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London Borough Croydon



Scale 1:1250

24-Jan-2017

1 APPLICATION DETAILS

Ref: 15/05696/P
Location: Land Adjacent 82 Welcomes Road, Kenley, CR8 5HE
Ward: Kenley
Description: Erection of two bedroom chalet bungalow; refurbishment of existing garage and erection of boundary fence
Drawing Nos: P/H1rev
Applicant: Mr Christodoulides
Agent: Mr Park, Plans Ink Limited
Case Officer: Andy Day

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

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- A residential development of this site is now acceptable in principle.
- The revised proposal would respect the character of the area and the appearance of the street scene.
- The size, siting and layout of the proposed building and the degree of separation between the existing dwellings and the proposed building would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers.
- The proposal would provide acceptable accommodation for future occupiers.
- The relationship of the development to existing trees together with new planting would be acceptable
- The proposal would have no significant adverse impact on parking demand and pedestrian and highway safety.
- The concerns about earlier proposals (the last refused permission was in 2013) have been overcome.

3 RECOMMENDATION

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

Conditions

- 1) In accordance with plans
- 2) Finished floor floors, boundary treatments, cycle and refuse storage to be submitted for approval
- 3) Matters to be provided as specified
- 4) Materials to be submitted for approval
- 5) Hard and Soft Landscaping to be submitted for approval (to include SUDS)
- 6) Retention of existing planting

- 7) Tree protection to be carried out in accordance with approved plan
- 8) Window restrictions
- 9) Removal of Permitted Development rights
- 10) Water usage
- 11) 19% carbon reduction to be achieved
- 12) Commence within 3 years
- 13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) Community Infrastructure Levy (CIL) – Granted
- 3) Code of Practice on Construction sites
- 4) Any informative(s) considered necessary by the Director of Planning and Strategic Transport

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 The applicant seeks full planning permission for the:
- Erection of a two bedroom detached chalet bungalow
 - A parking area with access onto Simone Drive
 - Refurbishment of the existing double garage
 - The proposal also includes the provision of a boundary fence onto Simone Drive
- 4.2 This application follows a long history of refused applications, of which the last was in 2013 (13/01125/P) when permission was refused, and an appeal dismissed. The dismissed appeal was on the grounds of harm to the character of the area. This application differs because the development has been reduced in size (albeit with a larger footprint), the style of dwelling simplified, existing and proposed planting reviewed and the refurbishment of the existing double garage introduced.

Site and Surrounding Area

- 4.3 The application site is located on the western side of Welcomes Road at the junction with Simone Drive. The site is a strip of land left undeveloped after the construction of the 5 detached houses at Simon Drive. It currently accommodates a double garage with access onto Simone Drive. The site has a width of between 10.2 and 14m. There are a number of self-seeded trees and shrubs, together with a frontage Yew tree, and other trees overhanging the site. TPO (No. 178) applies to the site, is a blanket Order and introduced in 1964.

- 4.4 The surrounding area is residential in character and is made up of a mixture of detached houses and bungalows, of varying sizes and period, built in different styles. The buildings sit within different sized plots.
- 4.5 There are no direct policy constraints affecting the application site but it lies opposite steeply rising woodland designated as Metropolitan Green Belt which is, in part within a Site of Nature Conservation Importance, as identified in the Croydon Local Plan Policies Map (2013).

Planning History

- 4.6 The following are the most relevant planning history dating back to 1971:

78/20/216: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- Cramped and overcrowded
- Out of keeping with character of the area
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

79/20/944: Planning permission for the erection of a double garage was granted on appeal in March 1980. The permission has been implemented.

88/3188/P: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- The development would be out of keeping with the character of the locality
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

An appeal against the refusal was also dismissed on the following grounds:

- Cramped development that would harm the character and appearance of the area.

89/885/P: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- The development would be out of keeping with the character of the locality
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

An appeal against the refusal was also dismissed on the following grounds:

- Cramped development that would harm the character and appearance of the area.

00/148/P: An application for outline planning permission for the erection of four bedroom detached house was refused in May 2000. The reasons for the refusal were:

- cramped/overcrowded layout not in keeping with character of
- locality unsatisfactory spatial relationship with host dwelling
- Impact upon trees and Met Green Belt setting.

00/3165/P: An application for outline planning permission for the erection of a two-storey house was refused in Sept 2001. The reasons for the refusal were:

- Cramped/overcrowded layout due to limited plot size
- Impact upon trees

An appeal against the refusal was also dismissed on the following grounds:

- Harm to the character and appearance of the area

07/02893/P: An application for planning permission for the erection of a detached 2/3 bedroom house. The reasons for the refusal were:

- Cramped and overcrowded layout, out of keeping with the character of the locality and detrimental to the visual amenity of the street scene.

12/00341/P: An application for outline planning permission for the erection of a 2 storey detached property at side fronting Simone Drive and refurbishment of existing garage was refused on 24 April 2012. The reasons for the refusal were:

- Cramped and overcrowded layout, out of keeping with the character of the locality and detrimental to the visual amenity of the street scene..

