

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

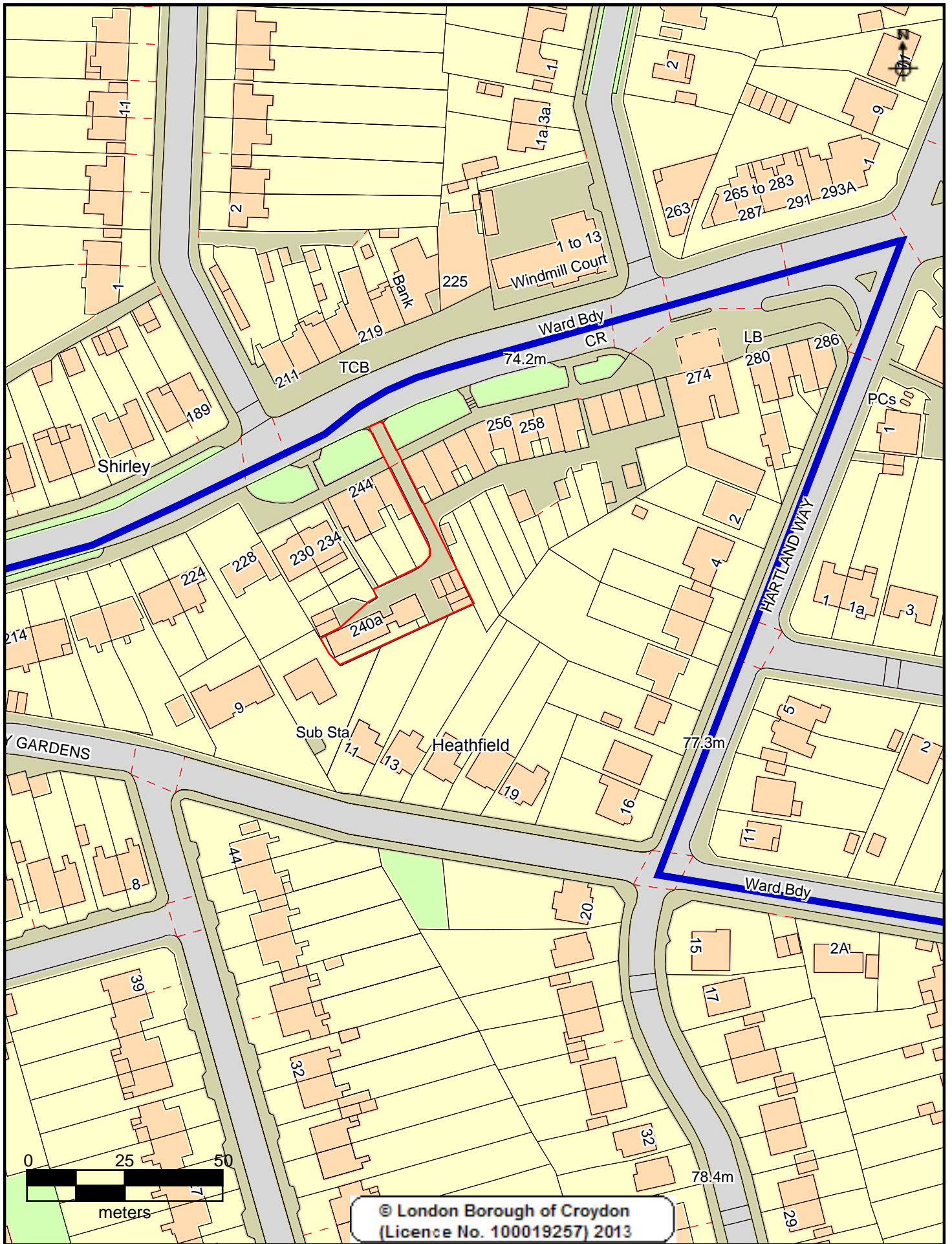
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

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.



1 APPLICATION DETAILS

Ref: 16/05868/FUL
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

2 BACKGROUND

- 2.1 This application was first reported to Planning Committee on 9th February 2017. The Committee resolved to defer the application in order to allow Members of the Planning Committee to attend a site visit, which took place on the 27th February 2017.
- 2.2 The original report is attached to this agenda.

3 SCHEME AMENDMENTS

- 3.1 Following the Committee site visit on the 27th February 2017, members enquired about the height and the style of the windows on the proposal at the rear (south elevation) of the site. Members questioned whether these windows could be made more narrow and high level units on the basis that they serve a storage/staff room area, which could reduce the level of perceived overlooking from the site.
- 3.2 The applicant took these points on board and made the requested amendments to the scheme, with the rear windows shown as high level and showing the windows in the front elevation to be top hung.

4 CONSULTATION RESPONSE

- 4.1 No further representations have been received following the deferral for the site visit.

5 FURTHER ADVICE ON MATERIAL PLANNING CONSIDERATIONS

- 5.1 As with the previous report the main issues associated with the application are a) impact on the character and appearance of the area; b) impact on the residential amenities of the adjoining occupiers; and c) impact on parking

demand and highway safety. These are addressed in the original report which has been appended to this agenda.

- 5.2 In respect to the impact on the residential amenities it is prudent to draw members' attention to the previous planning history at the site and in particular the two dismissed planning appeals.

15/00653/P

- 5.3 The scheme was refused for two reasons a) effect on character and appearance of the area; and b) effect on the living conditions of neighbours with regard to outlook and privacy.
- 5.4 In dismissing the appeal the Inspector only cited the poor quality of the proposed extension on the character and appearance and not the impact on residential amenity as the sole ground for dismissal. The dismissed scheme was based on the unrelieved scale and mass of the resulting building, which he opined would cause considerable harm to the character and appearance of the area. Importantly, despite being a larger scheme than that proposed here, the Inspector found that the impact on the residential amenity was acceptable.
- 5.5 In reaching this decision the Inspector considered the impact on the living conditions of the surrounding residents including 230 to 236 Wickham Road; 11A West Way Road and 11 and 13 West Way Road. In respect to 230 to 236 Wickham Road the Inspector considered the use of obscured glazing and the fact that the windows were sufficiently far away not to be overbearing. Similarly in respect to the bungalow at 11A West Way Road the set away from the side boundary the outlook from within the rear garden would not be adversely affected to a significant degree. In respect to 11 and 13 West Way Road the Inspector considered the proposal would not be so close to be overbearing. As such the larger and unrelieved scheme was found to be satisfactory in respect to the living conditions of the occupiers of the surrounding dwellings.

16/00328/P

- 5.6 The second appeal was dismissed purely on the grounds of the impact on the character and appearance of the area, despite being a smaller scheme than originally proposed. The Inspector dismissed on character grounds, but importantly again found no harm to the living conditions of neighbours.
- 5.7 In respect to living conditions and residential amenities of the surrounding area, the current scheme is smaller than the two previous schemes and following amendments and subject to conditions securing obscured glazing, is acceptable.

6 RECOMMENDATION

- 6.1 That the Committee resolve to GRANT planning permission subject to the conditions and informatives set out in 3.2 of the original report.

6.2 That the Committee confirms that its reasons for granting Planning Permission are as set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS of the original report.

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PREVIOUS REPORT

PLANNING SUB-COMMITTEE AGENDA

9th February 2017

PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: 16/05868/FUL
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.