



Crown Copyright Ordnance Survey (License No: 100019257) 2009

**CROYDON
COUNCIL**

London Borough Croydon

Scale 1:1250

25-Aug-2017



1 SUMMARY OF APPLICATION DETAILS

Ref: 17/03656/HSE
Location: 55 Marlpit Lane, Coulsdon, CR5 2HF
Ward: Coulsdon East
Description: Erection of single storey side, single storey rear, two storey side and rear extension
Drawing Nos: 01 Rev A, 02 Rev A, 03, Rev A, 04 Rev D, 05 Rev E, 06 Rev E and 07 Rev C.
Applicant: Mr Sunil Gupta
Agent: Mr Shailender Nagpal
Case Officer: Peter Korankye-Gyabong

- 1.1 This application is being reported to Committee because a Ward Councillor (Cllr Margaret Bird) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

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

Conditions

- 1) In accordance with approved plans
- 2) Materials to match the existing dwelling
- 3) No windows at/above first floor level in south-eastern or north western elevations other than specified on approved plans
- 4) Windows in north western elevation be obscure glazed
- 4) Commencement of development within three years
- 5) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal comprises the following:

- Demolition of existing rear conservatory
 - Erection of first floor and two storey side and rear extension
 - Erection of single storey side and rear extension
- 3.2 Amended plans have been received during the course of the application. These moved the single storey and the two storey side/rear extensions away from the boundary line by a further 650mm, and reduced the proposed roof heights of all the proposed extensions.

Site and Surroundings

- 3.3 The application site is a two-storey detached dwelling located to the north east side of Marlpit Lane. The dwelling has a flat roof garage attached to the northwest side. It has brick to the elevations under a tiled roof. Ground levels rise significantly from the front to back of the site and from west to east meaning that the adjacent dwelling No.53 sits on a significantly lower grounds level whilst the No. 57 sits on a significantly higher ground.
- 3.4 The surrounding area is largely residential in character, comprising mostly of detached properties of varied character (but many in the same style as the application property) in generous plots. The site falls within a Surface Water Critical Drainage Area and a 1 in 1000 year Surface Water Flood Risk Area, according to the Croydon Local Plan: Strategic Policies (2013) map. Hayes Lane is a Local Distributor Road. The site sits within the Farthing Downs Croydon Panorama.

Planning History

- 3.5 95/01245/P Erection of conservatory. Granted August 1995.
- 3.6 17/01971/HSE - Erection of single/two storey side/rear- Permission refused on 16.06.2017 for the following reasons:
1. *By reason of its siting, scale, massing and design, the development would form a dominant and incongruous addition which would detract from and be out of keeping with the character of the existing dwelling and detrimental to the visual amenity of the street scene.*
 2. *The side and rear extension, by reason of its location, depth and scale would have a significantly detrimental impact on the amenities of the adjacent residential dwelling 53 Marlpit Lane by way of being unduly overbearing and causing loss of outlook and light.*

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The previous grounds for refusal have been overcome
- The proposed extensions would be in accordance with residential design guidance set out in Supplementary Planning Document 2 (SPD2) and would be of an acceptable scale, massing and design. There would not be a harmful impact on the character of the dwelling, or the streetscene.

- The siting and layout of the development including the degree of separation between the existing buildings would be sufficient to ensure no undue impact on residential amenities of the adjoining occupiers
- There would be no changes to the existing parking arrangements, and as a result there would be no harmful impact to the local highway network or local on street parking provision.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

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

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

- 6.2 The following Councillor made representations:

- Cllr Margaret Bird [objecting]

- 6.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

- Loss of light
- Overlooking and
- Obtrusive by design

7 RELEVANT PLANNING POLICIES AND GUIDANCE

- 7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

- a. Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Requiring good design

- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions
- Delivering a wide choice of high quality homes
- Providing a good standard of amenity for existing and future occupants of buildings and land
- Promoting sustainable transport

b. The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 6.13 Parking
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 on Architecture

Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.2 Place Making
- SP4.1 & 4.2 Urban Design and Local Character

Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and Siting of New Development
- UD3 Scale and Design of New Buildings
- UD8 Protecting residential amenity
- T2 Traffic Generation from Development
- T8 Car Parking Standards in New Development

7.2 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017 and the examination took place in May/June this year. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

8 MATERIAL PLANNING CONSIDERATIONS

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

1. The design and appearance of the development and the impact on the character of the area
2. The impact of the development on the residential amenities of adjoining occupiers
3. Other planning issues

The design and appearance of the development and the impact on the character of the area