13/01125/P: An application for outline planning permission (with all matters reserved) for the erection of detached lodge to replace a previously demolished dwelling and retention of the existing garage was refused permission in 2013. The reasons for the refusal were:

- The effect of the development on the character and appearance of the area (cramped layout, scale of building and limited plot width).
- An appeal against the refusal was also dismissed on the following grounds:
- The development would be unduly harmful to the character and appearance of the area.

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 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: 24 Objecting: 21 Supporting: 2 Comments: 1

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

Objections

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

- Cramped development
- The development would be out of keeping with the character of the area
- Design inappropriate
- Inadequate spacing
- Limited garden space
- The development would dominate the street scene
- Prominent siting
- The development is not consistent with the existing building line
- Poor design
- Loss of privacy
- Visual intrusion
- Harm to the existing mature trees
- Garden infill development
- Precedent
- Inaccurate plans
- The house would not be accessible to disabled persons
- Inadequate parking
- The development would compromise highway safety

Support

- The development would be a welcome addition to the site and would tidy it up
- The development would be unlikely to adversely affect road usage

7 MATERIAL PLANNING CONSIDERATIONS

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

1. The principle of the development
2. The impact of the development upon the character and appearance of the surrounding area.
3. The standard of accommodation for future occupiers
4. The impact of the development upon the residential amenities of the adjoining occupiers.
5. The impact of the development upon the safety and efficiency of the highway network.
6. Other planning matters.

Principle of development

- 7.2 Chapter 6 of the National Planning Policy Framework (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. Policy 3.3 of the London Plan (2011) recognises the pressing need for more homes in London. Policy H2 of the Croydon Plan (2006) Saved Policies permit housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. Policy SP2.1 of the Croydon Local Plan: Strategic Policies (April 2013) states that in order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon the Council will apply a presumption in favour of development of new homes provided applications for residential development meet the requirements of Policy SP2 and other applicable policies of the development plan. Therefore, new residential development should only be permitted where the balance can be found between the provision of a dwelling, accompanied by a suitable landscape scheme, maintaining the character of the area and protecting the amenity of adjoining properties. Notwithstanding the history of refusals, there is no in principle objection to making the best use of land to provide a dwelling.

The impact on the character and appearance of the area

- 7.3 Policy 3.5 of the London Plan requires housing development to be of the highest quality. Policies 7.1, 7.4, 7.5 and 7.6 state that development should make a positive contribution to the local character, public realm and streetscape. Policy SP4.1 of the Croydon Local Plan: Strategic Policies 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 SP4 and other applicable Policies of the development plan." Policy SP4.2a of the Croydon Local Plan: Strategic Policies also states that: "The Council will require development to be informed by the distinctive qualities, identity, topography and opportunities of the relevant places in Croydon". Policy UD2 and UD3 of the Croydon Plan (2006) Saved Policies also indicates that development proposal will be permitted provided they reinforce and respect the existing development pattern, plot and building frontage widths, height and proportion of the surrounding building.
- 7.4 Welcomes Road is mainly characterised by large detached houses and bungalows set in spacious plots. However, there are other smaller plots and small dwellings in the locality, some well established and some more recent. The plot sizes and the amount of space between buildings contribute positively to the distinctiveness and the attractiveness of the area. This is often due to the presence of trees and shrubs that have thrived near many of the boundaries, and this vegetation is important to the semi-rural sylvan character in the locality. The Metropolitan Green Belt opposite the site also adds to this quality.
- 7.5 Typically, the frontage width of properties in Welcomes Road is between 20-31m. However, the frontage width of the site is 10.2m between the boundary with No. 82

and the start of the corner leading into Simone Drive. The width increases to 16.4m where the bend Simon Drive is at it's widest, but then narrows to 11.6m at the boundary with No. 1.

