

To: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Kathy Bee, Luke Clancy, Jason Perry, Joy Prince,
Manju Shahul-Hameed, Susan Winborn and Chris Wright

Reserve Members: Jeet Bains, Simon Brew, Richard Chatterjee, Sherwan Chowdhury, Pat Clouder, Steve Hollands, Karen Jewitt, Bernadette Khan, Shafi Khan and Maggie Mansell

(Five Members selected from the Planning Committee membership above for the Planning sub-Committee:
Councillors Humayun Kabir, Joy Prince, plus 1 majority and 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 8th September 2016 at the rise of Planning Committee but no earlier than 7:45pm**, in **The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**.

JACQUELINE HARRIS-BAKER
Acting Council Solicitor and Acting
Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

MARGOT ROHAN
Senior Members Services Manager
(020) 8726 6000 Extn.62564
Margot.Rohan@croydon.gov.uk
www.croydon.gov.uk/agenda
30 August 2016

Members of the public are welcome to attend this meeting. If you require any assistance, please contact the person detailed above, on the righthand side.

To register a request to speak, please either e-mail
Planning.Speakers@croydon.gov.uk or call MARGOT ROHAN by 4pm on the Tuesday before the meeting.

Please note this meeting will be paperless. The agenda can be accessed online via the mobile app on the website: <http://secure.croydon.gov.uk/akscroydon/mobile>

AGENDA - PART A

1. Minutes of the meeting held on Thursday 18th August 2016 (Page 1)

To approve the minutes as a true and correct record.

2. Apologies for absence

3. Disclosure of Interest

Members will be asked to confirm that their Disclosure of Interest Forms are accurate and up-to-date. Any other disclosures that Members may wish to make during the meeting should be made orally. Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose relevant disclosable pecuniary interests at the meeting.

4. Urgent Business (if any)

To receive notice from the Chair of any business not on the Agenda which should, in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Exempt Items

To confirm the allocation of business between Part A and Part B of the Agenda.

6. Planning applications for decision (Page 3)

To consider the accompanying reports by the Director of Planning & Strategic Transport:

6.1 16/02627/P 11 Little Woodcote Lane, Purley, CR8 3PZ

Erection of single/two storey side extension

Ward: Couldson West

Recommendation: Grant permission

6.2 16/02756/P 53 Chapel View, South Croydon, CR2 7LJ

Retention of alterations to land levels, retaining walls and boundary fencing at rear

Ward: Selsdon & Ballards

Recommendation: Grant permission

6.3 16/03110/P 53 Chapel View, South Croydon, CR2 7LJ

Retention of single storey side and rear extensions

Ward: Selsdon & Ballards

Recommendation: Grant permission

7. [The following motion is to be moved and seconded as the “camera resolution” where it is proposed to move into part B of a meeting]

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

AGENDA - PART B

None

This page is intentionally blank

Meeting held on Thursday 18th August 2016 at 8:51pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES - PART A

Present: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Kathy Bee, Simon Brew, Chris Wright

Also present: Councillor Tim Pollard

A47/16 MINUTES OF THE MEETING HELD ON THURSDAY 28TH JULY 2016

The meeting was commenced and the guillotine suspended. The meeting was then adjourned, in order to complete the Planning Committee.

The meeting recommenced at 9:45pm.

The Committee **RESOLVED** that the minutes of the meeting held on Thursday 28 July 2016 be signed as a correct record.

A48/16 DISCLOSURE OF INTEREST

There were no disclosures of a pecuniary interest not already registered.

A49/16 URGENT BUSINESS (IF ANY)

There was no urgent business.

A50/16 EXEMPT ITEMS

RESOLVED to that allocation of business between Part A and Part B of the Agenda be confirmed.

A51/16 PLANNING APPLICATIONS FOR DECISION

6.1 16/02052/A Shop And Premises, 2 Westow Street, London, SE19 3AH

Illuminated fascia and projecting signs
Ward: Upper Norwood

The North Croydon Conservation Area Advisory Panel referred this application and, as there were no other objections and no representative registered to speak, this application was **WITHDRAWN** for decision under delegated powers, as per the Constitution Part 4K, paragraph 6.1.

6.2 16/02071/P 181-183 Lower Addiscombe Road, Croydon, CR0 6PZ

Erection of a 2 storey building with accommodation in roofspace to provide 11 additional hostel rooms and associated external works
Ward: Addiscombe

This application was referred to Committee by the Chair and this was the only reason for it being considered by Committee. As the issues **raised had been addressed by the applicant in the meantime, this application was also WITHDRAWN for decision under delegated powers.**

6.3 16/02591/P 11 Mitchley Grove, South Croydon, CR2 9HS

Erection of single storey side/rear extension and juliet balcony at rear
Ward: Sanderstead

Ms June Mahase spoke in objection as a resident in a neighbouring property

Councillor Tim Pollard, ward Member for Sanderstead, spoke in objection, on behalf of local residents

Having considered the officer's report, Councillor Chris Wright proposed and Councillor Simon Brew seconded **REFUSAL**, on the grounds of loss of amenities for neighbouring properties, and the Committee voted 2 in favour, 3 against, so this motion fell.

The Committee then voted on a second motion in support of the officer's recommendation to **APPROVE**, proposed by Councillor Paul Scott and seconded by Councillor Humayun Kabir, 3 in favour and 2 against, so permission was **GRANTED** for development at 11 Mitchley Grove, South Croydon, CR2 9HS.

