

# Planning Sub-Committee Agenda



To: Councillor Paul Scott (Chair)  
Councillor Muhammad Ali (Vice-Chair)  
Councillors Chris Clark, Clive Fraser, Toni Letts, Felicity Flynn, Jason Perry,  
Scott Roche, Gareth Streeter and Oni Oviri

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 13 September 2018** at the rise of Planning Committee but not earlier than **9.00pm** in **Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX**

JACQUELINE HARRIS-BAKER  
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[www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)  
Wednesday, 5 September 2018

Members of the public are welcome to attend this meeting.  
If you require any assistance, please contact the person detailed above, on the right-hand side.

To register a request to speak, please either e-mail [Democratic.Services@croydon.gov.uk](mailto:Democratic.Services@croydon.gov.uk) or phone the number above by 4pm on the Tuesday before the meeting.

N.B This meeting will be paperless. The agenda can be accessed online at [www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)

## **AGENDA – PART A**

**1. Apologies for absence**

To receive any apologies for absence from any members of the Committee

**2. Minutes of the previous meeting (Pages 5 - 6)**

To approve the minutes of the meeting held on Thursday 5 July 2018 as an accurate record.

**3. Disclosure of Interest**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

**4. Urgent Business (if any)**

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

**5. Planning applications for decision (Pages 7 - 10)**

To consider the accompanying reports by the Director of Planning & Strategic Transport:

**5.1 18/01332/FUL 58-60 Westow Hill, Upper Norwood**  
(Pages 11 - 20)

Alterations: Use of ground floor as a public house; installation of shopfront and awning; erection of extractor fan at rear; erection of gate in side access and provision of landscaping features ; provision of associated refuse storage to rear.

Ward: Upper Norwood  
Recommendation: Grant permission

**5.2 18/01641/FUL 37-39 Heathurst Road, South Croydon, CR2 0BB (Pages 21 - 30)**

Demolition of existing garages and erection of a four bedroom detached house with associated access.

Ward: South Croydon  
Recommendation: Grant permission

**5.3 18/02925/HSE 2 Pollards Hill East, Norbury, SW16 4UT (Pages 31 - 40)**

Alterations, Erection of two storey side extension with dormer window on front and rear elevation.

Ward: Norbury and Pollards Hill  
Recommendation: Grant permission

**5.4 18/02975/FUL Rear of 129-131 Addington Road, South Croydon, CR2 8LH (Pages 41 - 52)**

Erection of two storey building comprising 2x2 bedroom dwelling houses and 2x1 bedroom flats with associated cycle and refuse storage and landscaping.

Ward: Selsdon and Addington Village  
Recommendation: Grant permission

**5.5 18/03430/FUL 14 Hartley Old Road, Purley, CR8 4HG (Pages 53 - 64)**

Erection of a two storey four bedroom detached house with internal garage, including associated landscaping and formation of vehicular access onto Hartley Down.

Ward: Purley and Woodcote  
Recommendation: Grant Permission

**6. Exclusion of the Press & Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

## Planning Sub-Committee

Meeting of Planning Sub-Committee held on Thursday, 5 July 2018 at 9.52pm in Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

### MINUTES

**Present:** Councillor Paul Scott (Chair);  
Councillor Muhammad Ali (Vice-Chair);  
Councillors Clive Fraser, Jason Perry and Gareth Streeter

**Also Present:** Councillor Sue Bennett

### PART A

A40/18 **Minutes of the previous meeting**

**RESOLVED** that the minutes of the meeting held on Thursday 28 June 2018 be signed as a correct record.

A41/18 **Disclosure of Interest**

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

A42/18 **Urgent Business (if any)**

There was none.

A43/18 **Planning applications for decision**

A44/18 **18/00981/FUL 69 Shirley Way, Croydon, CR0 8PL**

Erection of single storey detached dwelling to rear fronting Temple Avenue.

Ward: Shirley South

Details of the planning application was presented by the officers with no clarifications.

Mr Michael O'Brien spoke against the application.

Mrs Lucy Summers-Spriggs and Mrs Lisa Brett spoke in support of the application.

Councillor Streeter proposed a motion for **REFUSAL** of the application on the grounds of over development for out of character of the local area and impact on neighbours. Councillor Perry seconded the motion.

Councillor Scott proposed a motion for **APPROVAL**. Councillor Fraser seconded the motion.

The motion of refusal was put forward to the vote and fell with two Members voting in favour and three against.

The motion of approval was put forward to the vote and was carried with three Members voting in favour and two against.

