

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 20/01483/FUL  
 Location: Land And Garages Rear Of 9-29 Crystal Terrace Upper Norwood SE19 3JT  
 Ward: Crystal Palace and Upper Norwood  
 Description: Demolition of existing garages and erection of 6 two-storey dwellings; car parking; hard and soft landscaping; boundary treatment; refuse and cycle storage and private amenity space.  
 Drawing Nos: 5979-212 1, 5969-212 2, Existing Elevation BB P, 001 P, 100 P, 100 P1, 101 P1, 110 P1, 201 P2, 202 P2, 210 P, 211 P2, 601 P, 502 P, 504 P, 505 P1, 602 P.  
 Applicant: Brick by Brick Croydon Limited  
 Agent: Carter Jones - Mrs Jennifer Turner  
 Case Officer: Jimill Patel

	<b>1 bed</b>	<b>2 bed (3/4 person)</b>	<b>3 bed (4 person)</b>
<b>Existing</b>			
<b>Proposed</b>		3	3

*All units are proposed for private sale/rent*

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
3	9

1.1 This application is being reported to Planning Committee because the Ward Councillor Stephen Mann and Vice Chair of Planning Committee (at the time of the referral) Councillor Paul Scott has made representations in accordance with the Committee Consideration Criteria and requested Committee consideration.

**2.0 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following:

- a) Car parking permit restriction for future residents
- b) £7,475 Sustainable Transport Contribution (towards off-site car club provision, membership and electric vehicle charging points)
- c) Monitoring fees for all obligations
- d) Any other planning obligations considered necessary

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.

2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

## **Conditions**

1. Time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions (compliance)
3. Construction logistics plan (prior to commencement)
4. Details of connection to foul and/or surface water drainage system to be submitted including SUDS (prior to commencement)
5. Details of intrusive site investigation and remediation works (prior to commencement) including ground gas monitoring
6. In accordance with tree protection plan (compliance – measures to be installed prior to commencement)
7. Details and samples of materials to be submitted (including window reveals, balustrade/privacy screen details) (pre-ground slab)
8. Refuse and cycle storage for the proposed development (pre-ground slab)
9. Contaminated Land verification report to be submitted (pre-ground slab)
10. Details of lighting (pre-ground slab)
11. Electric vehicle charging point to be submitted (pre-ground slab)
12. Installation of biodiversity/habitat creation measures (pre-ground slab)
13. Landscaping to be submitted (hard and soft landscaping, boundary treatment (prior to occupation)
14. No more windows in any elevation (compliance)
15. Car parking provided as specified (compliance)
16. 110 litre Water usage (compliance)
17. CO2 Carbon Reduction (compliance)
18. Unexpected contamination (compliance)
19. In accordance with recommendations of the noise assessment (compliance)
20. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

## **Informatives**

- 1) Granted Subject to a Section 106 Agreement
- 2) Policies
- 3) Community Infrastructure Levy
- 4) Code of Practise for Construction Sites
- 5) Network Rail Advice
- 6) Light Pollution
- 7) Requirement for Ultra-low NOx Boilers
- 8) Thames Water informatives regarding Underground Assets and Public Sewers
- 9) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2.4 That if by 22<sup>nd</sup> January 2021 the legal agreement has not been completed, the Director of Planning and Strategic Transport is delegated authority to refuse planning permission.

### **3.0 PROPOSAL AND LOCATION DETAILS**

3.1 The proposal includes the following:

- Demolition of the existing 21 garages

- Erection of a two storey block comprising 6 residential dwellings (3x3 bed and 3x2 bed)
- Communal cycle and refuse provision
- Hard and soft landscaping
- Boundary treatment
- Private amenity space
- Vehicular parking (3 spaces) accessed via an existing and retained access drive

- 3.2 The scheme proposes a two storey 'terraced' block comprising 6 residential dwellings situated to the rear of 9-29 Crystal Terrace. Cycle storage would be located adjacent to unit 1 within an enclosed structure with 3 parking spaces situated immediately next to this. Refuse storage would be sited along the northern boundary (next to/partially in front of the parking bays) and also adjacent to unit 6. The site has three existing access points including two pedestrian footpaths between no.19 and 21 and adjacent to no.9 Crystal Terrace. The existing access drive has a pedestrian/occupier path running along the boundary of no.29 which would be retained. A 'ramped' access is proposed along the boundary of no.31. The access drive would still be wide enough for vehicles to enter and exit. As discussed further in the report, the site is predominantly hardstanding and the proposed building has been broken down in its massing so that soft landscaping in the form of planting can be situated in between so to soften the appearance and provide a verdant element to the site.
- 3.3 The site is relatively tight and tapers to the south-east. The building would effectively follow this tapering, set in from the front and rear boundaries to provide a tolerable separation and proportionate development. The building would be set away from the surrounding properties. There are several category B trees situated within the rear gardens of Crystal Terrace and Hancock Road properties, although not protected through any Tree Protection Orders (TPO).
- 3.4 The layout of the units would comprise bedrooms and bathrooms at ground floor with kitchen/living/dining at first floor. Given the stepping and breaking of the massing, the future occupiers would benefit from private amenity space at both levels, with the primary element at first floor level (patio). As the site becomes narrower to the south-east and becomes closer to the Hancock Properties, in particular no.35, the layout of unit 6 comprises bedroom and kitchen/living/dining at ground floor level with bedroom and bathroom at first floor level.
- 3.5 During the course of the application, amended plans were received, notably around the design and highways impact. This has not altered the size of the buildings and relates to finer details of the material pallet and landscaping around the development. The revised information would not prejudice those interested in the application and as such a public re-consultation was not considered necessary.