MINUTES - PART B

None

The meeting ended at 10:15pm

PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 This Committee can, if it considers it necessary or appropriate to do so, refer an agenda item to the Planning Committee for consideration and determination. If the Committee decide to do this, that item will be considered at the next available Planning Committee, which would normally be the following evening.
- 1.5 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan July 2011 (with 2013 Alterations)
 - the Croydon Local Plan: Strategic Policies April 2013
 - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
 - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which

affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 PROVISION OF INFRASTRUCTURE

- 3.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
 - Education facilities
 - Health care facilities
 - Projects listed in the Connected Croydon Delivery Programme
 - Public open space
 - Public sports and leisure
 - Community facilities
- 3.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106

agreement. Where these are necessary, it will be explained and specified in the agenda reports.

4 FURTHER INFORMATION

- 4.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

5 PUBLIC SPEAKING

- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

6 BACKGROUND DOCUMENTS

- 6.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

7 RECOMMENDATION

- 7.1 The Committee to take any decisions recommended in the attached reports.



PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: [16/02627/P](#) (*link to associated files on the Planning Register*)
 Location: 11 Little Woodcote Lane, Purley, CR8 3PZ
 Ward: Coulsdon West
 Description: Erection of single/two storey side extension
 Drawing Nos: 1040 BL 001, 1040 EX 001, 1040 GA 001, 1040 EL 001, MJC-16-0151-01 rev:A
 Applicant: Mr Freed
 Agent: Mr Plumb, The Abacus Studio
 Case Officer: Hayley Crabb

- 1.1 This application is being reported to committee because the ward councillor (Cllr Jeet Bains) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposal accords with guidance provided in the Council’s Supplementary Planning Document No. 2: Residential Extensions and Alterations (SPD2).
- 2.2 The extension to the building would not have a detrimental impact on the appearance of the existing building, the character of the area, or the residential amenity of adjoining nearby occupiers.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) In accordance with the approved plans
- 2) Restrict side facing windows
- 3) Materials to match the existing
- 4) Tree protection plan
- 5) 3 year commencement
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of site notices
- 2) Party Wall Act
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3.3 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 An application for full planning permission for the erection of a single/two storey side extension.

- The extension would be 7.2m wide and a maximum depth of 12.7m
- The extension would include a gable end

4.2 The key difference between this and the previously refused 16/00758/P scheme is the provision of a gable roof over the two storey side extension.

Site and Surroundings

4.3 The application site is located on the northern side of Little Woodcote Lane. The site comprises a semi-detached house with an in and out driveway.

4.4 The surrounding area is residential in character of mainly semi-detached houses set within relatively spacious gardens. The spacing between dwellings is a characteristic of the road. Little Woodcote Lane has a distinctive rural feel.

4.5 No. 15 Little Woodcote Lane has erected a single/two storey side extension to the side of their property.

Planning History

4.6 The following planning decisions are relevant to the application

08/02936/P An additional vehicular access
Approved and implemented

09/03243/P Erection of a detached two storey four bedroom house at the side with accommodation in the roofspace and provision of associated parking for existing and proposed houses
Refused on the grounds the siting and layout of the development would not respect or improve the existing pattern of buildings and the spaces between them nor maximise the opportunities for creating an attractive and interesting environment

10/00169/P Erection of a detached two storey four bedroom house at the side with accommodation in roofspace; provision of associated parking for existing and proposed houses
Refused on the grounds the siting and layout of the development would not respect or improve the existing pattern of buildings and the spaces between them nor maximise the opportunities for creating an attractive and interesting environment
Appeal Dismissed

12/00558/P Erection of a detached three bedroom chalet bungalow at side; provision of associated parking for existing and proposed houses

Refused on the grounds the siting and layout of the development would not respect or improve the existing pattern of buildings and the spaces between them nor maximise the opportunities for creating an attractive and interesting environment. The development would be detrimental to the visual amenity of the street scene by reason of its layout, scale and design

15/02749/P Erection of two storey side extension

Refused on the grounds the development would detract from the appearance of the building and be detrimental to the amenities of the street scene by reason of dominance, siting and design

16/00758/P Erection of two storey side extension

Refused on the grounds the development would detract from the appearance of the building and be detrimental to the amenities of the street scene by reason of dominance, siting and design

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 2 Objecting: 2 Supporting: 0

6.1 The following Councillor made representations:

- Councillor Jeet Bains [objecting]

6.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Not in keeping with the character of the road
- Unbalance/dominate the surroundings

6.3 The following issues were raised in representations, but they are not material to the determination of the application:

- Existing structure at rear (OFFICER COMMENT: The structure appears to be more than 4 years old and therefore immune from Enforcement Action)

- The use of the building in the rear garden served by mains/should provide information regarding this structure (OFFICER COMMENT: This structure is not included as part of this application. In the event this structure is used as a self-contained unit then planning permission would be required and if future proposals come forward, these will be judged on their own individual merits)
- Extension easily converts to a separate dwelling (OFFICER COMMENT: A planning condition can be imposed that the extension would be used in conjunction with the existing house only and not as a separate unit)
- Gap resulting in an access which could result in a house being erected at rear (OFFICER COMMENT: The application is determined based on the proposed development. If a scheme was submitted in the future for a house, the access and proposed dwelling would be assessed at that stage)
- Proposed extension would destabilise the neighbouring property (OFFICER COMMENT: This is not a planning consideration)