The Committee therefore **RESOLVED** to **GRANT** the application of the development of 69 Shirley Way, Croydon, CR0.

The meeting ended at 10.12 pm

**Signed:**

**Date:**

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## PLANNING SUB-COMMITTEE AGENDA

### PART 5: Planning Applications for Decision

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#### 1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning 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 or Resident Association 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 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 (consolidated with Alterations since 2011)
  - the Croydon Local Plan (February 2018)
  - 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. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 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 **ROLE OF THE COMMITTEE MEMBERS**

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

### 4. **THE ROLE OF THE CHAIR**

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.



- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

## **5. PROVISION OF INFRASTRUCTURE**

- 5.1 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:
- i. Education facilities
  - ii. Health care facilities
  - iii. Projects listed in the Connected Croydon Delivery Programme
  - iv. Public open space
  - v. Public sports and leisure
  - vi. Community facilities
- 5.2 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.

## **6. FURTHER INFORMATION**

- 6.1 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.

## **7. PUBLIC SPEAKING**

- 7.1 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.

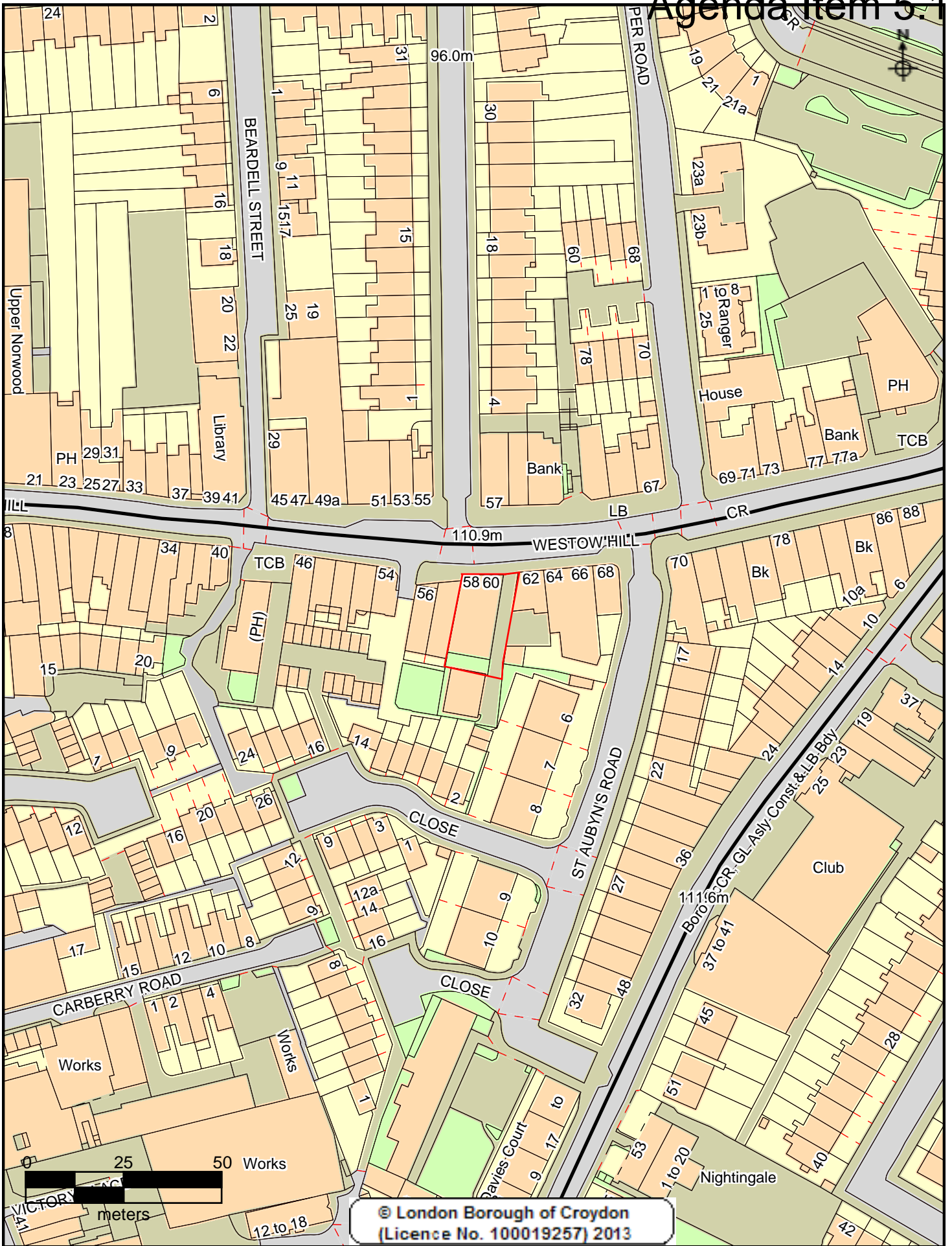
## **8. BACKGROUND DOCUMENTS**

- 8.1 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.