- 7.6 As part of the most recent appeal decision (13/01125/P) the Inspector agreed with earlier Inspectors and dismissed the appeal. He stated "...*The properties in Welcomes Road vary in age, style and form. However, the general character of the area is made up of large detached dwellings, in generous plots, with significant tree cover and mature landscaping, generally screening the properties. Overall, the area has a spacious, semi-rural appearance....*". When commenting on the effects of development on existing and proposed planting opportunities he said "...*To accommodate any dwelling on the site, as indicated by the tree report, a large proportion of the central tree and shrub cover, although not formally protected, would be required to be removed. In addition, pruning of the boundary trees would be necessary. This would considerably open up the site to views and significantly increase the visual effect of any development on it.*" In regard to spacing to boundaries he commented the proposal "...*would also be more limited and there would be less opportunity for additional screen landscaping to take place to reduce the visual impact. The result, rather than providing diversity in the street scene, would, to my mind, be an incongruous and dominant form of development on this prominent corner. It would be wholly out of keeping with the surrounding houses, and would considerably intrude into the wider landscaped setting of the area.*" In terms of the design he felt that "...*attempting to avoid any harm to the occupiers of nearby properties. The result is a rather contrived unit, which would not be comparable to anything nearby. These drawings, therefore, reinforce my view that the scheme would represent an inappropriate infill development, where the visual harm would outweigh any resulting benefit from the provision of a new dwelling.*" In conclusion he stated "...*the development would be unduly harmful to the character and appearance of the area.*"
- 7.7 The history of proposals to form a house plot is extensive. Proposals have failed mostly on grounds of harm to the character of the area. However, elsewhere in Kenley new infill developments have taken place, and some have been in Welcomes Road. Against this background there is a pressing need for new homes against a policy requirement that housing development should be permitted within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas. The site has been vacant for many years, and is now untidy. Some residents have supported the development of this site and a greater number have opposed development. The issue, therefore, is whether any harm caused to character still outweighs the benefits of a new home at this site.
- 7.8 It is concluded that the proposal would go some way to address the previous Inspector's concerns, the dwelling being smaller, but not so small as to be uncharacteristic in the area. The design is much simpler, and overcomes the "contrived unit" criticism from the Inspector. Circumstances have changed locally, there having been new infill plots in the locality. A decision to support the proposal would be reliant on a robust landscaping scheme that would retain important existing vegetation and at the same time the opportunity taken to introduce new planting at those locations where the need is greatest. In those circumstances the new building would integrate into the locality without undue harm to the character.

- 7.9 Therefore, on balance, the proposal would comply with Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013), Policies UD2, UD3 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies and Policies 7.1, 7.4 and 7.6 of the London Plan 2011.

The impact on the residential amenities of the adjoining occupiers

- 7.10 Policy 3.5 of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context and to the wider environment. Policy 7.6 indicates that buildings and structures should not cause unacceptable harm to amenity of surrounding land and buildings. Policy UD8 of the Croydon Plan (2006) Saved Policies also requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies require development to respect and enhance character, to create sustainable communities and enhance social cohesion and wellbeing.
- 7.11 The layout of the proposed building and the degree of separation between the proposed building and the adjoining properties would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers. There would be some oblique overlooking as a consequence of the proposal, but it is not considered that this could have any significant impact on the adjoining occupiers. The Inspector dealing with the last appeal at the site raised no objection to possible impact on neighbouring occupiers.
- 7.12 It is considered that the proposal could comply with the objectives of Policies 3.5 and 7.6 of the London Plan and Policy UD8 of the Croydon Plan (2006) Saved Policies that seeks to protect existing occupiers from undue visual intrusion and loss of privacy.

Impact on parking demand and highway safety

- 7.13 Policy 6.13 of the London Plan indicates that a balance should be struck between promoting development and preventing an excessive parking provision. Policies T8 and T2 of the Croydon Plan (2006) Saved Policies respectively require development to make appropriate provision for car parking on site and to ensure that traffic generated does not adversely affect the efficiency of nearby roads.
- 7.14 The retention of the refurbished garage to provide two car parking spaces, and access are considered acceptable, and in accordance with the maximum car parking standards described in Appendix 2 of the *Croydon UDP*. Saved Policy UD13 of the Croydon Plan requires car parking and access arrangements to be designed to be safe, secure, efficient and well designed. The parking and access arrangements are considered acceptable.
- 7.15 It is therefore considered that the proposal would have no significant adverse impact on parking, pedestrian and highway safety.

The impact on the existing mature trees

- 7.16 Policy 7.4 of the London Plan (2011) indicates that development should improve an area's visual or physical connection with natural features and also contribute to a positive relationship between the urban structure and natural landscape features. Policy 7.21 of the London Plan (2011) also indicates that trees and woodlands should

be protected, maintained and enhanced. Policy NC4 of the Croydon Plan (2006) Saved Policies requires that valued trees especially those protected by Tree Preservation orders are protected. Policy SP7.4 of the Croydon Local Plan: Strategic Policy seeks to enhance biodiversity across the borough.

- 7.17 There are a number of self-seeded trees and shrubs, together with a frontage Yew tree, and other trees overhanging the site. TPO (No. 178) applies to the site, is a blanket Order and introduced in 1964. It applies to both the site and No 82. It is unlikely that any of the trees at these two properties are protected. In that the trees are mostly self-seeded, they are not of sufficient merit to influence the proposal, so long as key frontage planting is retained and new planting opportunities are taken. Those trees within No 82 and next to the boundary have been heavily reduced over the years and some, where they overhang the site will need to be cut back. There is therefore no arboricultural objection to the proposal.

8.0 OTHER MATTERS

- 8.1 The site is not within a Flood Zone, according to Environment Agency maps. However the site does fall within a 1 in 100 year Surface Water Critical Drainage 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 proposal is for 1 unit. Therefore it is considered that SUDs details can be secured through a condition, along with building resilience measures to be incorporated into the building.
- 8.2 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.