Figure 1: View from the frontage of the proposed buildings (north and south of the site)

### Site and Surroundings

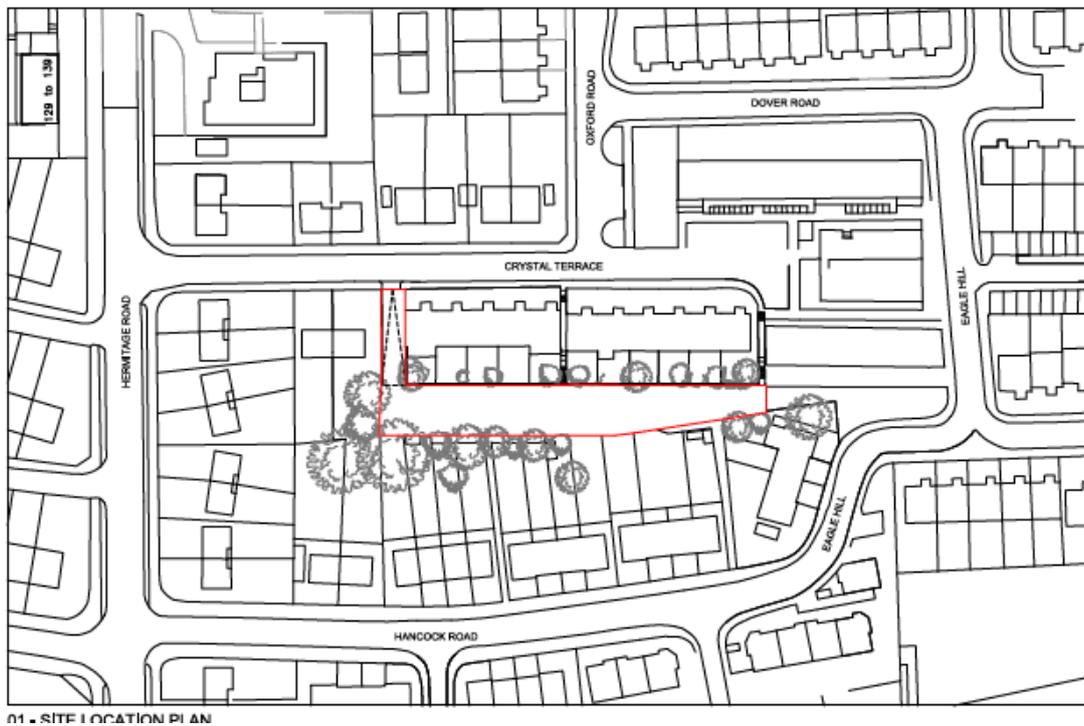


Figure 2: Site Location Plan

3.6 The application site comprises a parcel of land containing 21 garages most of which are used for domestic storage purposes located to the rear of 9-29 Crystal Terrace. According to the submitted Transport Statement, 16 of the garages are let and 5 are void. Of the 16 that are let, 4 garage leaseholders live within 200m of the site. Of those

4 garages, it was confirmed that 2 of those garages were used for storing a motor vehicle. The site is accessed via two pedestrian paths between no.17 and 19 and adjacent to no.9 Crystal Terrace. There is an existing access drive between no.29 and 31 Crystal Terrace. The site is predominantly hardsurfaced and a site visit has confirmed that the site is in a state of disrepair.

- 3.7 The site is located centrally to those surrounding properties along Crystal Terrace, Hermitage Road and Hancock Road. The majority of the properties are two storey and terraced with the exception of those along Hermitage Road. All of the immediate properties tend to be uniform in their form, proportion and appearance. Some three storey properties are noted towards the north-east of the site.
- 3.8 There are a high level vegetation/hedgerow/trees that surround the site none of which are protected by a Tree Protection Order (TPO). There are Category B trees situated within the rear gardens of no.5-11 Hancock Road and some trees within the immediate Crystal Terrace properties. There are also some category C trees within the site boundary (none on site). Land levels are complex; according to the Topographical Survey, the site drops from the front access drive to the rear by 5m. The site is relatively flat from north to south but Crystal Terrace highway rises from north to south by 3m (from no.9 to 29). The Hancock Road properties to the south-west are situated lower than the host site.
- 3.9 Unrestricted kerbside (half on pavement) parking is noted within the immediate context on both sides of the road. Crystal Palace Railway Station is located 1 mile from the subject site. Bus stops are situated along Anerley Road (0.3 miles) with access to surrounding towns. The Public Transport Accessibility Level (PTAL) is 4 which is good.
- 3.10 The surrounding roads including no.9-29 Crystal Terrace fall within an area at risk from surface water flooding. There are no constraints to the site.

### **Planning History**

- 3.11 From September 2019 to January 2020, officers engaged in pre-application discussions with the current applicant, proposing a scheme of 6-7 two-storey dwellings. Officers raised issues with contamination, general massing/siting, overall hardstanding, window placement, highways (parking) and refuse management. These matters have now been resolved.
- 3.12 None of relevance apart from the pre-application undertaken.

### **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of intensified residential development is acceptable given the national and local need for housing.
- The loss of garages is acceptable in principle, with capacity on street for the 2 garages that are used for storing a motor vehicle.
- The scheme would provide high quality architecture and would appropriately respond to site context with suitable relationships to the form, mass and appearance of the existing properties on the application site and adjoining/surrounding properties

- The living conditions enjoyed by neighbouring residential occupiers would not be overly harmed by the proposed development (in terms of daylight, sunlight, enclosure and privacy effects).
- The living standards of future occupiers would be satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and efficiency would be acceptable subject to mitigation measures.
- The impact to nearby trees is acceptable, subject protection of these high value trees.
- Sustainability aspects have been properly assessed and their delivery can be controlled through the use of planning conditions. On site sustainable drainage would be secured through the use of planning conditions.

