



PART 6: Planning Applications for Decision

Item 6.5

1 APPLICATION DETAILS

Ref: 16/06087/FUL
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.