

Planning Sub-Committee Agenda



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 Paul Scott, Humayun Kabir, Jamie Audsley, plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 9th February 2017** at **the rise of Planning Committee but no earlier than 8pm** in **The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS-BAKER
Acting Council Solicitor and Action
Monitoring Officer
London Borough of Croydon
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www.croydon.gov.uk/agenda
31 January 2017

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: <http://secure.croydon.gov.uk/akscroydon/mobile> - select 'Meetings' on the opening page.

AGENDA - PART A

- 1. Apologies for absence**
- 2. Minutes of the meeting held on Thursday 26th January 2017 (Page 1)**

To approve the minutes as a true and correct record.

- 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 16/05768/FUL 150 Norbury Crescent, Norbury, London SW16 4JZ

Conversion to form 1x three bedroom 1 two bedroom and 1 one bedroom flats

Ward: Norbury

Recommendation: Grant permission

6.2 16/05182/HSE 74 Sanderstead Court Avenue, South Croydon CR2 9AJ

Alterations, construction of first floor and erection of single storey rear extension

Ward: Sanderstead

Recommendation: Grant permission

6.3 16/05868/FUL 240A Wickham Road, Croydon CR0 8BJ

Erection of part single/ two storey, first floor extensions and creation of a flat roof single storey link extension

Ward: Heathfiels

Recommendation: Grant permission

6.4 16/05927/CONR 6 Scarbrook Road, Croydon CR0 1UH

Retention of 8 storey mixed use building comprising commercial use on ground floor with 66 flats over (without compliance with: Condition 7)
The proposed north facing ground floor commercial unit shall only be used for purposes with Use Class A3 attached to planning permission 08/1716/P)

Ward: Fairfield

Recommendation: Grant permission

6.5 16/06087/FUL 15A Normanton Road, South Croydon CR2 7AE

Erection of three bedroom detached house at rear

Ward: Croham

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

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Planning Sub-Committee

Meeting held on Thursday 26th January 2017 at 9:56pm 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 Luke Clancy, Jason Perry and Manju Shahul-Hameed

A6/17 Minutes of the meeting held on Thursday 12th January 2017

RESOLVED that the minutes of the meeting held on Thursday 12 January 2017 be signed as a correct record.

A7/17 Disclosure of Interest

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

A8/17 Urgent Business (if any)

There was none.

A9/17 Exempt Items

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

A10/17 Planning applications for decision

6.1 16/04590/FUL 40 Northampton Road, Croydon CR0 7HT

Alterations. Conversion to form 3 one bedroom and 1 two bedroom flats and provision of associated refuse and cycle storage
Ward: Ashburton

Mr Ian Austin spoke as the applicant

After the Committee considered the officer's report and addendum, Councillor Humayun Kabir proposed and Councillor Manju Shahul-Hameed seconded the officer's recommendation and the Committee voted 3 in favour, 2 against, so permission was **GRANTED** for development at 40 Northampton Road, Croydon CR0 7HT.

A second motion for **REFUSAL**, on the grounds of overdevelopment, proposed by Councillor Jason Perry and seconded by Councillor Luke Clancy, thereby fell.

MINUTES - PART B

None

The meeting ended at 10:10pm.

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

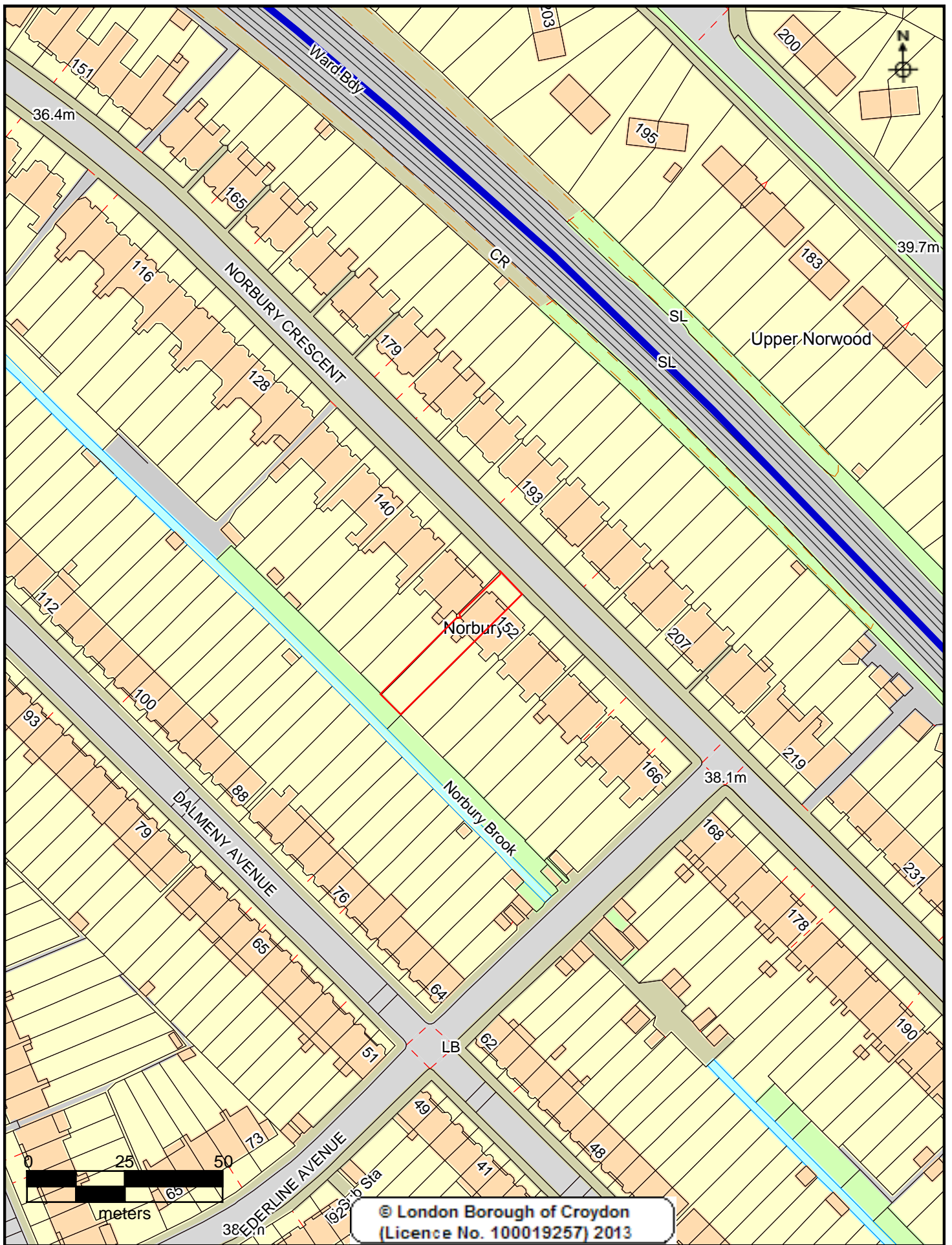
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

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: [16/05768/FUL](#) (*Link to associated documents on the Planning Register*)
 Location: 150 Norbury Crescent, Norbury, London, SW16 4JZ
 Ward: Norbury
 Description: Conversion to form 3x self contained flats (1x 3bedroom, 2x 1bedroom)
 Drawing Nos: 150NC/P/01 Rev A, 150NC/P/02 Rev B, 150NC/P/03 Rev B, 150NC/P/04 and 150NC/P05 Rev A.
 Applicant: Mr Mark Fitzsimons
 Agent: Mrs Pamela Fitzsimons
 Case Officer: Ganesh Gnanamoorthy

1.1 This application is being reported to committee because The Norbury Residents Association Joint Planning have made representations in accordance with the Committee Consideration Criteria and requested committee consideration if permission is recommended.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 Principle of development is acceptable given the residential character of the area
- 2.2 Development will not detract from the visual character
- 2.3 Will not detrimentally impact on the amenity of adjoining occupiers
- 2.4 Standard of accommodation for future occupiers is acceptable
- 2.5 The development will not result in unacceptable additional parking stress
- 2.6 The development would not have an unacceptable impact upon flood risk

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) Submission of details relating to cycle storage
- 2) In accordance with approved plans
- 3) Development must commence within three years from date of approval

Informatives

- 1) Removal of site notices

PROPOSAL AND LOCATION DETAILS

Proposal

3.3 The application proposes:

- The conversion of the existing single dwelling house to provide 3x self contained flats (1x 3bed and 2x 1 bed), and provision of a bin store.

Site and Surroundings

3.4 The application site is located on the south-western aspect of Norbury Crescent, within the Norbury Ward. The site is designated by the Croydon Local Plan: Strategic Policies (2013) as an Area of High Density. The site is not located on article 2 (3) land.

3.5 The subject property is one half of a semi-detached pair. The surrounding area is primarily made up of semi-detached and terraced properties.

3.6 The site is situated within the Surface Water 100yr Flood Zone, and is within flood zones 2 and 3.

Planning History

3.7 16/00470/LP – Certificate refused for the erection of gable end roof extension with dormer extension in rear roof slope and single storey rear extension.

3.8 16/01786/P – Permission refused for the erection of single storey/two storey rear extension

3.9 16/03484/LE – Certificate granted for erection of single storey rear extension

3.10 16/04582/FUL – permission refused for alterations and conversion to form 1 three bedroom, 1 two bedroom and 1 one bedroom flats; provision of a bin store. This application was refused due to substandard accommodation, inadequate parking arrangements and the lack of flood risk information.

4 CONSULTATION RESPONSE

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

5 LOCAL CONSULTATION

5.1 The application has been publicised by site notices on Norbury Crescent and Dalmeny Avenue. The number of representations received from neighbours and local groups in response to publicity of the application were as follows:

No of individual responses: 0 Objecting: 1 Supporting: 0

The Norbury Residents Association Joint Planning Committee have objected to the proposal for the following reasons:

- Overdevelopment of property and excessive additional pressures on demand for local services and utilities. [Officer Comment: This is not a material planning consideration].
- Inaccuracies on application form [Officer Comment: The description has been amended accordingly and assessed in accordance with the detail provided on the plans]
- The site history [Officer comment: Officers consider that this proposal overcome the previous reasons for refusal which is considered in more detail below]
- Substandard accommodation [Officer comment: This will be addressed later in this report]
- The amenity space proposed for each flat within the current garden space lacks value [Officer comment: this will be addressed later in this report].
- Unsightly built dormer built prior to obtaining a certificate of lawful development [Officer comment: This has been built under permitted development. The applicant is under no obligation to apply for a certificate of lawful development for this work]
- Parking – unacceptable parking space proposed and likely additional on-street parking stress [Officer comment: This will be addressed later in this report]
- Inadequate refuse store [Officer comment: This will be discussed later in this report]

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle
2. Design and townscape
3. Impact on the amenity of adjoining occupiers
4. Amenity of future occupiers
5. Highways and parking
6. Flood risk
7. Refuse

Principle

6.2 The London Plan (consolidated with alterations since 2011) Policy 3.3 Increasing Housing Supply states that the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.