## 5.0 CONSULTATION RESPONSE

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

### Lead Local Flood Authority (LLFA) (Non Statutory Consultee)

5.2 Initially issued a holding objection subject to the submission of additional information. Following additional information the LLFA commented that the submitted strategy and overall approach meets most of their requirements and queries. However, evidence of the design of the surface water strategy was not provided and as such a pre-commencement condition requesting full details is necessary.

## 6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of 44 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification of the application (including a re-consultation on amended plans received) are as follows:

No of individual responses:    Objecting: 11                      Supporting: 0                      Comment: 0

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

Summary of Objections	Response
<b>Townscape</b>	
<ul style="list-style-type: none"> <li>• Overdevelopment of the site leading to overcrowding</li> <li>• Out of character with the area</li> <li>• Poor quality design</li> <li>• Blank wall facing Crystal Terrace is oppressive and inappropriate</li> </ul>	See paragraphs 8.11-8.22
<b>Neighbouring Amenity</b>	
<ul style="list-style-type: none"> <li>• Loss of light and overshadowing impact</li> <li>• Separation distances fail to conform to SDG SPD</li> </ul>	See paragraphs 8.32-8.42

<ul style="list-style-type: none"> <li>• Overlooking and loss of privacy</li> <li>• Increase noise and disturbance from additional residents</li> <li>• Potential damage to surrounding properties</li> </ul>	
<b>Highways and Refuse</b>	
<ul style="list-style-type: none"> <li>• Lack of parking provision (and visitor parking)</li> <li>• Highway safety concerns</li> <li>• Inaccessibility for HGVs/refuse collection</li> <li>• Inadequate fire tender access</li> </ul>	See paragraphs 8.43-8.52
<b>Environment</b>	
<ul style="list-style-type: none"> <li>• Contaminated land not suitable for development</li> <li>• Insufficient drainage capacity</li> <li>• Potential damage to trees</li> </ul>	See paragraphs 8.53-8.61
<b>Other Matters</b>	
<ul style="list-style-type: none"> <li>• Loss of a view</li> </ul>	Not a material planning consideration
<ul style="list-style-type: none"> <li>• Impact on house prices</li> </ul>	Not a material planning consideration
<ul style="list-style-type: none"> <li>• Concern over deliverability of housing by BXB</li> </ul>	Not a material planning consideration

6.3 Cllr Paul Scott (Planning Committee Vice-Chair at the time of the referral) referred the application to Planning Committee raising the following issues:

- Public scrutiny of applications made by the Council and its wholly owned subsidiary
- Openness and transparency during the Covid-19 crisis when stakeholders are likely to be distracted
- Potential to provide new homes in response to the housing crisis in accordance with National, Regional and Local Planning Policy

6.4 Cllr Stephen Mann (Ward Councillor) has refereed the application to Planning Committee on the following grounds:

- Overlooking
- Lack of Amenity
- Overdevelopment

## 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 Consolidated London Plan 2015, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2019. 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:

- Delivering a sufficient supply of homes
- Promoting sustainable transport;
- Achieving well designed places;

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

#### 7.4 Consolidated London Plan 2016

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Woodlands and trees

#### 7.5 Croydon Local Plan 2018

- SP2 Homes
- SP6.3 Sustainable Design and Construction
- DM1 Housing choice for sustainable communities
- SP4 Urban Design and Local Character
- DM10 Design and character
- DM13 Refuse and recycling
- DM16 Promoting healthy communities
- SP6 Environment and Climate Change

- DM23 Development and construction
- DM25 Sustainable drainage systems and reducing floor risk
- SP7 Green Grid
- DM27 Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Croydon Suburban Design Guide Supplementary Planning Document April 2019

### 7.7 Emerging London Plan

7.8 Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan is currently with the Secretary of State and no response had been submitted to the Mayor from the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

7.9 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger than the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

7.10 It is important to note, should the Secretary of State support the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.

7.11 The policies of most relevance to this application are as follows:

- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements 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
- D8 Public Realm
- H1 Increasing housing supply
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- HC1 Heritage conservation and growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the plan and planning obligations

7.12 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- 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 are as follows:

1. Principle of Development
2. Housing Mix
3. Townscape, Design and Visual Impact
4. Housing Quality for Future Occupiers
5. Residential Amenity for Neighbours
6. Parking and Highway Safety
7. Trees, Landscaping and Biodiversity
8. Flood Risk
9. Sustainability

- 10. Contamination
- 11. Other Planning Matters

### **Principle of Development**

- 8.2 The proposed development needs to be assessed against a backdrop of significant housing need, not only across Croydon but across London and the south-east. All London Boroughs are required by the London Plan to deliver a number of residential units within a specified plan period. In the case of the LB Croydon, 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 was an additional 44,149 new homes by 2036, but at the time, there was currently limited developable land available for residential development in the built up area and was considered 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.
- 8.3 The emerging New London Plan, which is moving towards adoption (although is the process of being further amended) proposed increased targets which need to be planned for across the Borough. 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.
- 8.4 The Croydon Suburban Design Guide (2019) was adopted last year, which set out how suburban intensification can realise high quality outcomes; thinking creatively about how housing can be provided on windfall sites. As is demonstrated above, the challenging targets will not be met without important windfall sites coming forward, in addition to the large developments within Central Croydon and on allocated sites.
- 8.5 The site is currently occupied as garaging which appears to be used more for domestic storage purposes rather than off street car parking (with the exception of two used for storage of vehicles within leaseholders residing 200m from the site) and notwithstanding residents' concerns over the loss of the current garages, there is no protection (in town planning terms) of domestic storage uses.
- 8.6 The application seeks to demolish the existing 21 garages on site and construct two-storey buildings comprising 6 dwellings within an area that is predominantly residential. As such, providing that the proposal accords with all other relevant material planning considerations, as set out below, the principle of development, in land use terms, is acceptable.