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

1. The impact on the character and appearance of the area and the visual amenity of the street scene
2. The impact on the amenities of the occupiers of the adjoining and neighbouring properties.
3. Impact on trees

The impact on the character and appearance of the area and the visual amenity of the street scene

7.2 The National Planning Policy Framework requires good design making a positive contribution to place. London Plan 2011 (Consolidated with alterations since 2011) policies 7.4 and 7.6 state that new development should reflect the established local character and should make a positive contribution to its context. Policies SP4.1 and SP4.2 of the Croydon local Plan: Strategic Policies 2013 require development to be of a high quality respecting and enhancing local character and informing the distinctive qualities of the area. Policy UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 require proposals to reinforce the existing development pattern and respect the height and proportions of surrounding buildings. Supplementary Planning Document No. 2: Residential Extensions and Alterations (SPD2), requires extensions to be in good design, to improve the character and quality of an area. Supplementary Planning Document no 2 on Residential Extensions and Alterations recommends a setback of 1.5m at first floor level to avoid a terracing effect and to ensure that the extension is subservient to the host building. SPD2 also states the shape or form of the roof needs to be appropriate to the particular house and its context and the extension should not normally be more than 2/3rds the width of the proposed house.

7.3 This application proposes to erect a single/two storey side extension. Previous attempts have been made to erect a house on the plot which has been unsuccessful as well as extensions to the existing house.

- 7.4 The property is a semi-detached house with a gable end with mock tudor detailing situated on a wide plot. The properties in the vicinity vary in size and style. No. 9 Little Woodcote Lane has a hipped roof and no. 11 a gable roof. No. 15 Little Woodcote Lane has erected a single/two storey side extension similar to that proposed albeit it with a hipped roof to match the hip on the existing house as to the gable proposed at no. 11 and other variations to the position of windows.
- 7.5 The existing house is 6.86m wide and the proposed extension would be 7.4m wide at ground floor level. At first floor it would be 4.2m in width. Given the extension would be part single and part two storey as per no. 15, it is considered the width is acceptable.
- 7.6 The proposed extension at first floor level would be set back 1.5m from the main front wall with a reduced ridge height, level with the main rear wall and a gable end to match the existing property. The ground floor would have a bay feature to the front to match the bay and roof found on the existing house. There would be a single storey element at the side which would have a hipped roof and be set back approximately 1.1m from the front of the bay.
- 7.7 Planning permission was previously refused under application number 16/00758/P as it was deemed the interconnection between the existing gable end and proposed hipped roof would have an awkward relationship, unbalancing the pair. This proposal would see a gable end with a lower ridge height to match the existing. Whilst no. 9 has a hipped roof on the main roof and no. 11 a gable end on the main roof, the pair are already unbalanced and at odds within the street scene. Whilst the roof to the proposed extension would be gabled, it would be sufficiently subordinate to the host building and the roof appropriate to the host house given the existing gable. Whilst the properties would be different, it is considered the development would not be so detrimental to the appearance of the street scene to, on balance, be acceptable particularly bearing in mind the extension at no. 15 Little Woodcote Lane.
- 7.8 Therefore the development would be acceptable in terms of its impact on the appearance of the host building, the visual amenity of the street scene and the character of the area. It would be in accordance with the intentions of policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policies SP1.2, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013, Supplementary Planning Document No 2 on Residential Extensions and Alterations and Policy 7.6 of the London Plan 2011 (consolidated with alterations since 2011).

The impact on the amenities of the occupiers of the adjoining and neighbouring properties

- 7.9 Policy SP4.2 of the Croydon Local Plan: Strategic Policies 2013 requires development to enhance social cohesion and well-being. Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 relates to Protecting Residential Amenity and requires the Council to have regard to the privacy and amenity of the occupiers of surrounding buildings when considering proposals for extensions and alterations of existing buildings. SPD2 Note No. 2 requires extensions to have acceptable relationships with neighbouring properties.

- 7.10 The property is a semi-detached house. The proposed extension would be set 4.0m from the boundary with no. 13 and there is a close boarded fence along the side boundary. No. 13 has a wooden structure located adjacent to the boundary and a garage to the side of the main house. Given the siting of the extension and relationship with no. 13 and the existing boundary treatment, it is considered the extension would not have a significant effect on the amenities of no. 13 and is acceptable.
- 7.11 The extension would be of sufficient distance to not have an undue impact on the amenities of no. 9.
- 7.12 The development would therefore be in accordance with the intentions of Policy UD8 of the replacement Unitary Development plan (The Croydon Plan 2006) Saved Policies 2013, Supplementary Planning Document No. 2 on Residential Extensions and Alterations and Policy 7.6 of the London Plan 2011 (consolidated with alterations since 2011).