6.3 The Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 Policies H2 Supply of New Housing, H7 Conversions and H11 Retaining Small Houses permit housing development and conversions within existing built up areas provided it does not conflict with the aim of respecting the character of residential areas, that the new dwellings are self-contained, there would be no net loss of small houses and that they provide satisfactory accommodation.

- 6.4 The London Housing Supplementary Planning Guidance (SPG) - 2015 states that a balance needs to be struck between realising the potential of residential conversions to meet the needs of smaller households and sustaining the residential quality of neighbourhoods where pressure for conversions is particularly intense.
- 6.5 Saved policy H11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 resists the loss of small houses, which are defined as having a floor area of less than 130 square metres.
- 6.6 The floor area of the existing dwelling is approximately 190 square metres and is not, therefore, regarded as a small house,
- 6.7 The proposal to convert the house into flats is therefore considered acceptable.

Design and townscape

- 6.8 London Plan Policy 7.4 Local Character and Policy 7.6 Architecture are of relevance. Policy SP4.1 of the Croydon Local Plan: Strategic Policies (2013) should be considered. The relevant Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 are UD2 which covers “the layout and siting of new development” and UD3 which covers “the scale and design of new buildings”. Furthermore, Croydon Plan Policy UD15 Refuse and Recycling Storage should also be considered, it states that conversions will only be permitted if it provides temporary storage space for refuse which is generated by the development and which is adequately screened and conveniently located. Supplementary Planning Document No.2 (SPD2) on ‘Residential Extensions and Alterations’ is also of importance.
- 6.9 No external extensions are proposed, whilst the only addition visible within the streetscene would be the refuse store to the front of the site. Refuse bins to the front of properties along this part of Norbury Crescent are commonplace and the proposed refuse store would provide a tidy housing for these. As such, the proposal would not have a detrimental impact on the appearance of the host property, or the wider streetscene.

Impact on the amenity of adjoining occupiers

- 6.10 The London Plan Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Policy UD2 and UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 seek to protect residential amenity to prevent adjoining and nearby occupiers from loss of privacy, loss of light, loss of outlook and adverse visual intrusion.
- 6.11 No extensions are proposed, while the refuse store would be a modestly sized structure. There is no resultant concern over light receipt to adjoining properties, nor any concerns of overbearing.
- 6.12 The use of rooms at ground floor level, served by windows facing the shared alleyway with 148 Norbury Crescent would be altered although the views from these would be no different to the existing situation. In any event, the altering of use of these rooms would not, in itself, require permission.

Amenity of future occupiers

- 6.13 London Plan Policy 3.5 states that new residential units should provide the highest quality internal environments for their future residents and should have minimum floor areas in accordance with set standards. Policy UD8 of the Croydon Plan states that external amenity space should be provided to serve new residential units at a level which is commensurate with that provided in the surrounding area. The London Housing Supplementary Planning Guidance (SPG) provides further details in relation to housing standards, including in relation to the provision of dual aspect units and private amenity space. Housing SPG standard 4.10.1 states that 5m² of private amenity space should be provided for each one bedroom unit, with a further 1 sq. metre provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m and standard 5.2.1 states that developments should avoid single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment.
- 6.14 The applicant has taken on board concerns of Officers during the life of this application, and amendments have been made to ensure that all individual rooms, and overall flat sizes, comply with and/or exceed the minimum standards set out in the Technical Housing Standards document.
- 6.15 With particular regard to the ground floor flat, it is noted that there is a bedroom with a window which faces out onto the shared alleyway with 148 Norbury Crescent, which is not an ideal situation. However, this room also has a rear facing window and as such, the outlook from the flank window is less significant.
- 6.16 With regard to the top floor flat, it is noted that some of the accommodation has a floor to ceiling height of less than 1.50m. The Technical Housing Standards document sets out the need to discount this floorspace from the overall total. When this deduction is made, this flat still exceeds the minimum acceptable floorspace for a 1 person, 1 bedroom flat.
- 6.17 It is considered that the proposed units will have sufficient outlook, size, and availability of light and subsequently provide an acceptable standard of amenity.

Highways and parking

- 6.18 Chapter 4 of the NPPF seeks to promote sustainable transport. London Plan Policies 6.3 and 6.13 and Croydon Plan Policies T2 and T8 require that development is not permitted if it would result in significant traffic generation which cannot be accommodated on surrounding roads. They also require that acceptable levels of parking are provided.
- 6.19 London Plan Policy 6.9 states that secure, integrated and accessible cycle parking should be provided by new development in line with minimum standards. These are 1 space per units for those with 1 and 2 bedrooms and 2 spaces per unit for those with 3 or more bedrooms.
- 6.20 The previous application was refused due to the provision of a parallel off street parking space which would not be able to be accessed and egressed in a forward gear – causing highways safety concerns. This application was resubmitted with a similar arrangement although consultation with Officers has seen this space

removed. A parking survey was subsequently submitted which demonstrates an average parking stress in the immediate are of 69.17%, suggesting adequate off street parking for the proposed development.

- 6.21 The Council's Highways Officer has reviewed the survey and has raised no objection to the survey results or conclusions.
- 6.22 The proposals provide cycle storage at the rear of the garden, the plans indicate that this will be secure covered storage and subsequently this is considered acceptable. Details of this storage can also be secured by way of condition.

Flooding

- 6.23 The NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Policy SP6 (Environment and Climate Change) of CLP1 sets out the Council's approach to flooding. It identifies that Croydon is ranked the 4th settlement in England most susceptible to surface water flooding. The policy requires: Flood Risk Assessments to be submitted for major developments, with proposals in Flood Zones 2 and 3 providing site-specific information proportionate to the degree of flood risk posed to and by the development; and all development to utilise sustainable drainage to reduce surface water run-off.
- 6.24 The site is located within Flood Zone 3 (statutory designation). The Environment Agency's Standing Advice has therefore been considered.
- 6.25 The Environment Agency sets out that applications for minor development in Flood Zone 2 or 3 should be accompanied by a Flood Risk Assessment and that a plan Environment Agency's Standing Advice (available at <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>). A Flood Risk Assessment has been submitted with the application.
- 6.26 The assessment concludes that the vulnerability of the site would not be altered. The assessment reports that thererisk from surface water, ground water and sewer flooding would be low.
- 6.27 As there are no extensions, there is not considered to be any increase in the level of flood risk.

Refuse

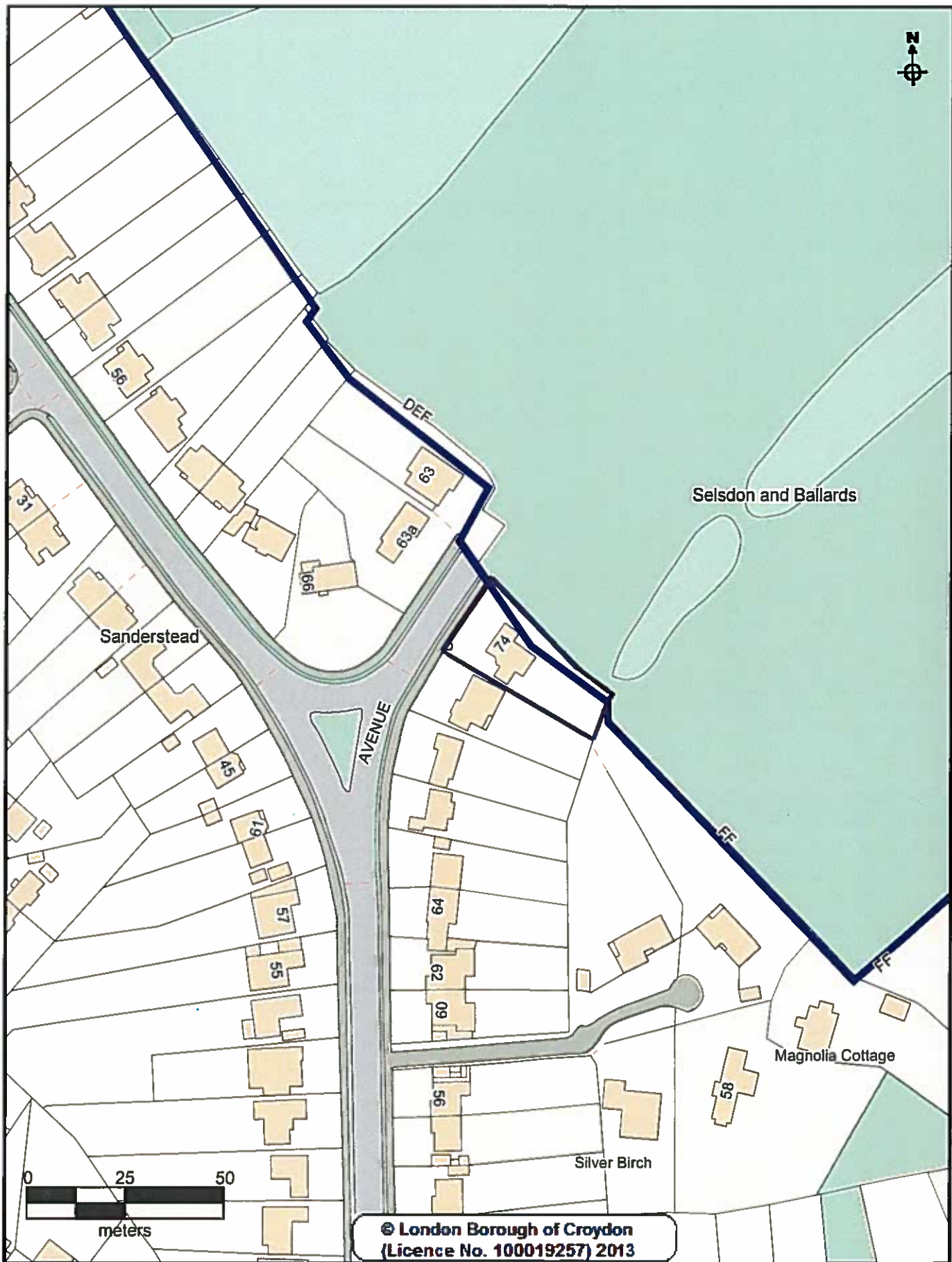
- 6.28 Policy UD15 of the Croydon Replacement Unitary Development Plan (2006) Saved Policies 2013 requires new development to provide temporary storage space for refuse that is adequately screened and located.
- 6.29 The proposed refuse is situated at the front of the site – an arrangement which is considered acceptable for a development of this nature. The provision is the same as the previously refused application, and no objections were raised on that occasion. There are no material changes in circumstance to indicate that this provision would now be unacceptable.

