outlook and Light* – The distance from the northern flank elevation of the proposed apartment block to the rear southern elevation of the first and second floor flats at 58/60 Westow Hill would be 12.79 metres. The applicant has provided illustration to show that the proposed siting, massing and height of the building would not incur upon a 25 degree angle line when viewed from the southern facing windows of the flats at 58/60 Westow Hill. It is considered the shadow from the built form would fall onto the roof of the rear ground rooms of the pub, but would not fall on the first and second floor rear elevation of 58/60 Westow Hill. Therefore, it is considered no adverse loss of outlook and no loss of light would occur to the occupiers of the first and second floor flats in 58/60 Westow Hill.
- 8.28 *Privacy* – At first and second floors the northern facing flank elevation of the proposed apartment blocks would have a bathroom window, which would be obscure-glazed, and a bedroom windows which would be obscure-glazed and fixed shut at the bottom two-thirds and would have an inward opening clear glazed top-third. The design is such that the bedroom windows on the northern flank are also set in/back by a further 2.21 metres from the main flank. It is considered that these design measures would prevent adverse overlooking to the first and second floor residential occupiers of 58/60 Westow Hill and the measures would be secured by condition.

Effect on Houses at 2, 4 and 6 Brunel Close

- 8.29 *Outlook and Light* – The distance from the southern flank elevation of the proposed apartment block to the rear northern elevations of 2 and 4 Brunel Close would be 14.25 metres, and to the rear elevation of 6 Brunel Close it would be 12.35 metres. The applicant has provided illustration of 25 degree angle lines from 2 and 4 Brunel Close and 6 Brunel Close. The illustrations show incursions within the respective 25 degree angle lines. However, the incursions of 1 degree and 4 degrees respectively are considered minor ones and it should be noted the proposed side garden of the ground floor flat would provide a buffer space of 3.92 metres distance between the end rear garden boundaries of the nearest properties in Brunel Close and the southern flank wall of the proposed apartment block. There is also some tree coverage, which

provides natural screening, in the rear gardens of some Brunel Close properties. It is considered the proposed siting, massing, and height of the proposed apartment block would not be so harmful to the outlook of occupiers at 2, 4 and 6 Brunel Close as to warrant a reason for refusal. In terms of light, the shadow from the proposed apartment block would principally fall to the north of the site, whereas the houses at 2, 4 and 6 Brunel Close are located to the south. Consequently, no adverse loss of light would result to the occupiers of 2, 4, and 6 Brunel Close.

- 8.30 *Privacy* - At first and second floors the southern facing flank elevation of the proposed apartment blocks would have a bathroom window, which would be obscure-glazed, and a bedroom window which would be obscure-glazed and fixed shut at the bottom two-thirds and would have an inward opening clear glazed top-third. The design is such that the bedroom windows on the southern flank are also set in/back by a further 2.21 metres from the main flank. It is considered that these design measures would prevent adverse overlooking to residential occupiers of 2, 4, and 6 Brunel Close and the measures would be secured by condition.

Effect of Flats at 6, 7, and 8 St. Aubyn's Road

- 8.31 *Outlook and Light* – The distance from the eastern front elevation of the proposed apartment block to the rear western elevation of 6, 7 and 8 St. Aubyn's Road is 14.50 metres at its nearest point and 17.42 metres at its furthest point. The St. Aubyn's Road flats are located at first, second, and third floor levels as the ground floor is formed of communal entrance halls and integral garages. Due to the distance between the properties and the location of the St. Aubyn's Road flats (effectively all at first floor level or above) there would be no adverse loss of outlook resulting to the occupiers of 6, 7, and 8 St. Aubyn's Road. Similarly, no adverse loss of light would result.
- 8.32 *Privacy* – The balconies of the proposed apartment block are of an in-set design. The distance between the front balconies and windows of the proposed apartment block to the rear first floor windows of the St. Aubyn's Road flats is as reported above between 14.50 metres and 17.42 metres. This less than the 18 metres distance suggested as appropriate in the Council's Suburban Design Guidance. However, there is a significant tree cover just inside the rear western perimeter boundary fence of the grounds of the St. Aubyn's Road flats and this would provide a natural privacy screen between the properties. However, to further ensure the privacy of the occupiers of the flats in St. Aubyn's Road the Council is also recommending that privacy screens are attached to the balustrades of the first and second floor balconies of the proposed apartment block, and this would be secured by condition.