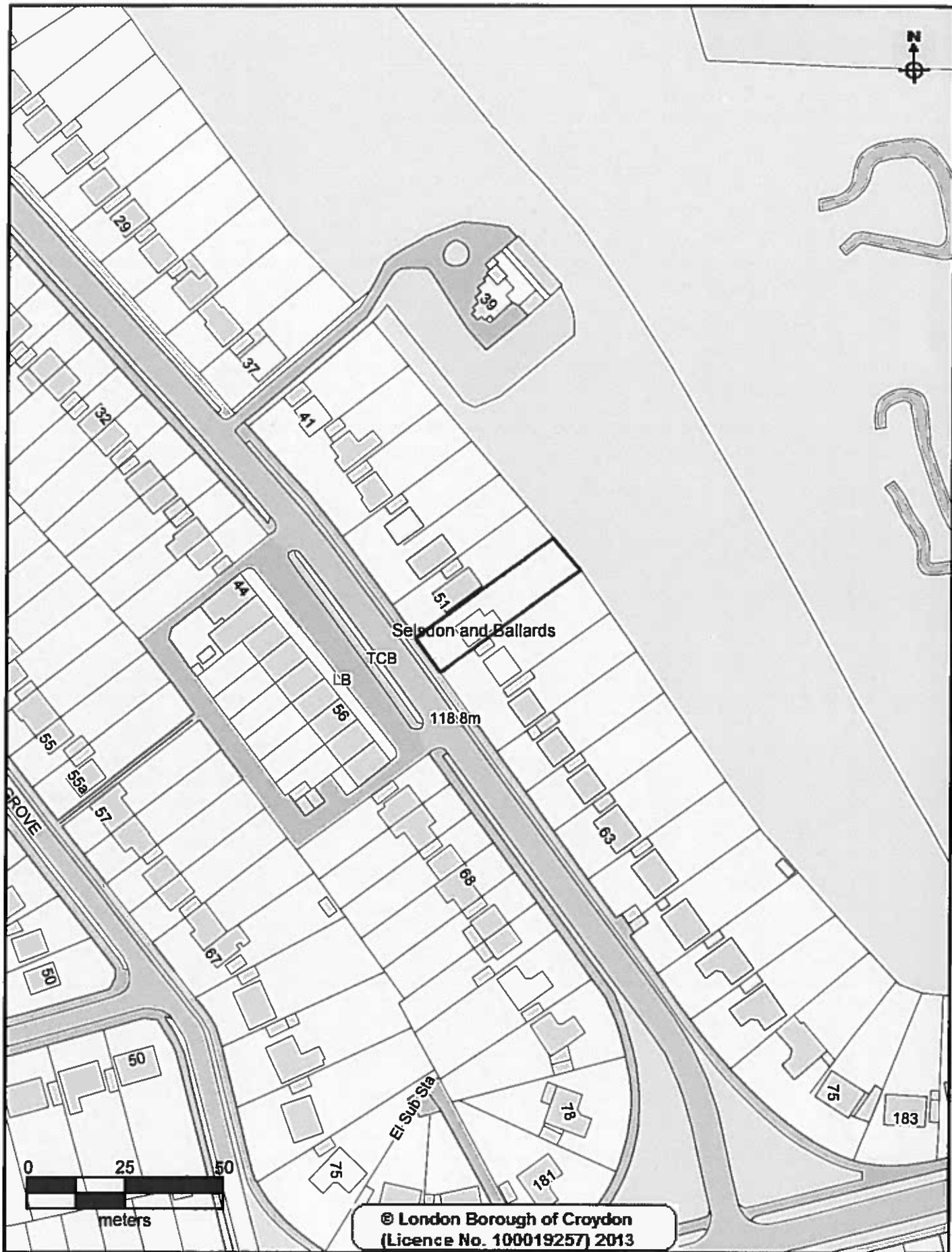
Impact on trees

- 7.13 Chapter 11 of the NPPF seeks to conserve and enhance the natural environment. London Plan Policy 7.21 states that trees and woodlands should be protected, maintained and enhanced. UDP Policies UD2 and NC4 requires that valued trees especially those protected by Tree Preservation Orders are protected.
- 7.14 There is a preserved tree to the front of the site, in the adjoining property. Whilst not being compromised by the development it must be suitably protected. A tree report/tree protection plan was submitted (MJC-16-0151-01 rev:A) which is considered acceptable and it is recommended for the tree protection plan to be conditioned.

Conclusions

- 7.15 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

This page is intentionally blank



PLANNING SUB-COMMITTEE AGENDA

8th September 2016

PART 6: Planning Applications for Decision

Item 6.2

1 APPLICATION DETAILS

Ref: [16/02756/P](#) (*link to associated files on the Planning Register*)
Location: 53 Chapel View, South Croydon, CR2 7LJ
Ward: Selsdon and Ballards
Description: Retention of alterations to land levels, retaining walls and boundary fencing at rear
Drawing Nos: A02, OS map, A01
Applicant: Mr Uchuvatov
Case Officer: Louise Tucker

- 1.1 This application is being reported to committee because the ward councillor (Cllr Sara Bashford) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The development would not have a detrimental impact on the character of the dwelling or the surrounding area.
- 2.3 The development would not have a detrimental impact to the amenity of adjoining occupiers.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) In accordance with submitted drawings
- 2) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of Site Notices
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Full planning permission is sought for excavations to the rear of the property to create a levelled garden and patio area. Permission is also sought for boundary fencing along both side boundaries. Works on site have commenced and are near completion.
- 4.2 Land levels rise to the rear of the site. Excavation and engineering works have taken place in the rear garden to terrace the garden to create a paved area adjacent to the rear boundary with two level areas gradually sloping down towards the end of a rear extension. Retaining walls have been constructed, of a maximum 1.3m in height, with steps up towards the rear levelled area.
- 4.3 Timber fencing on a concrete base has been constructed along both side boundaries. The height varies where land levels rise towards the rear of the site, but the maximum height including the base is approximately 2.3m high (in the centre of the site).
- 4.4 A single storey outbuilding to the rear of the garden is shown on the submitted plans. This appears to be permitted development but is not part of this application. For a formal decision the applicant is advised to submit a Lawful Development Certificate application. The only works to be considered are those outlined in the description.