### **Housing Mix**

- 8.7 Policy SP2.7 of the CLP seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes and that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. Policy DM1.2 of the CLP seeks to prevent the net loss of 3-bedroom homes (as originally built) and homes less than 130m<sup>2</sup>.

8.8 The site which comprises garages are not protected by Policy DM1.2 of the CLP but it is expected that schemes of this type meet the strategic target to which the proposal would provide 50% family sized units which is positive. The general mix (3x3 bed and 3x2 bed) would contribute positively towards much needed family accommodation in the Borough.

### **Townscape and Visual Impact**

8.9 Policy DM10.1 of the CLP states that proposals should achieve a minimum height of 3 storeys whilst respecting a) the development pattern, layout and siting; b) the scale, height, massing and density; c) the appearance, existing materials and built and natural features of the surrounding area. Approaches to scale and mass are further outlined in the Suburban Design Guide.

8.10 It is acknowledged that the plot/curtilage is different to the typical residential setting of the area, which is uniform. The area was historically used for 'vehicular parking' but the garages have become sub-standard and not used for their principle purpose (except 2 garages). This is a common occurrence for many of these 'garage sites' across London and in particular Croydon. The proposed building would be proportionately integrated within the context by way of its 'rectangular' form at two storeys in height. The building would be offset from the rear boundary by 1.5m and to the front boundary (rear of Crystal Terrace properties) by 2m and well set in from the side boundaries with associated facilities such as parking and refuse storage.

8.11 The narrow setting of the existing site is noted, but the proposed site layout would effectively integrate without appearing overly cramped. Instead of one solid 'terraced' block, the design has cleverly broken the massing between each unit with private amenity space at first floor. Private amenity space will always be challenging on garage sites which is why each dwelling (by virtue of the offset) would have a ground floor courtyard and first floor (primary) amenity space. This is demonstrated in plan and elevation whereby the stepping of the building would effectively reduce the massing and ensure a proportionate layout.

8.12 3 parking spaces would be sited next to a cycle storage that would be attached to the building closest to unit 1. Refuse storage would be sited along the northern boundary and also adjacent to unit 6 where there are existing accesses into the site. The three points of access would be retained/improved and as such would be positive for permeability. The general layout has been well considered.

8.13 The site has a steep topography with a 5m difference from the Crystal Terrace highway to the rear of the site. The land levels work in favour in terms of scale and massing of the building which would be two-storey. Given the drop in land levels, the proposed building would read more as 1.5 storeys, as demonstrated in the below section drawing. Whilst the aspiration of DM10 is noted, in terms of minimum height of 3 storeys this is dependent on site circumstances and in light of the other material considerations and size of the site, the scale and massing proposed is considered to be appropriate, on balance. Anything higher would result in concerns regarding neighbouring amenity impact and lack of subordination.

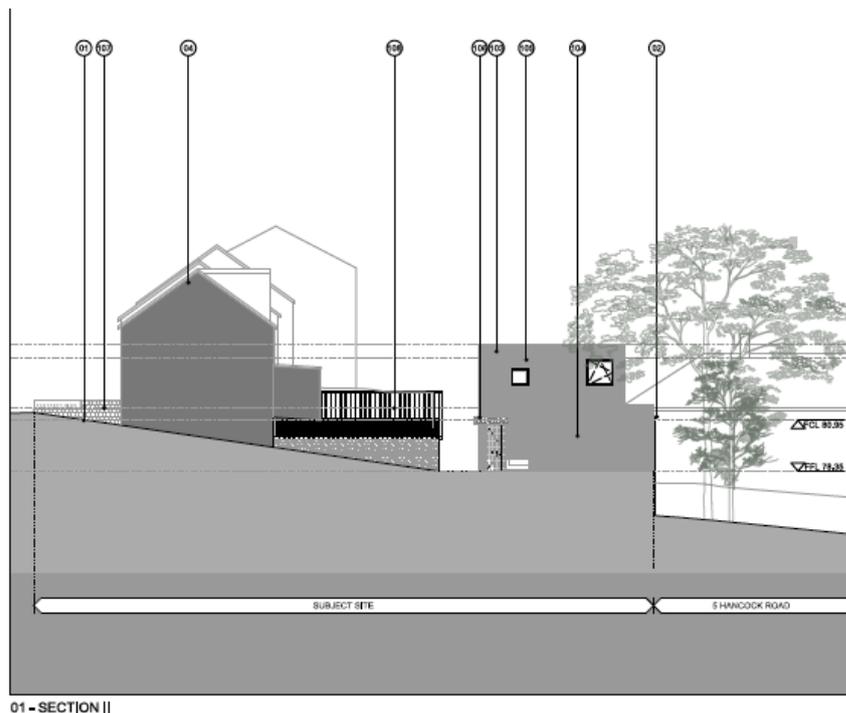


Figure 3: Side elevation of the proposed development (north elevation)

- 8.14 The closest properties to the proposed building would be those along Crystal Terrace which would be situated 8-9m away (building to building). Given the siting and overall scale proposed, the development would not appear excessive from the surrounding context. The building would be offset from the rear boundaries of the Hancock Road properties which will remove any concerns of a high brick wall along the rear boundary. The flat roof nature, whilst not characteristic, would be acceptable in this instance; as a backland site with limited visibility the scheme can be different (but still high quality) and it is important to consider a potential hipped/pitched roof would add further bulk. Therefore it is considered overall, that the form, proportion and appearance of the building and general site layout/scale/massing would be acceptable.
- 8.15 The building would have a fairly simple composition with clever use of inward facing courtyards and window placement/screens, with main walls finished in masonry cladding which will give a look of brickwork which is common in the area. It is proposed that the façade at first floor will be patterned masonry with perforated brickwork over the windows. The windows and doors will be finished in black aluminium framed glazing. The railings to the rear at first floor would be metal with part of the privacy screens finished in perforated brick. These materials are considered appropriate.
- 8.16 The majority of the site would be hardstanding but that is the nature of the existing site. Pockets of soft landscaping are proposed by the front doors of each house. Officers are of the view that the finer details of materials and landscaping are fundamental and therefore a pre-commencement condition will be attached.
- 8.17 The site has a suburban setting with a PTAL rating of 4 and as such, the London Plan indicates that the density levels ranges of 200-350 habitable rooms per hectare (hr/ha). It also advises that where there is an average of 2-3 habitable rooms per unit, a scheme should normally expect to achieve 70-130 units per hectare. Treating the combined living/kitchen/dining areas as a single habitable room, the proposed density of

development would equate to around 218 habitable rooms per hectare and 65 units per hectare, for the red line application site.