General

- 8.33 It is considered that the proposed communal amenity area behind 62 Westow Hill would not result in any adverse effect on the amenity of adjacent residential occupiers. As advised above, a condition is proposed to ensure that the communal garden area would be gated to manage access to it, thereby preventing anti-social behaviour.

- 8.34 The Council would seek to further ensure the privacy of adjacent residents by attaching a condition to a planning permission to prevent the roof area of the building being used as a roof terrace by future occupiers of the flats. A condition restricting the provision of any additional windows or opening would also be used.
- 8.35 In terms of noise and general disturbance it is considered that some noise and general disturbance result from demolition and construction works. However, a detailed construction logistics plan, with for example specific detail of construction hours and delivery hours and a specific details of unloading/loading and storage areas, would be required in order to ensure that the proposed demolition and construction works can be carried out in a considerate manner. This matter can be secured by condition. It is not considered that the development would result in any adverse increased noise from the number of dwellings proposed on the site given the detached form of the proposed development.
- 8.36 In terms of safety and security it is considered that increased natural passive surveillance would result from the proposed development, so it is likely to provide a safer environment than the existing arrangement. Details of security lighting to the external access and external circulation areas would be secured as a condition.
- 8.37 A number of residents have expressed concern that the proposed communal garden area would be used by patrons of the Coopers Pub on Westow Hill. However, the proposed communal garden area is intended solely for the use of the future occupiers of the new flats. The Council would advise the developer through an informative to erect signage within the communal garden to further advise the communal garden is a private amenity space for use of the residents of the new flats only.

Parking and Highway Safety

- 8.38 The development would be accessed via the existing pedestrian access from Westow Hill. The development would be a 'car-free' development and this would accord with policy that promotes all new developments in areas of good public transport accessibility with a Ptal of 5-6 to be car-free. The site has a District Centre location with direct access to shops, services, amenities and public transport and this would promote sustainable travel.
- 8.39 The District Centre location of the site should ensure that there would be no adverse material impact on the parking provision on the local road network. The roads in the locality are within a Controlled Parking Zone and a legal agreement would be secured to restrict the issue of resident parking permits to future residential occupiers (except disabled persons) of the development.
- 8.40 A total of 10 bicycle spaces would be provided. There would be 6 spaces provided in the communal garden space and a further 4 spaces provided in the side garden of the ground floor flat. The amount of cycle space would be

acceptable for the number of dwellings proposed and would be of sufficient number to allow for visitor cycle storage.

- 8.41 Taking into account the sites District Centre location and proposed cycle storage, alongside the restriction of parking permits in the controlled parking zone for future occupiers, then the proposal is not considered to have an unacceptable impact upon local traffic generation and parking capacity. The site is within a highly accessible location.
- 8.42 A detailed Construction Logistics Plan can be secured as a condition of planning permission. Details of a Delivery and Servicing Plan can also be secured as a condition of planning permission.

Fire Safety

- 8.43 The applicant has submitted a fire safety statement with the application. London Fire Brigade guidance states that all areas of a dwellinghouse should be accessible within 45 metres of a fire appliance. In this instance all areas of the site would be accessible to within 45 metres (of Westow Hill) of a vehicle access point (measured along a route suitable for laying hose).

Refuse Storage

- 8.44 The refuse storage for the flats would be incorporated within the communal amenity space for the flats. Their siting and appearance would be acceptable, however, as the distance of it is not more than 30 metres from the public highway (Westow Hill). However, as the distance of the refuse storage area is more than 20 metres from the main front entrance of the proposed apartment block the Council would require the submission of a Refuse Management Plan for approval and this can be secured as a condition of planning permission.