## **9. RECOMMENDATION**

- 9.1 The Committee to take any decisions recommended in the attached reports.

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**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 18/01332/FUL  
 Location: 58-60 Westow Hill, Upper Norwood  
 Ward: Upper Norwood  
 Description: Alterations: Use of ground floor as a public house ; installation of shopfront and awning ; erection of extractor fan at rear ; erection of gate in side access and provision of landscaping features ; provision of associated refuse storage to rear.  
 Drawing Nos: WH60CH 300 LUL ; WH60CH LP Rev 1 ; WH60CH 300 KE ; WH60CH 200 EE ; WH60CH 200 NE ; SWH60CH P ; WH60CH 200 WE ; WH60CH 100 GA 00 ; WH60CH 300 SP ; WH60CH 200 GA 00.  
 Applicant: Jove Ltd  
 Agent: Ms Maria Gallego Lopez  
 Case Officer: Mr D A Gibson

1.1 The total number of resident objections received exceeds the threshold of officer delegated authority and in accordance with the Committee Consideration Criteria it is therefore reported for Consideration by the Planning Sub-Committee.

**2.0 RECOMMENDATION**

2.1 That the Planning Sub-Committee resolve to GRANT planning permission.

2.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

1. In accordance with the approved plans.
2. Development to be implemented within three years.
3. Samples and details (as appropriate) of materials.
4. Details (appearance) of security gate to side pedestrian passage.
5. Windows and doors to be implemented as timber framed as specified and approved, and retained as such thereafter.
6. Details of waste management plan to be submitted for approval.
7. Refuse store to be provided prior to use.
8. Control of opening hours of pub (including use of side passageway).
9. Details of noise limiting devices for sound amplification / music to be submitted for approval.
10. Details of electrostatic precipitator within extractor fan system.
11. S278 highways agreement to make provision for loading bay for delivery vehicles on Westow Hill being agreed before commencement of development.

12. Re-instatement of redundant dropped kerb, outside site on Westow Hill, to full height kerb.
13. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

#### **Informatives.**

1. Code of Practice regarding small construction sites.
  2. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.
- 2.3 That the Planning Sub-Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

### **3.0 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

- 3.1 The proposal is to convert a vacant ground floor shop (formerly Plumbase) into a pub. The alterations would involve the installation of a new shopfront and awning, alterations to the side and landscaping and a gate to the side access, siting of rear extractor fan, and refuse storage to the rear.
- 3.2 The proposed opening times (as amended) are :
- 0900 hours to 2300 hours Sundays to Wednesdays.
  - 0900 hours to 2330 Thursday to Saturdays.
  - Use of the side passage for customers will cease at 2200 hours.

#### **Site and Surroundings**

- 3.3 Three storey building on southern side of Westow Hill (part of Crystal Palace Triangle). The ground floor is 252 square metres in area and projects back and forward of the main building and is a vacant shop (formerly Plumbase) with modern shopfront (currently hoarded). The upper floors are in use as flats. The building has attractive municipal red brick and decorative stone façade. The eastern flank and southern rear elevations of the building are formed of a yellow London stock brick. There are infilled windows on the ground floor flank eastern elevation. There is an impromptu rear roof garden at first floor level. There is a paved side vehicle / pedestrian access adjacent to the eastern flank of the building and a low barrier gate to it.
- 3.4 There is a vacant warehouse building to the rear of the application site, which was ancillary storage for the Plumbase store. The immediate area is predominantly commercial in character albeit with flats above ground floor commercial units in some instances. Also, there are residential dwellings to the south-east and south of the site in St. Aubyn's Road and Brunel Close respectively.

- 3.5 The site is designated as Secondary Retail Frontage in the Upper Norwood District Centre. The site is within the Upper Norwood Conservation Area.
- 3.6 Westow Hill is classified as a Local Distributor Road. The site has a Public Transport Accessibility Level (PTAL) of 5 (good).

#### **Relevant Planning History**

- 3.7 No recent planning history relevant to current proposal.