8.18 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 character and appearance. The design of these proposals is well considered and appropriately deals with the challenges of the site in a sensitive and innovative manner and suitably optimises the development potential of the site.

### **Housing Quality for Future Occupiers**

8.19 Policy SP2.8 of the CLP states that the Council will seek to ensure new homes will require all new homes to achieve the minimum standards set out in the Mayor of London Housing Supplementary Planning Guidance and National Technical Standards (2015) (NDSS (2015)). It would also ensure that all new homes designed for families meet minimum design and amenity standards. Table 3.3 of the LP sets out the minimum floor areas which should be provided for new housing. The minimum and proposed standards are set out in the below table:

<b>Dwelling – Two Storey</b>	<b>Unit Mix</b>	<b>Minimum GIA Required (sqm)</b>	<b>Proposed GIA (sqm)</b>	<b>Minimum Private Amenity Space Required (sqm)</b>	<b>Proposed Private Amenity Space (sqm)</b>
House 1	3 bed 4 persons	84	93	6	46
House 2	3 bed 4 persons	84	93	6	42
House 3	3 bed 4 persons	84	93	5	42
House 4	2 bed 3 persons	70	70	6	24
House 5	2 bed 4 persons	79	79	6	23
House 6	1 bed 2 persons	70	70	6	44

8.20 A one bedspace single bedroom must have a floor area of at least 7.5sqm and be at least 2.15m wide. A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sqm. It is important to note that houses 1-3 have been listed down as being '3b 5p' although a room of each unit is less than 11.5sqm and as such treated as a 'single bedroom.' Regardless of the particular bedroom being double these particular units would still meet the minimum GIA of a '3b 5p' unit over two storeys.

8.21 The proposed units would be dual/triple aspect with generous outlook, providing adequate levels of daylight/sunlight for future occupiers. Following the approach set in the London Plan (2016) to address the unique heat island effect of London and the distinct density, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is required so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. This would be achieved.

8.22 Policies DM10.4 and DM10.5 of the CLP require all developments to provide functional and high quality private amenity space, with a minimum size of 5sqm for 1 or 2 person's units and an extra 1sqm per occupant thereafter. The individual buildings would be formed in an 'L-shape' with a courtyard of sufficient and useable size.

8.23 Policy 3.8 'Housing Choice' of the LP requires 90% of dwellings to meet M4(2) 'accessible and adaptable dwellings' Building Regulations requirement, with the remaining 10% required to meet M4(3) 'wheelchair user dwellings'. The site is challenging from an accessibility perspective; a ramp down from Crystal Terrace steeper than 1:12 and two stepped pedestrian accesses. Furthermore, given the land level changes the houses have been designed to have bedrooms at ground floor with living spaces at first floor. Consequently compliance with M4(2) and M4(3) would be very difficult without significant re-design. On balance, giving particular weight to the existing challenging topography that any scheme could not resolve, part M4(1) compliance is acceptable.

8.24 Any noise from outside would be mitigated through standard noise insulation measures and planning conditions have been recommended to ensure that external noise effects are minimised. The siting of some of the ground floor front (north-east) would be high level and secondary to the rooms.

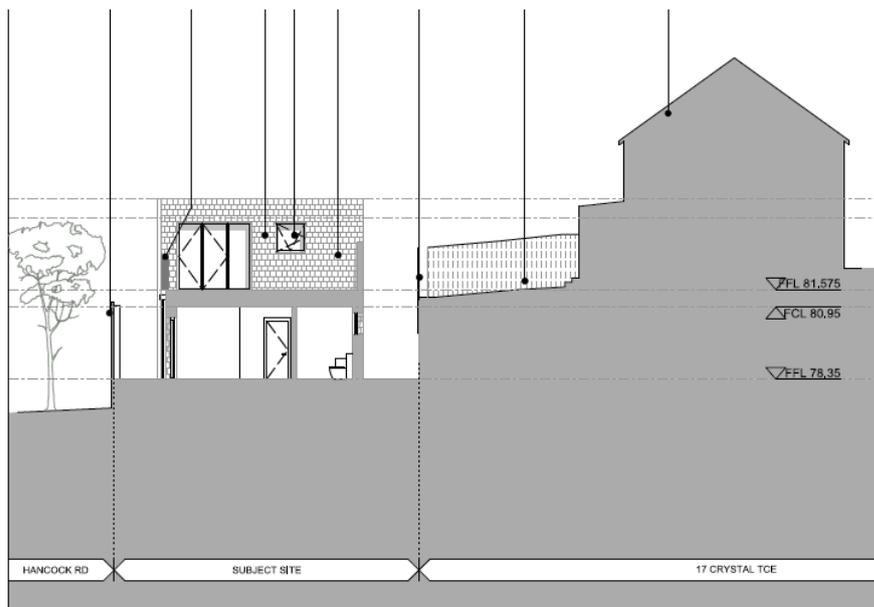


Figure 4: Central Section through the site showing relationship and gradient

8.25 The planning application was accompanied with a daylight and sunlight assessment which has demonstrated the levels of internal lighting for future occupiers of each dwelling. Given the orientation and proximity to the Crystal Terrace properties, the main 'habitable and primary' windows are sited to the south-western elevation (rear) facing Hancock Road. The results of the internal daylight assessment demonstrate that all rooms would meet the ADF targets for the particular room use and the NSL values are also very good. In terms of sunlight within the proposal, all rooms would meet the sunlight targets with the exception of five bedrooms which fall short of the winter sunlight target only. The BRE Guidelines state at paragraph 3.1.2 that sunlight is 'viewed as less important in bedrooms'. Given that the 'primary arrangement' of living/kitchen/dining would be sited at first floor, for the majority of the units, with the exception of unit 6, taking into account the importance of light to bedrooms, it is