Site and Surroundings

- 4.5 The application site comprises a two storey detached dwelling on the north eastern side of Chapel View in South Croydon. A single storey rear extension and detached side garage were demolished to make way for construction of new extensions.
- 4.6 The site is not subject to any designations within the Croydon Local Plan: Strategic Policies (2013) map, but does border Metropolitan Green Belt to the rear and is sited opposite a Shopping Parade. Land levels rise steeply towards the rear of the site.

Planning History

- 4.7 15/02341/P – Erection of single storey rear extension and two storey side extension – Permission refused
15/04706/LP – Erection of single storey side and rear extensions – Certificate granted
16/03110/P – Retention of single storey side and rear extensions – Under consideration on this committee agenda

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the Material Planning Considerations section below.

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 6 Objecting: 6 Supporting: 0 Comment: 0

6.2 The following Councillor made representations:

- Councillor Sara Bashford [objecting]

6.3 The following Resident's Association made representations:

- Croham Valley Resident's Association [objecting]

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Out of character with the area
- Excavations will lead to/has lead to structural and land instability on neighbouring properties, will cause landslides
- Fencing too high and overbearing
- Impact on trees and shrubs along the boundary
- Impact on Local Nature Reserve and Site of Nature Conservation Importance to the rear

6.5 The following issues were raised in representations, but they are not material to the determination of the application:

- Applicant has carried out works without planning permission [OFFICER COMMENT: Consideration of the application is not affected by the works having been undertaken, a decision can be made retrospectively and works without planning consent were undertaken at the risk of the applicant]
- The height of the fencing in parts exceeds permitted development limits so the planning application should be refused [OFFICER COMMENT: Permitted development requirements allow certain works to be carried out without the need for planning permission. Works outside the scope of permitted development require planning permission and allow the Council to consider the merits of the scheme]
- Comments relating to the rear outbuilding [OFFICER COMMENT: This is not part of the application and is considered to be permitted development]

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

- 1) The design and appearance of the development and its effect upon the character and appearance of the area
- 2) The impact of the development upon the residential amenities of the adjoining occupiers
- 3) Other planning issues

The design and appearance of the development

7.2 London Plan Policies 7.4 Local Character and 7.6 Architecture state that development should have regard to the character of the area, and that architecture should make a positive contribution to the public realm. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) (CLP) reiterate this and state that development should be of high quality design, enhance Croydon's varied character and be informed by the Places of Croydon. Furthermore, the relevant Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 (the UDP) include UD2 which covers "the layout and siting of new development" and stipulates that proposals should reinforce and respect the existing development pattern. Policy UD3 covers "the scale and design of new buildings" and states that proposals should respect the height and proportions of surrounding buildings. Supplementary Planning Document No. 2 (SPD2) on Residential Extensions and Alterations provides detailed guidance on the design of household extensions.

7.3 Material has been excavated from the sloping garden to facilitate landscaping and terracing of the rear garden, directly beyond the existing single storey rear extension stepping up on terraced levels bound by retaining walls. The upward sloping profile of the garden, seen on all properties on this side of Chapel View including both neighbouring properties has been retained with levels graduating upwards towards the rear. The garden was terraced originally prior to works taking place, whilst the retaining walls are now higher and more material has been excavated to produce more defined levels, the character of the original garden has been retained in this respect. Other properties in the vicinity have similar levelled gardens bound by retaining walls given the changes in land level. The development would not be visible from the streetscene being fully to the rear of the property. Grassed areas and flower beds have been incorporated to avoid an over-dominance of hard landscaping. It is considered this element of the scheme is acceptable.

7.4 Timber boundary fencing has been constructed on both sides of the plot. Boundary treatments in the area are varied and there is no set character to adhere to in this respect. The height of the fencing increases towards the rear of the site reflecting the change in land levels, which is in keeping with neighbouring

properties. A fence of 2 metres in height of the same form could be constructed under permitted development. It is not considered the fencing is sufficiently harmful to character to justify refusing planning permission.

- 7.5 Taking all factors into account it is not considered the proposal would cause sufficient undue harm to the host property or the character of the surrounding area, in accordance with policies UD2 and UD3 of the UDP and SPD2.