#### **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The proposed development would promote a retail function in a District Centre.
- The proposed design alterations would be in keeping with its context, thus preserving the appearance of the site, surrounding area, and conservation area.
- The proposed development would not cause significant harm to neighbouring properties' living conditions.
- The proposed development is in an area highly accessible by public transport and would not have an adverse impact on the operation of the adjacent highway, subject to conditions
- The proposed development would be subject to conditions controlling hours and music / sound amplification within the premises to protect nearby residents from adverse noise and disturbance.

#### **5.0 CONSULTATION RESPONSE**

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

#### **6.0 LOCAL REPRESENTATION**

- 6.1 A total of 7 neighbouring properties were notified about the application and invited to comment by the way of letter.

- 6.2 The application was also advertised by way of site notices and a press notice as it is within a conservation area.

- 6.3 Consultations were sent to adjoining Boroughs – Lambeth and Bromley.

- 6.4 Transport for London commented on the application as follows :

No objection to scheme.

- 6.5 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

Individual responses: 62

49 Objections ; 12 Supporting ; 1 Commenting

The following summarised 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**

Loss of A1 (Shop) Use

Too many pubs in locality

Too many late licence venues in locality

Vacant pubs in locality

Increased noise and disturbance / anti-social behaviour / smoking

Increased pollution from extractor fans

Increased overlooking

Degradation of conservation area

Increased traffic

Will cause highway hazards

Will block access to rear storage unit

### **Supporting**

Will bring derelict shop back into use

Will improve appearance of building

Will add to vibrancy of area

### **Commenting**

London Borough of Lambeth – No objection

## **7.0 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 Croydon Local Plan (2018), Mayor's London Plan (2016) and the South London Waste Plan 2012.
- 7.2 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:
- Achieving sustainable development.
  - Ensuring the vitality of town centres.
  - Promoting sustainable transport.
  - Achieving well-designed places.
  - Conserving and enhancing the historic environment.
- 7.3 There is a draft revised NPPF which went out to public consultation 5 March 2018. The consultation ended 10 May 2018 and feedback is being collated. The draft revised NPPF incorporates policy proposals previously consulted on in the



Housing White Paper and the Planning for the right homes in the right places consultation. The draft NPPF is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the draft NPPF in general is considered to carry minimal weight.

7.4 The main policy considerations from the London Plan (2016) raised by the application that the Sub-Committee are required to consider are:

- Policy 1.1 Delivering the Strategic Vision and Objectives for London.
- Policy 4.1 Developing London's Economy.
- Policy 4.7 Retail and Town Centre Development.
- Policy 4.8 Supporting Diverse Retail Sectors / Facilities.
- Policy 6.1 Strategic Approach (Transport).
- Policy 6.3 Assessing Effects of Development on Transport Capacity.
- Policy 6.12 Road Network Capacity.
- Policy 6.13 Parking.
- Policy 7.2 An Inclusive Environment.
- Policy 7.4 Local Character.
- Policy 7.6 Architecture.
- Policy 7.8 Heritage Assets.

7.5 A new draft London Plan has been out for public consultation which expired on the 2 March 2018. The GLA current program is to have the examination in public of the Draft London Plan in Autumn 2018, with the final London Plan published in Autumn of 2019. The current 2016 consolidation Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the plan in general is considered to carry minimal weight.

7.6 The main policy considerations from the Croydon Local Plan (2018) raised by the application that the Sub-Committee are required to consider are:

- Policy SP1 The Places of Croydon.
- Policy SP3 Employment.
- Policy DM4 Development Croydon Town Centre, and District and Local Centres.
- SP4 Urban Design and Local Character.
- DM10 Design and Character.
- DM11 Shopfront Design.
- DM13 Refuse and Recycling.
- DM18 Heritage Assets and Conservation.
- SP8 Transport and Communication.
- DM29 Promoting Sustainable Travel / Reducing Congestion.
- DM30 Car and Cycle parking in new development.
- DM39 Crystal Palace and Upper Norwood.

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Sub-Committee are required to consider are:

- Principle of development in relation to shopping area policies.
- Impact on the appearance of the site, surrounding area and conservation area.
- Impact of the development on neighbouring properties' living conditions.
- Impact of the development on parking and the highway.
- Other planning issues.