considered that on balance, and in light of the constraints of the site, that the levels of outlook, ventilation and daylight/sunlight would be acceptable. Unit 5 and 6 would be wider as the site becomes narrower but would ensure a suitable level of accommodation. Whilst the rear gardens would fall short of the BRE Guidelines in terms of two hours of direct sunlight to at least 50% of the garden area on 21<sup>st</sup> March, this would be very challenging given orientation and it is very important that additional amenity is proposed at first floor which achieves well over the 50% target. Taken together, adequate levels of direct sunlight is proposed to the amenity spaces.

8.26 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 quality level of accommodation, subject to conditions.

### Residential Amenity for Neighbours

8.27 The site is situated centrally within the surrounding context with the Crystal Terrace properties to the front (north-east), Hancock Road properties to side and rear (south and west) as the road bends and partially to the side of Hermitage Road (north-west) although the rear boundaries of no.31 and 33 Crystal Terrace side onto the existing access drive.

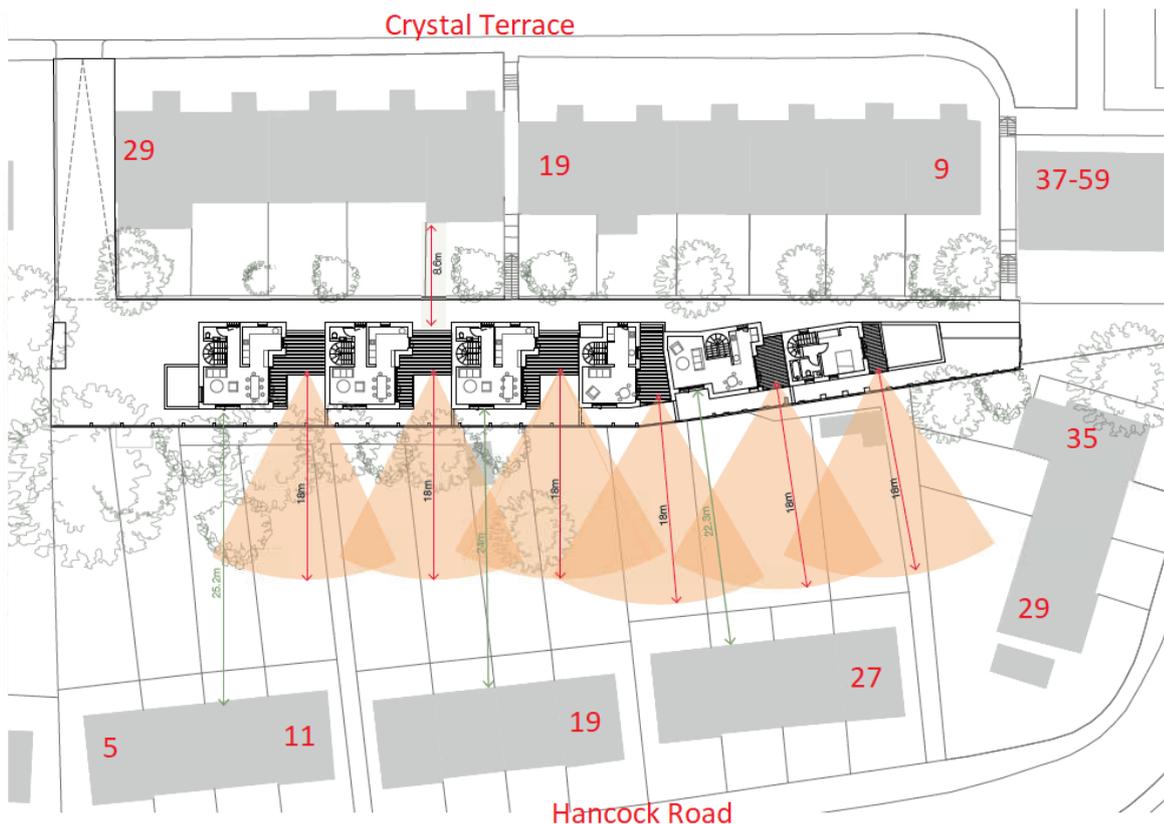


Figure 5: Development within context and relationship with surrounding properties

8.28 Land levels are complex across the site, dropping from the front access drive to the rear by 5m. The site is relatively flat from north to south but the Crystal Terrace highway rises from north to south by 3m (from no.9 to 29).

### Crystal Terrace Properties

- 8.29 Given the land levels, the proposed two-storey block would to an extent read as single storey as demonstrated within figures 3 and 4 to these occupiers. The separation distance (building to building) at its closest point would be 8m. Whilst this is considered to be relatively close to these properties, the massing of the building has been broken down, as per figure 5, in order to give a sense of relief. The reason for the massing being broken down, whilst ensuring an appropriate level of accommodation, is so that the outlook and daylight/sunlight impacts are reduced to these occupiers. The proposed terrace of the buildings would be located centrally; separating each of the dwellings helps break the massing and is set slightly lower than the overall ridge height. The design and access statement demonstrates that the distance and height of the proposed building would not impinge on a 25 degree line taken from the centre of the existing ground floor rear windows, so would be acceptable from a daylight and sunlight perspective.
- 8.30 In terms of overlooking, the first floor front windows would be high level and whilst serving habitable rooms, would be 'secondary' to the wider layout given the dual/triple aspect nature of the units. As such, concerns of overlooking and privacy would not be detrimental. There would be no reason to obscure these windows as they would be sited 1.7m above the floor level they would serve.