The residential amenities of the adjoining occupiers

- 7.6 The policies quoted above refer to the relationship of development to the surrounding area and are of relevance when considering the impact of development on adjoining occupiers. Policy UD8 of the UDP aims to protect residential amenity and requires the Council to have regard to the privacy and amenity of the occupiers of surrounding buildings when considering development proposals. SPD2 requires boundary enclosures to be simple in design, respect the height of other enclosures and reinforce any dominant boundary treatment type.
- 7.7 Excavations have been undertaken to provide a terraced rear garden. Land levels to the rear of properties on this side of Chapel View rise steeply to the rear, and the works are in keeping with this character. Prior to works taking place the garden was terraced with sections bounded by retaining walls and whilst these have been constructed larger in height, it is not considered this has provided a significantly more harmful opportunity for overlooking. Land levels in both the neighbouring sites follow the same prevailing increase from south west to north east. The property and garden of no.55 Chapel View are on a higher land level than that within the application site, so it is not considered the terracing of the garden has given rise to any additional harm through overlooking. Whilst no. 51 is on a lower land level than the application site, land levels within this property also rise towards the rear and given the existing situation before works were commenced, it is not considered there would be severe additional harm caused to occupiers of no. 51 from any loss of privacy. As the levels increase in height, the distance from the rear windows of the neighbouring properties increases and the fencing constructed provides a degree of screening from any views into neighbouring gardens. Considering the above factors, it is not considered the alterations to land levels and construction of retaining walls would result in any harmful loss of privacy to adjoining occupiers.
- 7.8 The boundary fencing is at its lowest level nearest the rear walls of both neighbouring properties, and steps up to higher levels further away from neighbouring rear windows. This relationship is expected, given the steep change in land levels from south west to north east on this side of Chapel View. The height of the fencing is 2m closest to the rear of the neighbouring buildings, and fencing of this height could be constructed without requiring planning permission. Both neighbouring properties are detached and are set in from their side boundaries, providing an adequate separation distance between the fencing and rear ground floor windows. The higher sections of fencing are further up the

garden and thus set away from the neighbouring houses. Taking into account the above considerations and the height of fencing that could be constructed under permitted development, it is not considered the fencing would result in harm to the neighbouring occupiers through loss of light or outlook to justify refusing planning permission. It is acknowledged there is a flank window to no.51 that serves a kitchen. As a non-habitable room window the relationship would be acceptable.

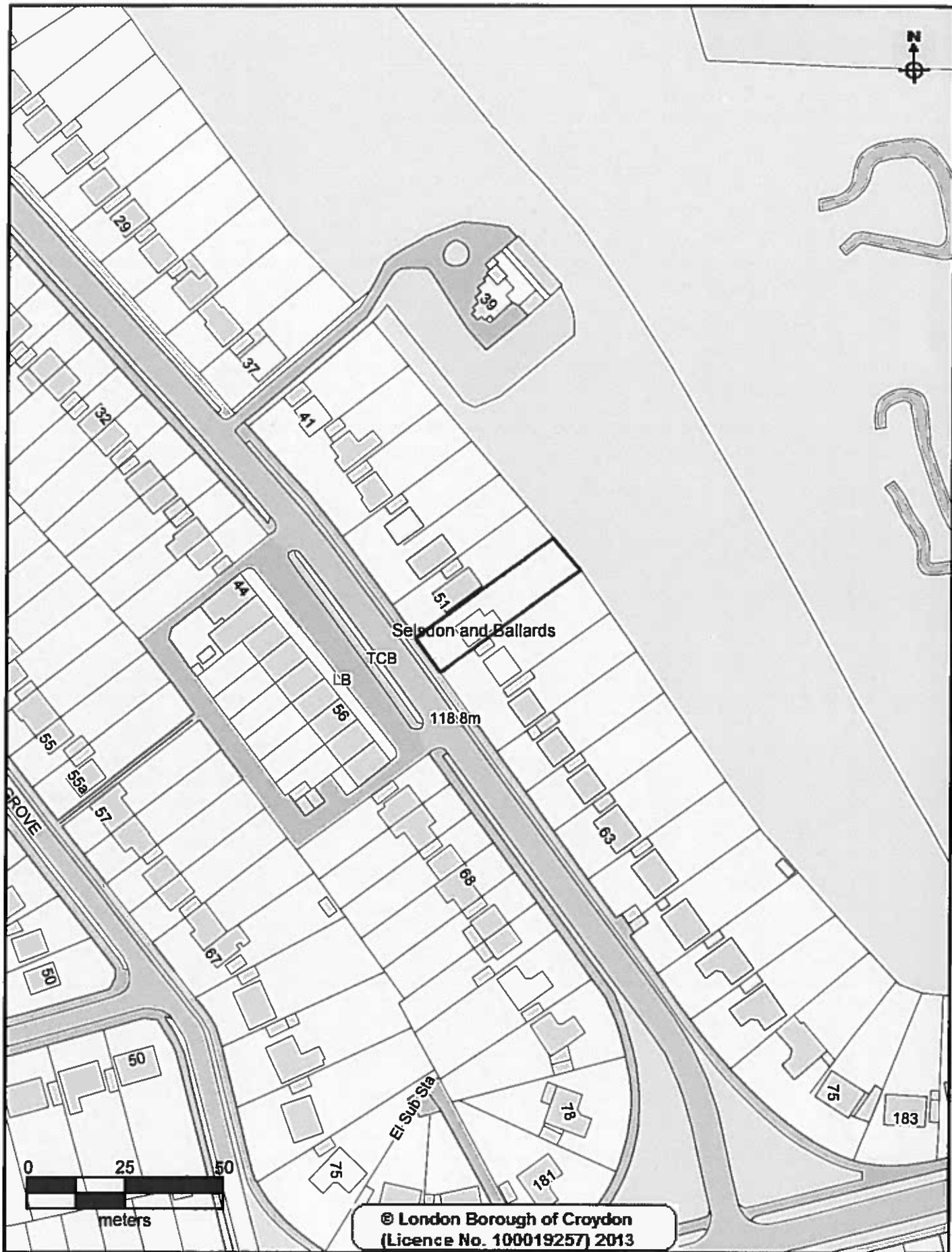
- 7.9 For the above reasons, it is considered the impact on the residential amenities of neighbouring properties is acceptable and in accordance with policy UD8 and SPD2.