Other Planning Issues

- 6.30 None relevant

Conclusions

- 6.31 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.



PART 6: Planning Applications for Decision**Item 6.2**

1 APPLICATION DETAILS

Ref: [16/05182/HSE](#) (*Link to associated documents on the Planning Register*)
Location: 74 Sanderstead Court Avenue, South Croydon, CR2 9AJ
Ward: Sanderstead
Description: Alterations, construction of first floor and erection of single storey rear extension
Drawing Nos: Job No 32902 – Location Plan; Existing Floor Plans and Elevations; Proposed Floor Plans and Elevations
Applicant: Mr and Mrs Wise
Agent: Cameron Jones Planning
Case Officer: Andy Day

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

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Residential extensions at this site are acceptable in principle.
- The proposal would respect the character of the area and the street scene.
- The proposal would have minimal effect on the visual amenities of the adjoining Green Belt
- The size and siting of the proposed extensions would be acceptable sufficient to ensure minimal impact on the residential amenities of the adjoining occupiers.
- The proposal would be acceptable with regards to the accommodation for future occupiers
- The proposal would incorporate parking provision, turning arrangements would be acceptable and due regard to highway safety has been taken.

3 RECOMMENDATION

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

Conditions

- 1) In accordance with plans
- 2) Materials to match those existing
- 3) Window restrictions
- 4) Commence within 3 years
- 5) Any other planning condition(s) considered necessary by the Director of Planning

Informatives

- 1) Site notice removal

2) Any informative(s) considered necessary by the Director of Planning

3.3 Section 197 of the Town and Country Planning Act 1990 places a duty on Local Planning Authorities to ensure whenever appropriate when granting planning permission that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 During the course of consideration the description of development has changed to include works to the garage, and these result in its increase in size to the side and rear. The applicant seeks full planning permission for the:

- Alterations, and construction of first floor to replace an existing room in the roof
- Erection of single storey side and rear extension

Site and Surrounding Area

- 4.2 The application site is located on the south-eastern side of Sanderstead Court Avenue, the part comprising a spur off the main section of road. It is adjacent to Selsdon Park Golf Course which lies within the Metropolitan Green Belt. The area contains mainly detached and semi-detached properties, some bungalows, but mostly two storey houses, built in different styles and of varying periods. Most properties sit in spacious grounds. Nos 72 and 74 are both bungalows, whereas Nos 63, 63A, 66, 57, 59, 61, 41 and 39 are two storey houses.
- 4.3 The ground falls from north to south and less so from west to east. Nos 72 and 74 are at similar levels as each other, slightly below footway level and certainly below the levels of Nos 63 and 63A opposite. .

Planning History

4.4 The following planning decisions are relevant to the application:

16/02253/P: Construction of first floor and erection of single storey rear extension. This application was withdrawn by the applicant.

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 2 site notices displayed in Sanderstead Court Avenue and Sanderstead Court Avenue (spur). 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: 7 Objecting: 3 Supporting: 4

6.2 The following Councillor made representations:

- Councillor Lynne Hale [objecting]

6.3 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

- Over intensification of the site due to scale, bulk and massing
- Detrimental to adjoining occupiers due to size and siting
- Impact on the Green Belt through visual intrusion
- Visual intrusion to a side kitchen window and from patio
- The two bungalows are presently in keeping with the character of the area
- Increase in traffic generation
- Noise and disturbance

Support

- Most houses have extensions
- Similar to other developments in the area
- Would create a family home in keeping with the character of the area

7 MATERIAL PLANNING CONSIDERATIONS

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

1. The impact of the development upon the character and appearance of the surrounding area.
2. The impact on the visual amenities of the adjoining Green Belt
3. The impact of the development upon the residential amenities of the adjoining occupiers.
4. Access, parking and turning arrangements

The impact of the development upon the character and appearance of the surrounding area

7.2 The National Planning Policy Framework (NPPF) requires planning applications to be determined with a presumption in favour of sustainable development.

7.3 Chapter 6 of the NPPF indicates that housing applications should be considered in the context of a presumption in favour of sustainable development and that it is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

7.4 London Plan Policies 7.4 and 7.6 require planning decisions to have regard to local character and for development to comprise details and materials that complement, not necessarily replicate the local architectural character. Policy SP4 of the Croydon Local Plan: Strategic Policies 2013 (CLP1) concerns Urban Design & Local

Character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. The Council will apply a presumption in favour of development provided it meets the requirements of Policy SP4 and other applicable policies of the development plan. Saved Policies UD2 and UD3 of the Croydon Plan 2006 (Saved Policies 2013)(UDP) require the siting, layout and form of new development to respect the character and appearance of existing areas.

- 7.5 Supplementary Planning Document No 2 – Residential Extensions and Alterations, does not provide specific guidance on proposals to add first floors to single storey properties. Although the general advice concerning each application being considered on its own planning merits and a broad objective to improve the overall design quality of the environment must still apply.
- 7.6 The proposal would comprise alterations to the existing building, extensions to the rear and side of the building at ground floor level and the construction of an additional floor, with pitched roof, above the main part of the bungalow and also the extended garage. There is already a room in the roof of the existing bungalow. The width of the first floor part of the construction would be 8.4m at its widest, although the element above the garage would appear subordinate to the new main roof. The depth of the first floor would be 11.2m. It would project around 2m beyond No 72 at first floor level. The ground floor would project 3m beyond the existing bungalow. The first floor part of the extension would be around 5.1m from the boundary with No 72.
- 7.7 An earlier application was withdrawn by the applicant (16/02253/P). The final scheme at the time of withdrawal was deeper at ground and first floor level, but less wide at first floor level. That proposal did not include a larger garage widened to support an additional floor above.
- 7.8 In terms of the effect on the character of the area and the appearance of the street scene, the first floor element would appear much larger, made more apparent by the bungalow at No 72 being positioned between two large houses. However, because the area has single storey and two storey buildings inter-mingled, with lots of examples of houses next to bungalows, and with the differences in levels locally resulting in buildings stepping up and down next to each other, on balance, it would be difficult to justify refusing permission on this basis. Also of note is that the additional floor would be set away from the boundary and an existing single storey element would be the nearest part of the application premises to the nearest adjoining building, thereby assisting the transition between the proposal and the single storey building next door. The impact on the visual amenities of the green belt is addressed below.
- 7.9 On this basis, it is not considered that there are sound policy objections to refuse permission on impact on the character of the area or the appearance of the street scene grounds, and the proposal is considered acceptable.

The impact on the visual amenities of the adjoining green belt

- 7.10 Paragraph 79 of the National Planning Policy Framework (NPPF) attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open; the essential characteristics

of Green Belts are their openness and permanence. Paragraph 87 of the NPPF states that: "As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Para 88 states that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

- 7.11 In terms of development that could affect the setting of the green belt, Policy RO6 of the Croydon Plan (2006) Saved Policies 2013 also indicates that development within or conspicuous from the Metropolitan Green Belt will not be accepted if it would harm visual amenity. It continues, land near green belt creates a setting. Gardens for example act as a buffer between built up areas and open land. The siting, materials, design and scale of development nearby will affect the visual amenity that they provide and so must be considered and controlled.
- 7.12 The proposed house, being wider, deeper and higher than the existing bungalow, would appear more prominent when viewed from Sanderstead Court Avenue, towards the green belt and also more prominent from those views from within the green belt. However, there are other large houses on plots in the area, that also abut the green belt boundary. Furthermore, the extended building would be around 3m from the site boundary, with some planting in between. Overall, sufficient buffer would be retained and the visual amenity would not be seriously harmed.

The impact of the development upon the residential amenities of the adjoining occupiers

- 7.13 Paragraph 17 of the NPPF indicates that decisions should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". Policy 7.1 of the London Plan 2011 (with 2013 Alterations) indicates that in their neighbourhoods, people should have a good quality environment. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being. Policy UD2 of the UDP states that development proposals will be permitted provided that they allow adequate daylight and sunlight to penetrate into and between buildings. While Policy UD8 states that "Privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy..." and will have regard to the "maintenance of sunlight or daylight amenities for occupiers of adjacent properties".
- 7.14 The most affected neighbours would be the occupiers of No 72 to the south of the application site. The proposed extensions and new first floor would be higher and deeper when seen from the neighbouring property. The most affected parts of No 72 would be the kitchen/dining room which has a side window and side door facing the application site. The clear glazed window is next to the kitchen sink area of the kitchen and the obscure glazed door also serves the kitchen area. The dining part of the room also has a rear facing window. This room is open plan. The other part of the property most affected is the garden patio and side access way. The extensions would be seen from both but the garden is large and with plenty of aspect towards the trees within the Selsdon Park Golf Course to the rear. A two storey rear extension is also under construction at No 70 Sanderstead Court Avenue.

7.15 Having regard to the size and siting of the proposed works, there is no doubt that there would be some impact on the immediate neighbouring occupiers. However, on balance, taking account of the separation between the neighbouring bungalow and the first floor element of the extension, together with the boundary wall and hedge in between, the harm caused would not provide grounds to refuse permission on loss of light, loss of outlook or privacy grounds. The proposal would not seriously conflict with the relevant plan policies.

Access, parking and turning arrangements

7.16 Chapter 4 of the NPPF seeks to promote sustainable transport. Policy 6.13 of the London Plan indicates that a balance should be struck between promoting development and preventing an excessive parking provision. The Croydon Local Plan: Strategic Policies (2013) seek to ensure that sustainable transport will be promoted, that traffic generated by new development can be safely accommodated on the road network and that there is an appropriate level of car parking. Policy UD13 of the Croydon Plan (2006) Saved Policies 2013 requires car parking and access arrangements to be designed to be safe, secure, efficient and well designed. The existing access would be utilised to provide access to the proposed dwelling and is considered acceptable.

7.17 With the exception of a slightly larger garage, the access and parking arrangements would remain as they currently exist. Given the low level increase in vehicle movements anticipated, that the access position would not change and the minimal number of vehicle movements that occur generally in this section of Sanderstead Court Avenue, it is not considered that this development would harm the safety and efficiency of the highway network.