#### Hancock Road Properties

- 8.31 These properties, whilst situated lower than the host site and proposed building, would be sited 22-25m away from the rear elevation (building to building). This would comply with the SPD which requires a minimum of 18m separation distance. In terms of outlook, visual impact, loss of daylight/sunlight and overlooking, it is considered that the proposal would not be detrimental to those occupiers directly to the rear (no.5 – 27). Furthermore, the building would be set away from the rear boundary so the resulting nature of the development would not lead to a 'high' boundary/retaining wall. The mature trees, which are worthy of retention and long life, would further screen the scheme.
- 8.32 As mentioned before, the road bends towards the east which means no.29 and no.35, in particular the latter property is sited closer to the site. The relationship of unit 6 would be relatively close to no.35. There would be a building to building separation distance of 12m noting this property is sited slightly lower. As per figure 6, concerns were raised by officers in relation to the impact to these occupiers in regards to overlooking. Further clarity was sought which saw part of the balcony screen (highlighted in red) enlarged in width to prevent 'direct and perceived' overlooking. The levels of direct outlook for future occupiers would be within the radar as shown in orange which would allow the siting and extent of development to sit comfortably without being adversely harmful to the immediate occupiers of no.31-35 Hancock Road.



Figure 6: Unit 6 and relationship with no.35 Hancock Road

### Daylight and Sunlight Effects

- 8.33 A daylight/sunlight assessment has been submitted which confirms that all windows and rooms to 9-29 Crystal Terrace adhere to the numerical values set out in the BRE Guidelines. In terms of their gardens, each will comply by achieving at least two hours of direct sunlight to at 50% of the area on 21<sup>st</sup> March.
- 8.34 Given that the proposal is for a residential use in a residential area, the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.
- 8.35 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 neighbouring amenity impact, subject to conditions. The proposal would not be detrimental to the amenities of the adjacent occupiers in regards to overlooking, overbearing impact, visual intrusion, outlook, loss of daylight/sunlight, noise/disturbance, light pollution and sense of enclosure.

### **Highway Safety, Access and Parking**

- 8.36 Unrestricted kerbside (half on pavement) parking is noted within the immediate context on both sides of the road. Crystal Palace Railway Station is located 1 mile from the subject site. Bus stops are situated along Anerley Road (0.3 miles) with access to surrounding towns. However, the Public Transport Accessibility Level (PTAL) is 4 which is good.

### Vehicular Parking

- 8.37 The LP sets out maximum car parking standards for residential developments based on Public Transport Accessibility Levels (PTAL) and local character. 1-2 bedroom units should provide less than 1 space per unit and 3 bedroom units should provide up to 1.5 spaces per unit. For the proposed scheme, the LP maximum requirement is 7.5 spaces. The Council's expectation on sites with a low PTAL (below 5 and 6) is that one parking space will be provided for each new home on the site. The scheme proposes 3 spaces and therefore would result in a shortfall of 3 spaces.

- 8.38 A Transport Statement (TS) has been submitted with the application. According to this, 16 of the garages are let and 5 are void. Of the 16 that are let, 4 garage leaseholders live within 200m of the site. Of those 4 garages, 2 were used for storing a motor vehicle. A parking survey in accordance with the Lambeth Methodology has been conducted. Officers challenged the original survey which concluded a parking stress level of 61% within the immediate context. Taking into account the displacement of 2 garages, the fact Hermitage Road did not have parking throughout on both sides and those committed developments in the area (with their overspill), the parking stress of the surrounding roads would be 84%, following a revision to the parking survey. The level of saturation considered by the Council is 85% and anything above would mean that the surrounding roads are at high capacity. The overspill and displacement of the proposal would not exceed the saturation level and as such, the level of impact to the highway and pedestrian network would be tolerable, on balance, subject to sustainable transport mitigation below.
- 8.39 The site has an existing 5m wide access drive with low level boundary walls adjacent to no.29 and 31 Crystal Terrace. This access drive is 26m long to the point of the existing garages. An 'L-shape' layout would be provided as a forecourt which would allow vehicles for the 3 spaces to manoeuvre satisfactorily in and out the site in forward gear which has been demonstrated within the swept path drawings.
- 8.40 Given the proposed intensification and the policy requirement for car clubs and EVCP, a financial contribution will be secure through legal agreement. The funding will go towards the development of car club provision in the Upper Norwood area to include contributions to the cost of a Traffic Management Order for an EV only bay, signing and lining, EVCP maintenance and membership (or equivalent free mileage) for each household at the development, for 3 years.

#### Cycle Parking

- 8.41 Cycle parking should be provided in accordance with Draft London Plan requirements which seek a minimum of 1.5 cycle parking spaces per 1 bed unit and 2 cycle parking spaces per 2 bed+ units. The proposed development would require a minimum of 9.5 cycle spaces, which should be incorporated within a store in the building. A cycle storage would be attached onto the side of unit 1 and as part of amendments to the scheme has been revised to provide sufficient capacity (not enlarged) with the size of the door increased to 1.2m in width. The entrance to the cycle storage would be appropriately sized and so would the access arrangements. The general siting and 'integrated' nature is supported although a pre-occupation condition will be attached ensuring final details.