Other planning issues

- 7.10 Representations have raised concern that the proposed engineering works and excavation that has taken place would result in structural instability on neighbouring properties and gardens. Land stability can be a material planning consideration, but a risk based approach should be taken based on the individual site circumstances and proposed development. The site is not in an area notified as being at risk from land stability issues. Land level changes adjacent to buildings or their approach is a matter controlled by Building Regulations, and the provisions of the Party Wall Act may also be relevant for these issues. Representations have requested that supporting walls should be constructed along the boundaries with neighbouring properties to ensure land is stable following the excavation works. However this would be a private matter between the parties and given the above factors is not something that would be under planning control. It is considered that the development here proposed would not lead to significant detrimental impact to neighbouring properties in these terms.
- 7.11 Representations have raised concerns regarding the impact of the fencing and excavations on neighbouring trees and shrubs along the boundary. There is no Tree Preservation Order on the site (or neighbouring sites) and the site is not within a Conservation Area, so trees on the site are not subject to planning control. Representations have raised concern regarding alleged damage to trees and shrubs within neighbouring sites as a result of the works but this would be a private matter.
- 7.12 Representations have raised concern about the impact on the Local Nature Reserve and Site of Nature Conservation Importance to the rear of the site. The use of the site remains as a residential garden and whilst a fence has been constructed along the rear boundary, the works are wholly contained within the site. There was an existing paved area to the rear of the site. It is not considered the development would have a harmful impact on the designated Local Nature Reserve and Site of Nature Conservation Importance to the rear of the site.

Conclusions

7.13 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.



PLANNING SUB-COMMITTEE AGENDA

8th September 2016

PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: [16/03110/P](#) (*link to associated files on the Planning Register*)
Location: 53 Chapel View, South Croydon, CR2 7LJ
Ward: Selsdon and Ballards
Description: Retention of single storey side and rear extensions
Drawing Nos: Site Plan 1:1250, A01 A, A02, A03, A04, A05, A06, A07
Applicant: Mr Uchuvatov
Case Officer: Louise Tucker

- 1.1 This application is being reported to committee because the ward councillor (Cllr Sara Bashford) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The principle of residential extensions are acceptable.
- 2.2 The development would not have a detrimental impact on the character of the dwelling or the surrounding area.
- 2.3 The development would not have a detrimental impact to the amenity of adjoining occupiers.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) In accordance with submitted drawings
- 2) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of Site Notices
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Full planning permission is sought for the retention of a single storey side and single storey rear extension. At the time of the officer site visit, works to the extensions were near completion. The description has been updated to reflect this.
- 4.2 The single storey side extension is 3m in width and 7m in depth, with a flat roof. Where land levels rise steeply towards the rear of the site, the height of the extension at the front is approximately 4.1m, and to the rear is approximately 3.6m. A window has been inserted into the front of the extension serving a bedroom, with an obscure glazed window to the rear serving an ensuite bathroom.
- 4.3 The single storey rear extension is 4m in depth, 5.75m in width and 3.5m in height with a flat roof. Sliding doors have been inserted into the rear of the extension, with two rooflights. The plans show the extension is to be used as a kitchen.
- 4.4 A Lawful Development Certificate was granted in December 2015 for the erection of a single storey side and single storey rear extension (application reference number 15/04706/LP). Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 states that if the enlarged part of the dwellinghouse is within 2 metres of the boundary of the curtilage of the dwellinghouse, the height of the eaves of the enlarged part cannot exceed 3 metres. The eaves height of the extensions as built are 3.1m in height (side extension) and 3.1m in height (rear extension) respectively, so the extensions fall outside the scope of permitted development and require planning permission.

Site and Surroundings

- 4.5 The application site comprises a two storey detached dwelling on the north eastern side of Chapel View in South Croydon. A single storey rear extension and detached side garage were demolished to make way for construction of the new extensions.
- 4.6 The site is not subject to any designations within the Croydon Local Plan: Strategic Policies (2013) map, but does border Metropolitan Green Belt to the rear and is sited opposite a Shopping Parade. Land levels rise steeply towards the rear of the site.

Planning History

- 4.7 15/02341/P – Erection of single storey rear extension and two storey side extension – Permission refused
15/04706/LP – Erection of single storey side and rear extensions – Certificate granted

16/02756/P – Retention of alterations to land levels, retaining walls and boundary fencing to rear – Under consideration on this committee agenda

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the Material Planning Considerations section below.

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 5 Objecting: 5 Supporting: 0

6.2 The following Councillor made representations:

- Councillor Sara Bashford [objecting]

6.3 The following Resident's Association made representations:

- Croham Valley Resident's Association [objecting]

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Out of character with the area
- Extensions too large in mass and dominance
- Loss of light and privacy
- Overdevelopment

6.5 The following issues were raised in representations, but they are not material to the determination of the application:

- Applicant has carried out works without planning permission [OFFICER COMMENT: Consideration of the application is not affected by the works having been undertaken, a decision can be made retrospectively and works without planning consent were undertaken at the risk of the applicant]
- The height of the rear and side extensions exceed permitted development limits so the planning application should be refused [OFFICER COMMENT: Permitted development requirements allow certain works to be carried out without the need for planning permission. Works outside the scope of permitted development require planning permission and allow the Council to consider the merits of the scheme]