Conclusions

7.18 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.

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PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: [16/05868/FUL](#) (*Link to associated documents on the Planning Register*)
Location: 240A Wickham Road, Croydon, CR0 8BJ
Ward: Heathfield
Description: Erection of part single/two storey side and first floor extension and flat roof single storey link extension
Drawing Nos: W214.I/H/00, E-W214.3-V-14/1, E-W214.3-V-14/2, E-W214.3-V-19/7 and E-W214.3-V-19/8,
Agent: Richard Turnball, FullerLong Limited
Applicant: Fox Umbrella
Case Officer: John Asiamah

- 1.1 This application is being reported to Committee because the ward councillor (Cllr Jason Cummings) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee Consideration and objections above the threshold in the Committee Consideration Criteria have been received.

2 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- The proposal would not have an unduly harmful effect on the character of the area or the appearance of the area.
- The proposal would, on balance, have an acceptable impact on the residential amenities of the adjoining occupiers.
- The proposal would have no significant adverse impact on parking, pedestrian and highway safety.

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) Development implemented in accordance with the approved plans

- 2) No windows in the south-western and south-eastern elevations other than as specified in the application
- 3) The first floor windows in the south-eastern elevation to be fixed-shut and obscure-glazed
- 4) Noise assessment and mitigation measures
- 5) Submission of sustainable drainage details
- 6) Materials to match the existing
- 7) Time limit of 3 years
- 8) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

- 1) Community Infrastructure Levy.
- 2) Site Notice removal
- 3) Code of Practice – Construction Sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

4 PROPOSALS AND LOCATION DETAILS

Proposal

4.1 Full planning permission is sought for:

- Erection of single/ two storey side and first floor extension and creation of a flat roof single storey link extension

4.2 The overall depth of the proposed development be approximately 17.4m in width, 8.8m in depth and 7-7.2m in height. The proposed additions would be used for storage and workshop.

4.3 The proposal is amendment to a previously refused scheme (16/00328/P). The amendment involves a break between the proposed addition and the existing building at first floor level.

Site and Surroundings

4.4 The application site is located on the southern side of Wickham Road and at the rear of number 230 to 244 Wickham Road. The site is occupied by a detached light industrial building.

4.5 The surrounding area is mix in character and is made up of commercial units. There is no direct policy constraint on the site but it adjoins Local Centre and Primary Shopping Area as identified in the Croydon Local Plan Proposal Map.

Planning History

4.6 The following are recent planning decisions on the site:

- 59/668: Planning permission was granted on appeal in 1959 for warehouse building.
- 03/01281/P: Planning permission was granted in December 2003 for demolition of a workshop building, garage and hardstandings; Alterations and new entrance to remaining building; Erection of single storey extension with mezzanine storage area above comprising of 2 business units within Class B1 (business); Provision of 5 parking spaces.
- 05/04599/P: Planning permission was granted in January 2006 for demolition of a workshop building, garage and hardstandings; Alterations and new entrance to remaining building; Erection of single storey extension with mezzanine storage area above comprising of 2 business units within Class B1 (business); Provision of 5 parking spaces. This permission has been implemented.
- 14/00243/P: Planning permission was granted in May 2014 for erection of two storey side extension including use of new roof space and alterations to existing parking. This permission has been implemented.
- 15/00653/P: Application for planning permission for the erection of two storey side extension was refused in May 2015. Refused on grounds of: (1) harm to the character and appearance of the locality and detrimental to the visual amenity of the street scene; and (2) harm to the residential amenities of the adjoining occupiers.

Appeal dismissed on grounds of harm to the character and appearance of the area.

- 16/00328/P: Application for planning permission for the erection of two storey side extension was refused in May 2015. Refused on grounds of: (1) harm to the character and appearance of the locality and detrimental to the visual amenity of the street scene.

Appeal dismissed on grounds of harm to the character and appearance of the area.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of site notices displayed on and around the application site. The number of representations received from neighbours and local groups in response to publicity of the application were as follows:

No of individual responses: 46 Objecting: 34 Supporting: 11

No of petitions received: 1 objecting containing 66 signatories

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:

Objecting

- The proposal is similar to the previous schemes which were refused and dismissed at appeal
- Not in keeping with the area
- Overdevelopment
- Poor design
- Loss of light
- Loss of privacy
- Detrimental impact on trees
- The proposal is contrary to national and local policies
- Visual intrusion
- Noise and disturbance
- Increase in parking demand
- The amendments are not sufficient
- The development is not appropriate for the area
- Detrimental impact on the surrounding highway
- Obstruction by delivery vehicles

Supporting

- The proposal would provide jobs
- The proposal would create jobs
- The proposal would benefit the employees
- Positive impact on the area
- The proposal respect and protect the amenities of the adjoining occupiers
- The proposal would provide quality accommodation for staff
- The proposal is an improvement compared to the previous schemes

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
 2. The impact on the residential amenities of the adjoining occupiers
 3. The impact on parking demand and highway safety

The Impact on the Character and Appearance of the Area

- 7.2 Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan indicate that development should make a positive contribution to the local character, public realm and streetscape. Policy SP1.1 of the Croydon Local Plan: Strategic Policies indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 also require development to be of a high quality which respects and enhances local character. Policies UD2 and UD3 of the Croydon Plan (2006) Saved Policies 2013 require the siting, layout and form of new development to respect the character and appearance of existing areas.
- 7.3 The site is situated at the rear of properties fronting Wickham Road and West Way Gardens but it is visible from both roads. There have been substantial additions to the existing property over the years. It occupies the full width of the site. The western half of the building, at a single storey in height and slightly shorter depth, is subservient in scale to the two storey eastern half of the building. As a result, in scale and form the building fits in with the area.
- 7.4 The proposal is amendment to a previously refused scheme (16/00328/P). The current proposal involves a break between the proposed addition and the existing building at first floor level and a reduced ridge height. The gap at first floor level and the reduced ridge height would break down the mass and ensure that the scale of the overall building does not dominate its surroundings.
- 7.5 In the previously dismissed scheme (16/00382/P), the Inspector considered that: *“The massing of the proposed extension when viewed from the rear would be more successfully articulated with a clear and material break about half way along, as the ridge would drop by 900mm along with a setback at first floor. However, no clear set back is proposed where the extension would join the host building as the roof plane and wall would run seamlessly through. The only articulation would be the 200mm drop in the ridge. But this alone would not be sufficient to provide material and adequate articulation between old and new or reduce the considerable scale and massing that would result from the width of the extended building. I therefore consider the extension would harm the character and appearance of the area.”*
- 7.6 The break between the proposed addition and the existing building at first floor level and the reduced ridge height would provide material and adequate articulation between old and new, reducing the scale and massing of the

proposed development. Therefore, the concerns raised by the Inspector have been adequately addressed in the current proposal.

- 7.7 Consequently, it is concluded that the proposal would not have undue impact on the character and appearance of the area. It would thereby comply with the objectives of Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan (2015), Policies SP1.1, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies and Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013.

The Impact on the Residential Amenities of the Adjoining Occupiers

- 7.8 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy UD8 of the Croydon Plan (2006) Saved Policies 2013 requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policy EP1 of the Croydon Plan (2006) Saved Policies 2013 aims to control potentially polluting uses. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 7.9 Harm to neighbouring occupiers did not provide grounds for dismissal of the previous schemes on appeal and the current revised schemes would be no worse in that respect.
- 7.10 In the previously dismissed scheme (15/00653/P), the Inspector considered that: *“The western side of the front of the building is parallel to and faces the rear of the two storey apartment building containing 230 to 236 Wickham Road. The proposed addition of a second storey would extend across the outlook from the rear of these dwellings. However, it would have a limited height to eaves level of 4.7m and a gap, measured at the site visit, of some 18m separating the facing elevations. As a result, the extension would be located sufficiently far away for it not to be overbearing in views from within these dwellings, or from within their private amenity spaces to the rear.”*
- 7.11 The height of the current proposal would be slightly less than the previously dismissed scheme and the separating distance would be the same. Consequently, given the Inspector’s consideration, it is considered that the proposal would have no undue impact on the visual amenities of the adjoining occupiers.
- 7.12 In terms of the relationship with No. 11A West Way Gardens, the Inspector considered that: *“11A West Way Road is a bungalow located on the western side of the appeal site. The gable end of the Fox Umbrellas building positioned close to the side of the appeal site encloses the side of its short back garden. As measured by the parties at the site visit, the building projects 3m beyond the*

rear elevation of the dwelling. Given the degree to which the adjacent neighbouring bedroom is set away from the side boundary, the addition of a first floor to the building would not adversely enclose the outlook from within this room. The conservatory attached to the rear of No 11A is used as a dining room. The proposed extension, whose gable end would be also be approximately 4.7m tall to eaves level, would be visible in views from the side of the conservatory. However, in my assessment, an extended building of the height proposed would be sufficiently far away so as not to be overbearing to the outlook from within the conservatory. Whilst it would enclose the side of the area of decking that has been created in the north eastern corner of the rear garden, the back garden is wide and above the height of its boundary treatment its other sides are open. Outlook from within the rear garden would not therefore be adversely affected to a significant degree.”

- 7.13 The Inspector also considered that: *“The rear elevation of the extended building, off set at an angle, would be visible from the rear gardens of the neighbouring properties, 11 & 13 West Way Road. However, whilst the presence of the extended building would alter the outlook from the rear of these dwellings it would not be so close as to be overbearing.”*
- 7.14 The siting of the current proposal is similar to the previous scheme therefore the relationship would be acceptable.
- 7.15 In terms of loss of privacy, the previous Inspector considered that the use of obscure glazing to all windows on the first floor extension would prevent overlooking of the apartments on Wickham Road. The Inspector also considered that although windows in the first floor extension would face the gardens of 11 and 13 West Way Gardens, they would do so at an angle and they would be obscured glazed and overlooking from this elevation would not occur. The siting of the current proposal would be the same as the previous scheme and the first floor windows would be obscure-glazed. Therefore, there can be no objection to the proposal on loss of privacy grounds.
- 7.16 Concerns have been raised regarding potential increase in noise and disturbance. The Pollution Team have confirmed that in the last 5 years, they have received one complaint (received on 3rd November 2016) regarding constant noise from a generator all day. However, they have indicated that an officer attended the site at 13.30 and no noise was heard. The officer waited a while and no noise was witnessed. The officer also visited the neighbour and was shown to the back of the premises with an air pump and compressor it was enclosed in a wooden housing. It was established that it is only used intermittently between 08.00 - 16.00hrs.
- 7.17 Given that the proposal would result in intensification of use, the applicant would be required through a planning condition to implement measures to

ensure that noise from equipment should be inaudible at the nearest residential property.