#### Refuse/Recycling Storage

- 8.42 Extensive discussions between the applicants and Councils waste team have taken place. Further to this, the Councils Waste team have agreed to service the site, despite the siting of the stores and steepness of the gradient. Whilst a refuse truck would not enter the site, they would operate as existing along Crystal Terrace. Furthermore, the refuse storage sited adjacent to unit 6 would be collected by refuse operatives from Eagle Hill. The service management has been agreed by the Councils Waste Team and therefore is considered satisfactory. 10sqm of allocated bulky storage has been sited adjacent to the closest refuse storage to the access drive. Given that the storages would be external, and as such would have a design and character contribution, a pre-commencement condition requesting external materials and capacity will be attached.

8.43 A fire strategy has been submitted; access to the site by a fire tender would take place from Crystal Terrace given the gradient and lack of turning on site. A hydrant will be installed near the main entrance of the driveway and would be less than 90m away from the furthest unit. Whilst dealt with separately under Building Regulations, this arrangement is acceptable.

#### Other Highways Impacts

8.44 In order to ensure that the proposed development would not have any adverse impact on the highway network or on the surrounding residents, a Demolition, Construction Logistics and Environmental Management Plan will be required by pre-commencement condition. This should outline measures to minimise noise and dust impacts, and disruption to neighbours.

8.45 An informative will be attached as a S.278 with the highway authority might be required for the proposed crossover (including reinstatement of existing).

### **Trees, Landscaping and Ecology**

#### Trees and Landscaping

8.46 The site is predominantly hardsurfaced and contains no trees. An arboricultural report has been submitted which indicated several high value category B trees within the immediate boundaries. T1 within the side boundary of no. 31 Crystal Terrace and T10 within the side/rear garden on no.9 Crystal Terrace. There are also several high value trees within the rear of the Hancock Road properties. There is also one Category C tree (T2) within the side of no.31 and three trees (T9-group, T11 and T12). Whilst none of the trees would be removed, it is proposed to prune nearly 50% (parts overhanging the site) so that the development can be accommodated. The trees that would be most pruned would be those to the rear of the Hancock Road properties (T3, T5, T6, T7 and T8). In order to protect the health of these trees (none of which are protected by a TPO) especially with the siting of the proposed development, it is proposed to retain the existing wall running along the rear boundary. The suggested mitigation also includes ensuring piling rig does not foul on tree branches during construction, limit pruning to as specified and no substantial excavation is proposed. Tree protection measures such as protective fencing have been illustrated although full details have not been provided. The Tree Team consider the impact would be acceptable, subject to accordance with the tree protection strategy.

8.47 The proposed building would be broken down in its massing, with elements stepping inwards. This has allowed areas of planting to be proposed including along the rear boundary of no.9-29 Crystal Terrace. Whilst the scheme would not plant any trees, a balance must be struck in terms of the constraints of the site and the fact that there is no vegetation or planting currently. It is considered that the level of planting and landscaping proposed would be an overall improvement in regards to replacing the existing predominant hard surfaced area, whilst ensuring the development is softened. Indicative plans have been demonstrated and a pre-commencement condition requesting details of plant species; including planting density, locations and size of proposed new planting (including any planting on roof terraces), hardstanding and boundary treatment will be attached.

#### Ecology

8.48 A Preliminary Ecological Appraisal has not been submitted or requested given that the site is predominantly hardsurfaced and has been used for vehicular purposes and

domestic storage. It is important to note lighting and planting is proposed which would enhance and provide ecological benefits.

8.49 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 respecting trees/landscaping subject to conditions.

### **Flood Risk**

8.50 The surrounding roads including no.9-29 Crystal Terrace fall within an area at risk from surface water flooding. A drainage strategy and FRA sets out the following to manage runoff from various parts of the site:

- Roofwater drains to a pipe network
- Hardstanding drains to permeable paving in the car park area
- Attenuation tank at upstream end of pipe network
- Hydrobrake flow control in pipe network
- Discharge to a Thames Water surface water sewer at 2L/s rate

8.51 Infiltration was ruled out due to site constraints based on the geotechnical site investigation. The Council's Local Lead Flood Authority (LLFA) have reviewed the submission and raised no objection to the drainage strategy, in principle. However, the details included within the submission do not provide adequate evidence for the design of the proposed strategy. As such, a pre-commencement condition will be attached.

### **Sustainability**

8.52 Policy SP6.3 of the CLP requires all new build residential development of fewer than 10 units to achieve the national technical standard for energy efficiency in new homes – set at a minimum of 19% CO2 reduction beyond Part L of the Building Regulations and requiring new build development to meet a minimum water efficiency standard of 110 litres/person/day. Consequently, it is recommended that planning conditions be imposed to ensure that the development achieves 110 litres water per head per day and a minimum of 19% CO2 reduction.

### **Contamination**

8.53 A Phase 1 Desk Survey Report and Ground Investigation by ASL has been submitted in relation to contaminated land matters which is acceptable in terms of the historical assessment of the site. It is recommended that a planning condition is imposed to require an intrusive site investigation and remediation works to be undertaken to render the site fit for purpose, given the potential for contamination from the previous use of the site for garages and potentially contaminative offsite uses nearby. The Council's Environmental assessors advised that given the contamination identified and the sensitivity of the proposal, it is recommended that a pre-commencement condition is attached requesting details of contamination, in relation to gas monitoring.

### **Other Matters**

8.54 The scheme would ensure the creation of a healthy community with access to open space, and promote cycling and walking.

8.55 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 Borough.

### **Conclusions**

8.56 Whilst it is accepted that the scheme would result in the loss of existing garaging, there is no justification to retain such uses, especially in view of the need to deliver more homes.

8.57 The design of the proposal has been well considered in terms of layout, scale, mass and external appearance to optimise the site. The dwellings would all comply with internal space standards, would be dual aspect and would provide a good standard of accommodation overall. The impact of the development on immediate neighbours would be suitably mitigated and officers are satisfied that with the level of parking proposed and its highways impact, sustainable transport contribution towards the provision of a car club space the parking arrangements are acceptable.

8.58 All other relevant policies and considerations, including equalities, have been taken into account.