- The increase in height to the extension is unnecessary and not required [OFFICER COMMENT: This is not a material planning consideration]
- Applicant intends to carry out works to the front garden [OFFICER COMMENT: There are no works proposed to the front garden as part of this application]
- The applicant has carried out works outside the scope of the application originally submitted (reference 15/04706/LP) [OFFICER COMMENT: The works carried out in pursuance of this consent have been built larger than is acceptable under permitted development, the applicant has submitted this planning application to regularise the situation and gain full planning consent for the works]

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

- 1) The design and appearance of the development and its effect upon the character and appearance of the area
- 2) The impact of the development upon the residential amenities of the adjoining occupiers
- 3) Highways impact

The design and appearance of the development

7.2 London Plan Policies 7.4 Local Character and 7.6 Architecture state that development should have regard to the character of the area, and that architecture should make a positive contribution to the public realm. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) (CLP) reiterate this and state that development should be of high quality design, enhance Croydon's varied character and be informed by the Places of Croydon. Furthermore, the relevant Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 (the UDP) include UD2 which covers "the layout and siting of new development" and UD3 which covers "the scale and design of new buildings". Supplementary Planning Document No. 2 (SPD2) on Residential Extensions and Alterations provides detailed guidance on the design of household extensions.

7.3 SPD2 requires single storey rear extensions to be subordinate to the original house, and the roof should be 'appropriate to the particular house and context'. It goes on to state that single storey side extensions should not normally project in front of the existing house, and should normally be set back by at least 215mm (1 brick) from the main front wall of the dwellinghouse.

7.4 In the main the extensions to the property are classed as permitted development, as was confirmed through the grant of a Lawful Development Certificate in December 2015 (see planning history). The only change from this previous consent is the increased eaves height, and the resultant increase in overall

height of the extensions. This increase in height amounts to 0.15m for the side extension, and 0.1m for the rear extension.

- 7.5 Whilst the side extension is flush with the main front wall of the property, the development is single storey, of a subordinate width and has a separation distance of around 0.4m from the side boundary, ensuring there is no terracing effect as a result of the development. The extension has replaced a detached side garage, which, along with side extensions, are common in the Chapel View streetscene, most having either a flat roof or a dummy pitch roof to the front. The extension has been finished in materials to match the existing property. A side extension of a similar appearance and form could be built under permitted development. It is not considered the side extension appears sufficiently out of character with the streetscene to justify refusing planning permission. This aspect of the scheme is considered acceptable.
- 7.6 The single storey rear extension would be 4m in depth with a flat roof. The development would have no visibility in the streetscene. The development replaced an existing single storey flat roofed extension of similar appearance, and other flat roofed extensions are common to the rear of properties in the area, including on the immediate neighbouring properties. The property is detached and benefits from a substantial rear garden. Spacing to the boundary with no 55 has been retained. It is not considered the rear extension would result in significant harm to character to justify refusing planning permission on these grounds. This part of the scheme is considered to be acceptable.
- 7.7 Taking into account what could be constructed under permitted development and the scale and form of the development, it is not considered the proposal would cause sufficient undue harm to the host property or the character of the surrounding area, in accordance with policies UD2 and UD3 of the UDP and SPD2.

The residential amenities of the adjoining occupiers

- 7.8 The policies quoted above refer to the relationship of development to the surrounding area and are of relevance when considering the impact of development on adjoining occupiers. Policy UD8 of the UDP aims to protect residential amenity and requires the Council to have regard to the privacy and amenity of the occupiers of surrounding buildings when considering development proposals.
- 7.9 As noted above, SPD2 states that the maximum acceptable projection beyond the rear of the neighbouring building on a semi-detached property is 3m. Where properties are detached, a larger extension may be permissible. As previously noted, a rear extension of 4m in depth could be built on the property under permitted development. The flank wall of the rear extension is well separated from the main rear wall of no. 55, and so would not result in any harmful loss of light or outlook into rear windows on this property, which is on a higher land level. The rear extension would be set away from no.51, which has been extended to

the rear at single storey level also. There are no side windows in the rear extension, so there would not be a loss of privacy to either of the neighbouring properties. Therefore it is not considered the rear extension would result in a detrimental impact to the residential amenities of either neighbouring property, this element of the scheme is considered acceptable and in accordance with policy.

- 7.10 The side extension would be close to a neighbouring side window in the flank wall of no. 51. Representations on the application suggest that this window serves a kitchen. Given the single storey nature of the development, that a degree of separation to the boundary has been retained, the use of a flat roof, the previous siting of a garage along this side and the permitted development fall back position, it is not considered that loss of light and outlook into this window would be so severe that it would justify refusing planning permission. The side extension would not project beyond the rear wall of no. 51, and as such would not harm any light or outlook into any rear windows. There are no side windows in this extension so privacy would not be an issue. This element of the scheme is therefore acceptable in terms of impact on residential amenity.
- 7.11 For the above reasons, it is considered the impact on the residential amenities of neighbouring properties is acceptable and in accordance with policy UD8 and SPD2.

The highways impact

- 7.12 The construction of the side extension has resulted in the loss of a garage and one parking space. Given the property benefits from a front driveway providing space for at least one car, the loss of the garage is considered acceptable and would not result in increased pressure on parking facilities in the local area. This would be in accordance with policy T2 of the Croydon Replacement Unitary Development Plan (the Croydon Plan 2006) Saved Policies 2013.

Conclusions

- 7.13 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.