- 7.18 Consequently, it is considered that the proposal complies with the objectives of Policy 7.6 of the London Plan, Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) and Policies UD8 and EP1 of the Croydon Plan (2006) Saved Policies 2013 that seeks to protect existing occupiers from undue visual intrusion and loss of privacy.

The Impact on Parking Demand, Pedestrian and Highway Safety

- 7.19 The existing access, parking and service arrangements will remain the same. Furthermore, it is in a sustainable location. Consequently, the proposal would have no significant adverse impact on parking, pedestrian and highway safety

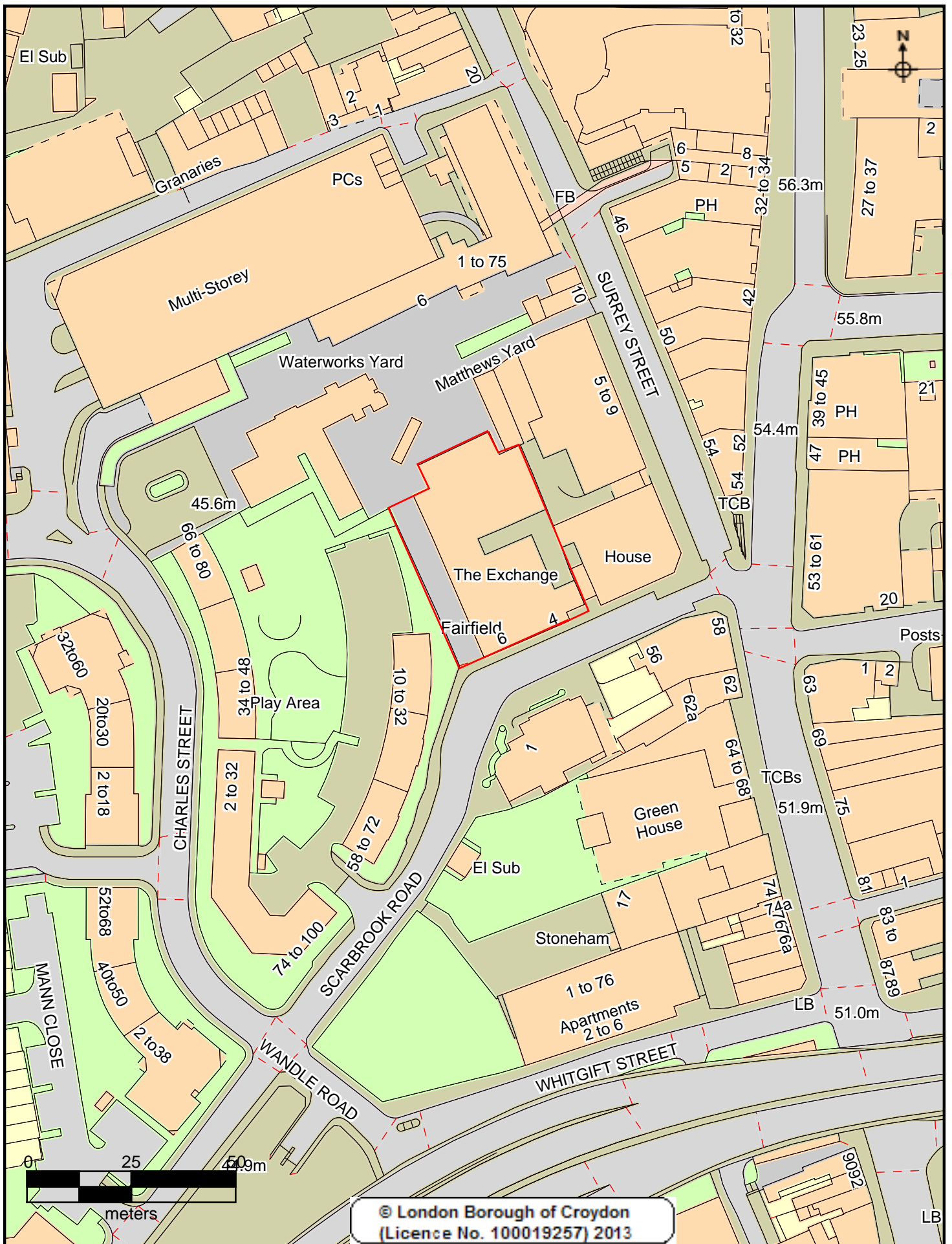
Other Planning Issue

- 7.20 Policy SP6.4 requires development to utilise sustainable urban drainage systems (SUDs) to reduce surface water run-off and provide water treatment on site. The site is not in a Flood Zone, according to Environment Agency maps. However the site does fall within a 1 in 30 year Surface Water Flood Risk Area. A House of Commons: Written Statement of 18th April 2014 specified that Local Planning Authorities should statutorily consult the relevant Lead Local Flood Authority to ensure that SUDs for the management of water run-off are put in place and are adequate. The Statement sets out that this only applies to major developments comprising of 10 or more dwellings, or an equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010. This application is not classified as a major development, given the nature of the proposal. Therefore it is considered that SUDs details can be secured through a condition, along with building resilience measures to be incorporated into the building.

Conclusions

- 7.20 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.

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PART 6: Planning Applications for Decision

Item 6.4

1 APPLICATION DETAILS

Ref: [16/05927/CONR](#) (*Link to associated documents on the Planning Register*)

Location: 6 Scarbrook Road, Croydon, CR0 1UH

Description: Retention of 8 storey mixed use building comprising commercial use on ground floor with 66 flats over (without compliance with condition 7 – the proposed north facing ground floor commercial unit shall be only used for purposes with Use Class A3 – attached to permission 08/01716/P)

Drawing nos: None.

Applicant: Matthews Yard

Agent: None

Case Officer: Toby Gethin

1.1 This application is being reported to committee because: objections above the threshold in the Committee Consideration Criteria have been received.

1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would allow for a wider number of uses on the site.
- There are no extant policies in the local development plan which restrict sites within the Croydon Metropolitan Centre or the Opportunity Area Planning Framework Boundary to only A3 (restaurant/café) uses.
- Policies in the local development plan support a number of uses in the area. These current policies have superseded the need for the premises to be preserved solely for the purposes of A3 use, as was the case when the original permission was granted.
- The change would be broadly consistent with other commercial units in the surrounding area. It would not harm the character and vitality of the area or the amenity of adjoining occupiers.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission.

2.2 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

Amended condition:

- Condition 7: The north facing ground floor commercial unit shall only be used for purposes within Use Classes A1/A2/A3/B1a as defined by the Town and Country Planning (Use Classes) (Amendment) Order 2005. Reason: To contribute to the character and vitality of the area.

Outstanding conditions of permission 08/01716/P which appear to have not yet been discharged:

1. Within 2 months of the date of this permission, the approval of the Local Planning Authority shall be obtained with respect to the following matters:

Section A

- (1) bollards
- (2) screens to balconies of flats P37, P48, P58
- (3) planting to green/brown roofs
- (4) A detailed scheme for the external illumination of the building and its environs

Section B

- (5) refuse collection facilities and arrangements
- (6) acoustic glazing and ventilation details to windows facing east and into the eastern lightwell
- (7) new shopfronts
- (8) external facing materials

The approved matters shall be provided as approved and retained for as long as the development remains in existence.

Reason: To ensure an acceptable standard of development.

2. This condition is no longer applicable [For reference, it read as follows: Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 1 shall be provided before any part of the development is occupied and those in Section A thereof shall also be retained for so long as the development remains in existence. Reason: To ensure that an acceptable standard of development is provided and retained].

3. The following shall be provided as specified in application 08/01716/P and shall be retained for so long as the development remains in existence:

- (1) obscure glazing to western elevations
- (2) screening to terraces on western elevations
- (3) cycle parking
- (4) privacy screens to Flats P8, P19, P30, P41, P51

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

4. Within 2 months of the date of the grant of this permission, a hard and soft landscaping scheme shall be submitted to the Local Planning Authority for approval; when approved, the surface treatments and planting shall be provided within two months of the Council's written approval and shall be maintained for a period of 10 years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided.

Reason: To enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established.

5. Unless otherwise agreed in writing by the Local Planning Authority no vehicles shall enter or park on the site other than those requiring access for maintenance or emergency purposes to the Thames Water facilities on the adjacent land.

Reason: To protect pedestrian safety

6. The north facing windows to Staircase B above 3rd floor level shall be obscure glazed and permanently retained as such.
Reason: To protect the amenities of adjoining residential occupiers
7. [See above amended condition]
8. Unless otherwise agreed in writing by the Local Planning Authority the ground floor non-residential uses of the building shall not be open to the public except between the hours of 07.00 and 23.30 hours on any day.
Reason: To protect the amenities of adjoining occupiers
9. Within 2 months of the date of grant of this planning permission, an independently verified EcoHomes report that achieves a 'Very Good' rating shall be submitted to the Council for approval in writing. The approved scheme shall be provided in accordance with these details and retained for as long as the development remains in existence.
Reason: To ensure an acceptable standard of development
10. Unless otherwise agreed in writing by the Local Planning Authority no construction works or deliveries to the site shall take place except between the hours of 07.30 and 18.00 Mondays to Fridays and 07.30 to 13.00 on Saturdays and not at all on Bank Holidays.
Reason: To protect the amenities of adjoining occupiers
11. The construction of the surface water drainage system shall only be carried out in accordance with details submitted to and approved in writing by the LPA within 2 months of the date of the grant of planning permission.
Reason: To prevent pollution of the water environment
12. Any soakaway shall be constructed in natural ground, such that its base is at least 1m above the highest seasonal water table and in any case no deeper than 3m.
Reason: To prevent pollution of the water environment
13. No soakaway shall be constructed in contaminated ground.
Reason: To prevent pollution of the water environment

Informatives

- 1) Removal of site notices
 - 2) Any [other] informative(s) considered necessary by the Director of Planning
- 2.3 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.

3 PROPOSAL AND LOCATION DETAILS

Proposal

Full planning permission is sought for:

- 3.1 Retention of 8 storey mixed use building comprising commercial use on ground floor with 66 flats over (without compliance with condition 7 – the proposed north facing

ground floor commercial unit shall be only used for purposes with Use Class A3 – attached to permission 08/01716/P)

- 3.2 This s73 application proposes to amend condition 7 of permission 08/01716/P. That condition restricts use of the north facing ground floor commercial unit in the building to an A3 (restaurant/café) use only. Whilst the applicant states they intend to use the unit under an A3 use, they wish to have the condition amended to allow a greater range of uses in the unit. This change would allow a more flexible use of the unit, in-line with other nearby commercial premises.
- 3.3 The application does not propose any other changes to the approved scheme/existing as-built development.