Flood Risk

- 8.45 The site is within an area with only a low risk of surface water and fluvial flooding. A Sustainable Urban Drainage System (SUDs) would be required, but details can be secured by condition to ensure that an acceptable sustainable urban drainage system would be implemented and retained.

Sustainability

- 8.46 Policy seeks high standards of design and construction in terms of sustainability and sets out Local and National CO2 reduction targets.
- 8.47 Conditions can be used to ensure CO2 target reduction compliance and to ensure water use targets have been met following construction. Therefore, the development could comply with the CO2 reduction and water consumption targets requirements as outlined within the policies from both Croydon Council and The London Plan.

Trees and Landscaping

- 8.48 An arboricultural report and proposed landscaping scheme were submitted with the application. The proposal would not involve the loss of any trees from the site or surroundings. There are 4 trees in front (to the east) of the existing warehouse and they are within the grounds of St. Aubyn's Road flats. They comprise a large Horse Chestnut tree (T1), two Ash trees (T2, T3), and a Sycamore tree (T4). None of the trees are subject to a Tree Preservation Order, but as the site is within a conservation area then tree works consent would be required in order to carry out works to them. The trees are rated category 'B' or 'C' trees in fair to poor condition. The canopy of the Horse Chestnut tree extends near to the front of the existing warehouse and therefore would also be near to the frontage of the proposed apartment block. The canopy of the tree in question will require some lateral pruning. The acceptability of doing this without compromising the ongoing vitality of the tree has been established by a previous tree works consent Ref: 19/05853/CAT the tree works in question would be carried out prior to the commencement of the development. It is unlikely that the roots of the existing trees extend below the existing warehouse on site, however, the method statement within the arboricultural report set out a precautionary approach to the demolition/construction works to protect the root zone of the trees. Protective ground fencing would also be provided for the trees during the timeframe of the works on site. There are trees in the rear gardens of 2 and 4 Brunel Close, but it is considered the proposed development would not impinge on those trees. In the existing hardstanding area behind 62 Westow Hill (proposed communal garden area) there is one self-seeded sapling only. Therefore, it is considered that there would be no adverse impact on trees in the vicinity of the proposed apartment block. The tree protection measures set out in the arboricultural report can be secured as a condition of planning permission.
- 8.49 It is considered the proposed landscaping strategy coming forward as part of the development proposal would represent a significant uplift in the greenery of the site, including additional native tree planting. It would bring about additional planting and this would assist in tackling climate change and promoting a net gain in biodiversity as required by the London Plan. The implementation of the proposed landscaping scheme including full details of the tree planting can be secured by condition.

Other Matters

Contaminated Land

- 8.50 The Council's environmental consultant's advise that this matter can be addressed by condition. The existing building potentially contains asbestos and, if that is the case, specialist contractors will be required to safely remove it in accordance with the relevant health and safety legislation. An informative to that effect is recommended.

CIL

- 8.51 The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Conclusions

- 8.52 Given the significant need for housing within the Borough and the existing brownfield and backland status of the site, and occurrence of new residential development in the locality, the principle of an intensive residential development is considered acceptable within this area. The proposed design would bring forward a contemporary re-interpretation design of development on a brownfield site in a mixed commercial and residential area and would represent a sensitive and sustainable re-development of the site and would provide mixed accommodation to serve a family unit and smaller households. Whilst it is acknowledged that the mass of built form would be greater than the existing building currently on site, the proposal would be in context with its discreet location and surroundings. The proposal would have no significantly harmful impact on the amenities of the adjacent properties and the application demonstrates that the impact on the highway network would be acceptable given its highly accessible District Centre location. Officers are satisfied that the scheme is worthy of a planning permission and would deliver a high quality residential development as sought by policy.
- 8.53 All other relevant policies and considerations, including equalities, have been taken into account.