- 8.2 This application is a resubmission following refusal of planning application reference 17/01971/HSE for the following:
- Demolition of existing rear conservatory
 - Erection of first floor and two storey side and rear extension
 - Erection of single storey side and rear extension
- 8.3 The main differences between the refused application and the current scheme are:
1. The first floor side element of the refused scheme spanned almost the entire depth of the original side elevation, whereas the current scheme proposes a reduced depth of 2.8 metres from the front
 2. The first floor rear element of the refused scheme was sited 600mm from the common boundary with No. 53 whereas the current scheme proposes a set in of 1250mm from the shared boundary with No. 53
 3. The first floor rear and side elements of the refused scheme proposed roof heights which matched the ridgeline of the main house whereas the current scheme proposes a set down of the ridgeline of 1m below the original ridgeline
 4. The single storey rear element has been set in an extra 650mm from the shared boundary with No. 55
 5. The single storey side and rear elements of the refused scheme proposed roof height in excess of 3m whereas the current scheme proposes a reduced height to 2.7m maximum.
- 8.4 The Council's Supplementary Planning Document Number 2: Residential extensions and alterations (SPD2) states that when assessing two storey side extensions the most important consideration is the effect of the street scene and in particular the architectural rhythm of the houses and the spaces between them. The original integrity of the design of the dwelling should normally be maintained and can usually be achieved by setting extensions back from the main front wall so that they become subordinate elements in the street scene. This set back should usually be about 1.5 metres from the main front wall of the dwelling.
- 8.5 The dwelling as existing is two-storey with front and side facing gable roofs with an attractive eaves detail. The dwellings in this row are mostly detached but the built form often extends close to the side boundaries of the plots, as in the case of No. 53 Marlpit Lane. Given the change in ground levels, the application site is significantly higher than No.53 to the northwest and sits on a significantly lower grounds than No. 57 to the southeast.
- 8.6 The amended proposal provides a drop in ridgeline of 1m and provides a setback of approximately 3.8 to closely align with the southeast wing of No. 53. The existing attractive eaves feature of the roof and window glazing detailing is also now shown to be replicated which would no longer harm the original appearance of the building. Given the differences in footprint, design and style of buildings in the locality officers consider that the current scheme adequately addresses the previous reasons for refusal, relating to visual prominence. As such the first floor side extension would be in accordance with the Council's design guidance set out in SPD2, with a 3.8m setback from the main front wall provided at first floor level, a reduced ridge height and appropriate width not more than half the width of the original dwellinghouse, would be subservient to the main dwellinghouse and is considered to be acceptable.

- 8.7 Given the size and detached nature of the property, it is not considered the extension would be overly dominant on the rear of the building. This is considered to be acceptable in terms of the impact on the character of the area. This is in accordance with the above mentioned policies.

Residential amenity of adjoining occupiers

- 8.8 No. 57 lies to the southeast of the site. This property sits slightly forward of the application site in the streetscene at an angle that follows the Marlpit Lane. The first floor side extension would not readily be visible from this property. The single and two storey rear extensions would only slightly project beyond the conservatory to be removed. Given the site circumstances and the orientation, it is not considered the development would result in harm to the amenities of the occupiers of No. 57, through loss of light, outlook or privacy.
- 8.9 The property at No. 53 Marlpit Lane lie to the northwest of the development. The first floor side extension would extend almost 1.6m beyond the side flank wall of the east wing of front façade of No. 53 whilst the two storey side/rear element would extend 1.4m beyond the rear flank wall of the east wing and be recessed 1.25m off the rear boundary with this property.
- 8.10 The layout of No.53 is such that it has an 'L' shape with the southeast closest to No.55 being well set back from the frontage of No.55. There are windows and openings in the setback southeast elevation of the L-shape directly facing the side flank of the existing garage and the main flank wall of No. 55. In refusing the previous application, the Council noted that the single storey rear extension element would have extended approximately 3.4m beyond the rear elevation of No.53 whilst the two storey element would have extended 1.7m beyond the rear elevation.
- 8.11 The current scheme proposes a reduced projection of 1.4m beyond the rear wall of No. 53 and recessed 1.25m off the shared boundary with this property and a reduce height of 1m. Although it is acknowledged that 1.4m of the two storey rear element would be visible from the rear garden of No. 53, these are common features in built up areas and any potential harm resulting from their presence must be demonstrable, in planning terms.
- 8.12 It is noted on the site visit that both the ground floor habitable room and the first floor bedroom in the east wing are dual aspect with front and rear windows of considerable widths and heights. In light of this and given the changes to footprint, depth and height, officers note that the proposed extensions would neither breach the 45 degrees line of sight from the rear ground floor and first floor windows nor the front ground and first floor windows in the east wing. Therefore, these habitable rooms would receive substantial levels of light in the morning due to the additional setback on the side and there would be no demonstrable harm to the amenity of this neighbouring property to justify refusal of planning permission.
- 8.13 In relation to the openings in the southeast elevation of No. 53 the amended proposal proposes to set back the first floor side extension by approximately 3.8 metres and be substantially reduced in height. These reductions combined with use of flat roof over the existing single storey side element coupled with the separation distance between the proposed and the west wing of No. 55 are sufficient to ensure there

would be no harm to the residential amenities of this property as a result of the development.

- 8.14 In respect of loss of privacy, there are existing windows in the side elevation facing No. 53. These windows do not serve habitable rooms. The amended scheme now proposes to brick up one of the existing ground floor windows and replace the other with a high level obscure glazed window. The proposed first floor window would be in a similar position as the exiting first floor window, would only serve a bathroom and proposed to be obscure glazed. If planning permission is granted appropriate planning condition can be applied to ensure that it be obscure glazed and fixed shut at 1.7m from floor level to safeguard the amenity of this neighbouring occupiers. It is therefore unreasonable to refuse planning permission based on loss privacy or perception of it where planning condition can be applied.
- 8.15 Overall, the development is considered to be in accordance with the relevant policies and would not result in harm to the residential amenities of surrounding occupiers. As such the previous reasons for refusal have been fully address and refusal of planning permission based on loss of outlook and light, can no longer be sustained.

Other planning issues

- 8.16 There would be a loss garage as a result of the development. The site would remain as a single family dwellinghouse, and there is no change of use proposed as part of the application. Therefore, the parking space within the frontage would be adequate
- 8.17 The site lies within a surface water flood risk area. However, the extension is modest and would be sited largely on existing footprint and subject to water butts conditions, no objection is raised.

Conclusions

- 8.18 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.
- 8.19 All other relevant policies and considerations, including equalities, have been taken into account.