Site and Surroundings

- 3.4 The application site is located on Scarbrook Road and Matthew's Yard/Exchange Square. It is occupied by a building comprising residential units on the upper floors and two ground-floor commercial units. This application specifically relates to the north facing ground-floor commercial unit in the existing building. Currently vacant, this commercial unit fronts Matthew's Yard/Exchange Square.
- 3.5 The surrounding area comprises a mix of residential (including directly above the commercial units) and commercial uses. The site is within the Croydon Metropolitan Centre, the Opportunity Area Planning Framework, an Area of High Density and an Archaeological Priority Zone.

Planning History

- 3.6 03/00614/P – Permission granted for alterations and the erection of two additional floors to provide 64 flats with nineteen parking spaces situated in the basement and part of the ground floor of the building. This permission was not implemented.
- 3.7 04/04684/P – Permission granted for Alterations and extensions to create an 8 storey building comprising 286 sq metres (1 unit) for either use class A1 (retail), A2 (financial and professional services), A3 (restaurant/cafe), B1 (business), D1 (non residential institution) or D2 (assembly and leisure), 565 sq metres (1 unit) for class A3 (restaurant/cafe) and 66 residential units with landscaped service area.
- 3.8 08/01716/P – Permission granted for Amendment during the course of construction to planning permission 04/04684/P for the alterations and extensions to create an 8 storey building comprising 286 sq metres (1 unit) for either use class A1 (retail), A2 (financial and professional services), A3 (restaurant/cafe), B1 (business), D1 (non residential institution) or D2 (assembly and leisure), 565 sq metres (1 unit) for class A3 (restaurant/cafe) and 66 residential units with landscaped service area. The application covered an increase in residential floorspace (resulting in a change to the unit mix) and some minor external amendments.
- 3.9 15/05745/P – Permission granted for Alterations to elevations of ground floor unit and installation of shopfront. This application related to the south facing ground floor commercial unit fronting Scarbrook Road.
- 3.10 16/02063/P – Permission refused for Use of ground and lower ground floor unit as a gym (without compliance with condition 8 – hours of use – attached to planning

permission 08/01716/P). Permission was refused on the grounds that the proposed change in operating hours would harm the amenity of adjoining occupiers.

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 Given the nature and location of the proposal, no statutory consultees were consulted regarding the application.

5 LOCAL REPRESENTATION

- 5.1 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: 31 Objecting: 19 Supporting: 11

No of petitions received: 0

- 5.2 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:

Objecting:

- Potential noise disturbance
- Potential for crime/anti-social behaviour
- Change of opening hours
- No need for more food retailers
- Lack of details regarding the proposed usage limiting assessment of the potential impacts

Supporting:

- More activity and growth should be encouraged
- Reduced crime/security issues
- Proposal would provide more space for creativity
- Regeneration of the area

- 5.3 The following issues were raised in representations that are not material to the determination of the application:

- Concerns regarding the use, noise, construction works and health and safety issues at the gym in unit 2 (Officer comment: this application does not involve unit 2. That unit is a separate site and is not the subject of this application. Please see below for further details).
- Not in keeping with the appearance of the surrounding area/poor design (Officer comment: the application does not involve a proposed change to the unit's approved external appearance. This issue is therefore not considered further).

6 MATERIAL PLANNING CONSIDERATIONS

- 6.1 The main planning issues raised by the application that the committee must consider are:
1. The principle of the development
 2. Residential amenities of adjoining occupiers

The principle of the development

- 6.2 The Council primarily assesses planning applications against policies in the London Plan 2015, the Croydon Local Plan Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Plan 2006 (2013 Saved Policies, as identified in appendix 4 of the CLP1). For convenience, the plans are respectively referred to as the London Plan, CLP1, and CRUDP in the sections below. The draft Croydon Local Plan: Detailed Policies and Proposals (CLP2) (Proposed Submission) and a partial review of CLP1 (CLP1.1) are due to be submitted to the Secretary of State in early 2017. Once submitted, the draft policies in CLP2 (Proposed Submission) and the partial review of CLP1 will become material considerations. The Proposed Submission documents are considered below as necessary.
- 6.3 Condition 7 of permission 08/01716/P reads: "The proposed north facing ground floor commercial unit shall only be used for purposes with Use Class A3 as defined by the Town and Country Planning (Use Classes) (Amendment) Order 2005. Reason: To contribute to the character and vitality of the area as required by Policy SH4 of the Croydon Replacement Unitary Development Plan (the Croydon Plan.)"
- 6.4 Condition 7 specifies that the proposed north facing ground floor commercial unit shall only be used for purposes within Class A3 as defined by the Town and Country Planning (Uses Classes) Order 2005. The reason being, to contribute to the character and vitality of the area as required by Policy SP29 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan). Policy has however changed since the original decision (permission 08/1716/P was an amendment to permission 04/04684/P).
- 6.5 Policy SP3.9 of CLP1 states the Croydon Metropolitan Centre will remain the principal location in the borough for office, retail, cultural and hotel activity, and also be the largest retail and commercial centre in South London. CLP1 Policy SP3.10 states that the Council will adopt a flexible approach to B1 uses (office, light industry and research & development), retail, leisure (including evening/ night economy uses), visitor accommodation, and housing and community facilities within Croydon Metropolitan Centre. This flexible approach will be supplemented by the Croydon Opportunity Area Framework and the Council's masterplans that apply to the Croydon Metropolitan Centre.
- 6.6 There are no policies in CLP1, CRUDP or the emerging Croydon Local Plan (Detailed Policies, CLP2, Proposed Submission) which restrict sites within the Croydon Metropolitan Centre or the Opportunity Area Planning Framework Boundary to A3 use only. Rather, as outlined above, Policies SP3.9 and SP3.10 support and promote a number of uses such as office, retail, leisure and cultural.
- 6.7 The operative policies in the local plan support a number of uses in the Croydon Metropolitan Centre and the development of other areas of Croydon. These current policies have superseded the need for the premises to be preserved solely for the

purposes of A3 use, as was the case when the original permission was granted. It is therefore considered acceptable in land-use terms for condition 7 to be varied as follows:

“The north facing ground floor commercial unit shall only be used for purposes within Use Classes A1/A2/A3/B1a as defined by the Town and Country Planning (Use Classes) (Amendment) Order 2005.

Reason: To contribute to the character and vitality of the area”.

- 6.8 This change would be broadly consistent with other commercial units in the surrounding area. It is considered that the alternative uses that would be allowed by varying the condition would not harm the character and vitality of the area. It would not result in a use which would be out of character of its town centre location or result in an over-provision of similar commercial uses in the area. Allowing a wider number of uses on the site would provide more flexibility of the unit and therefore assist with bringing it into use. This would support the on-going growth and regeneration of the surrounding area, as noted by the supporting comments received from the public.
- 6.9 In theory, use classes A4, A5, D1 and D2 may also be acceptable uses at the site. However, such uses (for example as a pub, a gym or place of worship) could generate more noise and disturbance than an A1/A2/A3/B1a use. Given the proximity of numerous flats to the application site and objectors concerns about noise (considered further below, in ‘Impact on the residential amenities of adjoining occupiers’), it is therefore considered that these uses should not be allowed by the amended condition within this s73 application. If an A4/A5/D1/D2 use is contemplated for the site in future, then a separate full planning application would need to be submitted. This would enable full consideration of the proposed use’s impact and any necessary mitigation measures (such as sound insulation, limits on the playing of loud music, etc).

Impact on the residential amenities of adjoining occupiers

- 6.10 CRUDP Saved Policy UD8 states that development proposals should not harm the privacy and amenity of occupiers of surrounding buildings. London Plan Policy 7.6 expects proposed developments to ‘*not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings*’. CRUDP Policy EP1 *Control of Potentially Polluting Uses* and London Plan Policy 7.15 *Reducing Noise* also seek to protect residents from pollution associated with new development, such as increased noise and disturbance. Saved Policy EP1 states that uses which have the potential to cause pollution (including noise pollution) will not be permitted. Saved Policy UD6 covers safety and security. CLP2 (Proposed Submission) includes similar policies. Draft policy DM11.6 sets out that the Council will support proposals for development that ensure that the amenity of the occupiers of adjoining buildings are protected. Draft policy DM24a states ‘Ensuring that future development, that may be liable to cause or be affected by pollution through air, noise, dust, or vibration, will not be detrimental to the health, safety and amenity of users of the site or surrounding land’.
- 6.11 Much concern has been raised by objectors. There however appears to be some confusion as to what is being applied for and which unit is the subject of the application; several objectors make reference to noise and disturbance arising from the gym located in the ground floor commercial unit on the other side of the building (which faces south and directly on to Scarbrook Road). This application however relates to a different unit to many of the concerns raised in objections; the north facing ground floor

unit in the same building, facing on to Exchange Square/Matthew's Yard. The issues with the other south facing unit (currently in use as a gym) are being dealt with as a separate matter and are not relevant to the consideration of this application.

- 6.12 This application relates to allowing a wider variety of uses in the north facing ground floor commercial unit. The proposal would not include a change in the existing approved opening hours or appearance of the unit/overall development.
- 6.13 The application involves limited information about proposed future uses. As highlighted by objectors, this does limit the ability to fully consider the proposal's potential impacts on adjoining occupiers. However, it is considered that allowing A1/A2/A3/B1a uses of the unit would not give rise to materially different scenario (including with regards to noise/disturbance) compared to the existing permitted situation (that of an A3 only use).
- 6.14 As detailed in the above section, it is considered that excluding use classes A4, A5, D1 and D2 from the amended condition will avoid an unacceptable increase in noise/disturbance compared to the existing permitted situation. However, even without including A4, A5, D1 and D2 uses in the amended condition, allowing a greater variety of uses to include A1/A2/A3/B1a could result in different activities within the unit which could in themselves create some additional noise/disturbance compared to the existing approved scenario. To protect the amenity of adjoining occupiers, it is therefore considered necessary to impose an additional condition which would prevent the use amplified speech/music in the unit. This would not prevent background music to be played within the unit but would mean that any such background music should be inaudible outside the premises.
- 6.15 Allowing a wider number of uses on the site would provide more flexibility of the unit and therefore assist with bringing it into use. Use of the unit would result in increased use of Exchange Square/Matthew's Yard, improving with natural surveillance and therefore helping to reduce crime/safety/security issues.
- 6.16 It is considered that the proposal would not be detrimental to the amenities of the surrounding residential uses. This is on the basis of the above additional condition being added to the permission and retaining the existing condition restricting hours of operation to between 0700 and 2330hrs on any day.

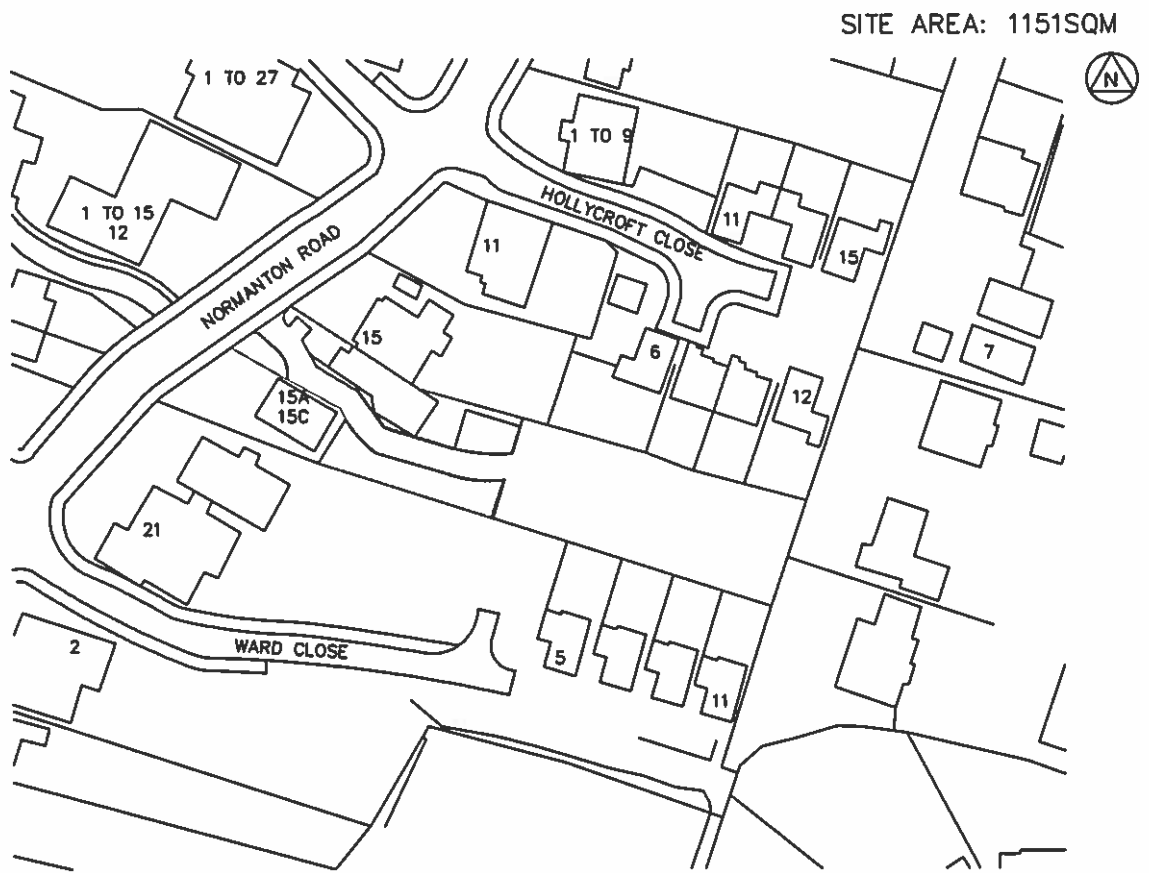
Other planning issues

- 6.17 It appears that several of the conditions attached to permission 08/01716/P have not been discharged. These conditions (as set out above) will therefore have to be added to any new permission which may be granted by this s73 application. The outstanding conditions should be discharged accordingly. Enforcement should also be informed to ensure that this progresses.

Conclusions

- 6.18 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.

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Project: Land Rear of 15a Normanton Road, CR2 7AE
 Drawing No: Proposed Layout Plan
 Date: SPW/NORM/101
 Revision: A
 Scale: 1:1250 at A4
 Date: nov 2015
 Suite 139
 61 Victoria Road

PART 6: Planning Applications for Decision

Item 6.5

1 APPLICATION DETAILS

Ref: [16/06087/FUL](#) (*Link to associated documents on the Planning Register*)
Location: 15A Normanton Road, South Croydon, CR2 7AE
Ward: Croham
Description: Erection of three bedroom detached house at rear
Drawing Nos: SPW/NORM/101 Rev A, SPW/NORM/102 Rev A, SPW/NORM/103 Rev A, SPW/NORM/104 Rev A, SPW/NORM/105, SPW/NORM/106, SPW/NORM/107, SPW/NORM/108, SPW/NORM/109, SPW/NORM/110, SPW/NORM/111, SPW/NORM/112 and SPW/NORM/113.
Applicant: Mr Worthington
Case Officer: Samantha Dixon

- 1.1 This application is being reported to Planning Sub Committee because the Ward Councillor (Cllr Maria Gatland) made representations in accordance with the Committee Consideration Criteria and requested Sub Committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would provide an additional housing unit and would contribute to the Borough meeting its housing targets;
- The proposed development would not have a detrimental impact on the character of the surrounding area;
- The development would not have a detrimental impact to the amenity of adjoining occupiers;
- The development would provide an acceptable standard of living for future occupiers;
- The development would not significantly impact on parking, traffic generation and highway safety in comparison tot the exitsing layout.

3 RECOMMENDATION

- 3.1 That the Sub 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 approved drawings
- 2) Materials to be submitted and approved
- 3) Details of emergency vehicle access and mitigation to be submitted and approved
- 4) Construction logistics plan to be submitted and approved
- 5) Parking and access arrangements to be implemented prior to occupation of development and retained
- 6) Retention and protection of trees
- 7) Details of hard and soft landscaping to be submitted and approved
- 8) External amenity areas for the existing development at 15A Normanton Road to be provided prior to the occupation of the new dwelling.
- 9) No windows in the first floor of the northern and southern elevations other than as specified on the approved plans
- 10) First floor side windows to be glazed with obscure glass
- 11) Details to be approved of how development shall achieve carbon dioxide emissions of 19% beyond 2013 building regulations
- 12) Water use target of 110 litres per head per day to be achieved
- 13) 3 year time commencement
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of Site Notices
- 2) Community Infrastructure Levy
- 3) Code of practice on construction sites
- 4) 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:

- Erection of a detached three bedroom dwelling on land to the rear of 15a Normanton Road.
- The proposed building would have an 'L' shaped footprint with a maximum width of 8.4m and depth of 17.1m. It would have an eaves height of 5.1m with a pitched roof over with maximum height of 6.4m.
- Vehicular access would be via the existing access from Normanton Road. The access would be widened within the site.

- Two off-street parking spaces would be provided for the proposed dwelling. The existing car park would be retained for the occupiers of the building to the front.
- A new informal external amenity area would be provided for the frontage development.

Site and Surroundings

- 4.2 The application relates to the rear garden area of 15A Normanton Road which formed part of a development site which has been since developed pursuant to a planning permission dated in April 2010 (LBC Ref 10/00736/P). The garden area is situated between two residential closes (Ward Close, which is at a higher ground level than the application site and Hollycroft Close, which is at a lower ground level). It is currently overgrown and not in use, although the 2010 planning permission did identify the area as a garden space.
- 4.3 There are no land use designations for the site identified on the Croydon Local Plan Policies Map.

Planning History

- 4.6 09/00451/P – Planning permission was granted on 30 April 2009 for the erection of a three storey building at the front of the site comprising 3 two bedroom and 3 one bedroom flats; formation of vehicular access and provision of associated parking, cycle storage and refuse enclosure.
- 4.7 10/00736/P – Planning permission was granted on 28 April 2010 for alterations to development which was under construction at the time (pursuant to planning permission 09/00451/P) for the erection of a three storey building comprising 3 two bedroom and 3 one bedroom flats; formation of vehicular access and provision of associated parking, cycle storage and refuse enclosure; to allow an additional one bedroom flat in roofspace.
- 4.8 As raised above, the red line site boundary associated with both of these planning permissions included the overgrown land to the rear (which is now the subject of the current planning application). The planning condition which required the submission of landscaping details was approved under LBC Ref 09/00451/P. This landscaping plan excluded the current application site from the formalised landscaping scheme and it would appear (from the current state of the rear part of the site) that is not used as a formal or informal communal amenity area. It is also worth noting that the application form states that only the applicant has an ownership interest in the land the subject of the planning application.
- 4.9 14/03034/P – Planning permission was refused on 18 September 2014 for the erection of 2 two storey semi-detached 4 bedroom houses at the rear of the site

with accommodation in roofspace. The application was refused for the following reasons:

- 1) The development involves backland development and would not provide a high standard of design and layout, nor would it respect the layout, form and character of the area in which it is located and would thereby conflict with Policies UD2, UD3 and H5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013 and Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan 2011.
- 2) The proposal by reason of its backland garden location, size, siting and design would result in an unsatisfactory backland development that would be detrimental to the amenities of the occupiers of adjoining residential property resulting in loss of garden area, loss of privacy, poor outlook, visual intrusion and noise and disturbance thereby conflicting with Policies UD2, UD3, UD8, H5 and EP1 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013 and Policies 7.4 and 7.6 of the London Plan 2011.

4.9 16/00454/P Erection of three bedroom house at the rear. Withdrawn 10.10.2016

5 CONSULTATION RESPONSE

- 5.1 Thames Water: With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. No objection with regards to sewerage or water infrastructure capacity.
- 5.2 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 4 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: 7 Objecting: 7 Supporting: 0 Comments: 0

Petition – signed by 19 neighbours in the vicinity of the site

- 6.2 The following Councillor made representations:

- Councillor Maria Gatland [objecting]

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

Objections

- Backland development and does not overcome the previous reasons for refusal;
- Overdevelopment of the site;
- Does not respect the layout, form or character of the surrounding area;
- The site is an amenity space of the flats at the front of the site;
- The tree report is not accurate as fails to mention the birch at the rear of the site
- Removal of additional mature trees;
- Affect amenities of adjacent residential properties - loss of privacy, light, outlook and visual intrusion;
- Plans incorrect – the new building will be higher than the properties on Hollycroft Avenue and will dominate their outlook;
- Existing access is narrow and the proposal would create an increased traffic hazard for pedestrians;
- Existing poor visibility at road access will be made worse by additional vehicles;
- Insufficient existing parking for residents at 15A Normanton Road;
- The existing land is only unmaintained because the developer has not maintained it;
- Noise nuisance during construction;
- Construction traffic will cause highway danger;
- Badgers in area

6.5 The following procedural issues were raised in representations, which are addressed below:

- Site notices were not displayed on Normanton Road [OFFICER COMMENT: Four site notices were erected to advertise the application on 06/01/17, one at the front of the site on Normanton Road. The application was advertised in line with notification protocols]

7 MATERIAL PLANNING CONSIDERATIONS

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

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

- 4) The living conditions of future occupiers
- 5) Parking and highways
- 6) Trees and landscaping
- 7) Other planning issues

Principle of development

- 7.2 Croydon Local Plan Strategic Policy SP2.1 applies a presumption in favour of development of new homes. The Croydon Plan (UDP) Saved Policy H2 states housing development will be permitted within the existing built-up area provided it does not conflict with the Council's aim of respecting the character of residential areas and there is no loss of other protected uses. Paragraph 53 of the National Planning Policy Framework states that local planning authorities should resist inappropriate development of residential gardens where, for example, development would cause harm to the local area. UDP Policy H5 permits new housing development on backland sites provided that it respects the character of the area and protects residential amenity. Officers are satisfied that the form, layout, siting and the space set aside as garden land would respect the existing character and maintain adequate separation between existing and new development.
- 7.3 The previous application (LBC Ref 14/03034/P) which at the time proposed two dwellings on this site (two storey with rooms in the roof) was refused as it was considered that the provision of residential properties of the scale proposed would have resulted in development out of character with the general layout of the area and the urban form. It was considered that with this previous proposal, the form of backland development would not have provided a high standard of design and layout, nor would it have respected the layout, form and character of the area within which it is located.
- 7.4 Whilst the site is located adjacent to residential gardens, there is a strong character of backland development in this immediate area. The dwellings on Hollycroft Close and Ward Close are all a result of earlier backland development, which are clearly of a more modern era than the dwellings that front Normanton Road. Given the existing layout of the build form in the wider area and the form of the development proposed (with would have a lesser footprint and density of development compared to the previous refused scheme) it is not considered that the proposed development would cause harm to the character of the local area.
- 7.5 In comparison to the previously refused scheme, the number of proposed units has been reduced (with only one residential unit proposed) and the proposed building would be well set away from the site boundaries. National and Local Plan Policy permits housing developments on backland site as long as the development respects the character of the area and residential amenity. Consideration of these issues are discussed in detail below.

The design and appearance of the development

- 7.6 The London Plan 2015 (Consolidated with Alterations since 2011) Policy 3.5 requires the design of all new housing developments to enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix. Policies 7.4 and 7.6 indicate that development should make a positive contribution to local character and should incorporate high quality materials that are appropriate to its context. Policies SP1.2, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) require all new development to be of a high quality that contributes to enhancing a sense of place and improving the character of the area. Policies UD2 and UD3 of the Croydon Plan (2006) Saved Policies 2013 state that development proposals should reinforce and respect existing development patterns, plots and building frontage widths, heights and proportions of surrounding buildings.
- 7.7 As described above, the surrounding area is historically characterised by backland mews type development and therefore in this instance the principle of creation of built-form on this site is deemed appropriate.
- 7.8 In terms of scale and design, the proposed building would be subservient to the building situated towards the front of the site in terms of scale, height and mass. It would be two-storey with a shallow pitched roof over and would sit comfortably within the site, being well separated from the site boundaries. It would not be overly visible from any public vantage points. The layout has been designed to ensure the retention of the mature boundary trees which will further screen the development from outside of the site. The building would have rendered and timber clad elevations with a cement slate roof (which would have a similar treatment as the flatted scheme fronting Normanton Road. The location of the main entrance into the proposed house (to the side rather than the front) would be acceptable – in view of the relationship of the proposed house to other buildings in the vicinity.
- 7.9 Given the above considerations, the proposed dwelling would not result in undue harm to the character of the surrounding area and would accord with the above referenced policies.

The residential amenities of the adjoining occupiers

- 7.10 The London Plan (consolidated with amendments since 2011) Policy 7.6 states that amongst others that development should “not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”. Policy UD8 of the Croydon UDP concerns “privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy...” and will have regard to the “maintenance of sunlight or daylight amenities for occupiers of adjacent properties”.
- 7.11 The area of land on which the proposed development was previously identified as an external communal amenity space for the 7 flats accommodated within 15A Normanton Road and pursuant to planning permissions (LBC Refs 09/00451/P and

10/00736/P). Whilst it is unclear whether residents have a right to use this area of land (with the applicant advising that there are no other interests in the land the subject of the planning application) it is clear that this proposal would remove part of the previously intended communal amenity space. However, to mitigate the loss, a dedicated communal open space (presumably for existing residents) would be created towards the rear of the existing car park which would provide approximately 50 sq metres of usable amenity space. This will supplement the existing patio area (15sq metres of space) which was provided as part of the previously approved landscaping scheme (see paragraph 4.8) along with a small area of decking to the side of the building (approximately 20 sq metres).

- 7.12 The London Housing SPG states that a minimum of 5 sq metres of private outdoor space should be provided for 1-2 person dwellings, increasing by 1 sq metre per occupant. These spaces total 85 sq metres of external space for the existing flats which would continue to be an adequate level of amenity for the existing units.
- 7.12 The new building would be situated approximately 35 metres from the existing building and therefore would be appropriately sited in terms of daylight/sunlight, privacy and outlook.
- 7.13 Ward Close properties back onto the site and are situated on higher ground compared to the application site. These properties have rear gardens of approximately 11m in depth and the proposed building would be located 4m from the southern side boundary at its closest point with the majority of the building 7m away. Given the orientation of the sites, the ground levels and the gap between the buildings, the proposal will have no adverse impact on the dwellings in Ward Close by way of causing any loss of light or outlook. The only southern facing windows serve the hallway and would be located 18m from the rear elevation of the properties on Ward Close. To ensure there is no harm, these windows can be conditioned to be obscurely glazed.
- 7.14 The properties fronting Hollycroft Close to the north are situated on a lower ground level. Their gardens rise at the rear and are approximately 10 metres deep. The proposed building would be set 4.7 metres from the northern boundary at its closest point. It has been designed with a low eaves height of 5.1 metres and a shallow pitched roof with maximum height of 6.4 metres. In view of the separation and the overall design of the building, the proposal would have no significantly harmful impact on the properties on Hollycroft Close. It would not be so close as to be overbearing or cause any undue loss of outlook. Further it is proposed to retain the existing trees and vegetation on the boundary which would further screen the development. Given the orientation of the buildings, the sun would be at its highest in the sky where the development could cause any loss of light and therefore any impact on light would be minimal. Two bathroom windows proposed in the north side elevation and are shown to be obscure glazed and therefore the proposed would cause no loss of privacy.

- 7.15 The proposed building would be located 12 metres from the rear boundary and the existing trees along the rear boundary are to be retained. The development would be located 24 metres from the rear elevation of the closest property on Croham Manor Road. Given this distance, the proposal would cause no harmful loss of privacy, light or outlook.
- 7.16 For the above reasons, it is considered the impact on the residential amenities of neighbouring properties is acceptable and in accordance with policy EP1, UD8 and SPD2.

Living conditions of future occupiers

- 7.17 The Nationally Described Space Standards (NDSS) provide minimum technical requirements for new dwellings, including minimum space standards for proposed dwellings. With regard to amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1 person dwellings, increasing by 1m² per occupant and Croydon Plan Policy UD8 requires development proposals to provide residential amenity space that is considered as an integral part of the design of the overall development concept.
- 7.18 The proposed dwelling would comfortably exceed the minimum GIA requirements for three bedroom two storey units. The minimum gross internal floor area requirement for a three bedroom six person two storey unit is 102 sq metres. The gross internal floor area of the proposed dwelling would be approximately 159sqm. The internal layout is considered to be acceptable with adequate room sizes and a large open plan living, kitchen and dining area. Substantial private amenity space is also proposed to the rear of the building. The development is considered acceptable in terms of living conditions of future occupiers.

Parking and highways

- 7.19 The site is located in a public transport accessibility level (PTAL) of 2 which is relatively poor in terms of accessibility and the existing roads are heavily parked. Policy SP8.17 seeks to ensure that there is an appropriate level of car parking and the London Plan Policy 6.13 sets out maximum parking standards for new residential development requiring that developments with 3 bedroom to have up to 1.5 spaces per unit. In areas of low PTAL higher provision should be considered. Two spaces would be provided for the new unit.
- 7.20 There is adequate space around the new building for cycles to be stored in accordance with the requirements of the London Plan.
- 7.21 The existing access would be used to access the new unit. The parking area for the existing units would not be reduced in scale but would be reconfigured. 6 spaces would be provide (as existing). The access drive to the new unit would create a manoeuvring space for vehicles in the existing car park which would be a benefit of the scheme.

- 7.22 The access is very narrow in parts and whilst it is not ideal, it is as existing and it is not considered that one more unit would worsen the situation. It is proposed to widen the access to the side of the existing building to create improvement as far as possible.
- 7.23 Given the narrowness of the access track, it is not clear how fire tenders would access the site. If permission were to be granted, details with regard to emergency vehicle access and a construction logistics management plan would be required.
- 7.24 The refuse storage area would be located next to the drive of the new house. The applicant has commented that as the new dwelling will use the shared driveway of the flats, any future occupiers would need to pay into the service charge for the upkeep of the access. This service charge would be increased to include a private collection and disposal of refuse on a periodic basis to match and as an alternative to the usual collections provided by the Council.

Trees and landscaping

- 7.25 Chapter 11 of the NPPF seeks to conserve and enhance the natural environment. Saved Croydon Plan Policy UD14 states that landscape design should be considered as an integral part of any development proposals. London Plan Policy 7.21 states that existing trees of value should be retained and any loss as a result of the development should be replaced following the principle of 'right place, right tree'.
- 7.26 Whilst this is a well treed site, the Council's Tree Officer has confirmed that most of the trees are of poor quality. It is proposed to retain as many of the trees as possible, especially to the site boundaries. Where there are gaps in screening along the boundaries, new trees are proposed. There are no arboricultural objections to the application. Any permission would be conditioned to ensure landscaping details are submitted to and approved by the local planning authority and that the development accords with the proposed tree protection measures.

Other planning issues

- 7.27 The site is located in a surface water flood risk area and therefore any permission would be conditioned to ensure that a sustainable drainage system is installed.
- 7.28 Community Infrastructure Levy – The new dwelling would be CIL liable.

Conclusions

- 7.29 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.