### **Principle of development**

- 8.2 The existing property is a vacant shop (A1 Use Class). Policy SP3.8 of the Croydon Local Plan promotes the provision of retail uses within District Centres. Policy SP3.12 seeks to maintain, as a minimum, the current amount of retail floorspace in District Centres, enhance the quality of retail floorspace, and reduce the vacancy of shop units. Policy DM4.1 seeks to ensure that the vitality and viability of District Centres is maintained by not allowing changes of use which would result in a net loss of 'A' Use Classes. Policy DM4.2 requires changes of use to ground floors within District Centres to comply with Table 5.3 of The Croydon Local Plan. This Table permits changes of uses in Secondary Retail Frontages in District Centres (such as this) between A1 retail uses and A3 restaurant and A4 and drinking establishment uses.
- 8.3 The proposal would be acceptable in principle as policy makes provision for a change of use from an A1 Use Class to an A3 or A4 Use Class within the Secondary Retail Frontage of the District Centre. Policy does not seek to control the number of pubs within a specific area and nor does it require the vacancy of other pub buildings to be a consideration.

### **Impact on the appearance of the site, surrounding area and conservation area.**

- 8.4 The existing ground floor façade of the building has deteriorated as a result of the vacancy of the shop unit. The proposed shopfront would have an acceptable glazing arrangement with bi-folding doors. Stallrisers would be provided to the base of the glazing and a horizontal window with street number etched on it would be provided above the main entrance doors. The glazing arrangement would fit in well with the proportions and alignment of the existing feature windows at first and second floors on the façade of the building. The shopfront would have timber frames and a timber fascia is proposed. The use of timber materials can be secured by condition. The applicant has proposed naming the pub 'Cambridge Coopers'. This is a reference to both a shop called 'Coopers' which occupied the site in the 1960's and to a historic, now defunct, pub in the vicinity called 'The Cambridge'.
- 8.5 The ground floor eastern flank wall of the site would also have glazed bi-folding doors opening out onto the side passageway. This would improve the

appearance of the eastern flank of the building and would have the benefit of providing natural surveillance of the passageway and activity within it. The current tarmac surface of the passageway would be improved through the provision of an improved paving slab scheme. Full details of the materials of the proposed re-surfacing can be secured by condition. The extractor fan equipment would be sited on the rear elevation of the building and so would not be highly visible in the street scene or surrounding built environment.

- 8.6 The proposed new shopfront and other alterations would improve the overall appearance of the building and preserve and enhance the appearance of the conservation area.

**Impact of the development on neighbouring properties' living conditions.**

- 8.7 It is proposed (as amended) that the pub would be open to the general public from 0900 hours until 2300 hours from Sunday through to Wednesdays. On Thursday, Friday and Saturday is proposed that it would stay open later in the evenings, until 2330 hours.
- 8.8 A number of the residential objections received against the application express concern about noise and disturbance resulting from the proposed pub use. With that in mind it is recommended that as a precaution the pub should initially not be open beyond 2300 hours Sunday through to Wednesdays and 2330 hours on Thursdays, Fridays and Saturdays. It is considered that the opening hours would be acceptable for a District Centre location and the hours are similar to other eating and drinking establishments in the area. This matter can be secured by condition.
- 8.9 With regard to noise emanating from the activity within the pub, the Council would expect a noise limiting device to be fitted to the electrical supply, which will cut out the supply to amplified music if noise levels exceed a certain decibel level (to be agreed by the Council). The applicant has made provision for a noise limiting device. Full details of it can be secured by condition. It is not proposed to place seating in the passageway adjacent to the eastern flank of the building, however it is recommended that use of the side passageway for standing out ceases at 2200 hours each night and this matter can be secured by condition. Sound proofing is proposed between the ground floor and first floor.
- 8.10 The pub's extractor fan system proposed to the rear elevation would discharge at low level. The Council's Environmental Consultant advises that because there will be the use of fryers in the cooking process, an electrostatic precipitator should be installed as part of the extraction system. Full details of this mechanism can be secured by condition.
- 8.11 Therefore, mitigation measures can be put into place to restrict noise and disturbance from the use of the pub and these matters can be secured by condition. As a result, the proposal would not create significant levels of noise disturbance such to justify refusal of planning permission.

- 8.12 It is considered that as the pub would occupy the ground floor of the building that no adverse effect would result from the development in terms of loss of privacy, loss of light, or loss of outlook.

### **Impact of the development on parking and the local highway network.**

- 8.13 Policy aims to actively manage the pattern of urban growth and the use of land to make the fullest use of public transport and co-locate facilities in order to reduce the need to travel. It also encourages car free development in areas with good access to public transport. Development must not have a detrimental effect on highway safety.
- 8.14 The site has a Ptal rating of 5 (good) and no off-street parking is proposed. With regard to delivery vehicles the applicant proposes to forming a new loading bay on the highway of Westow Hill directly to the front of the existing passageway. Transport for London have not raised any objection to the provision of the loading bay. This would be acceptable subject to a Section 278 legal agreement for highway works being agreed with the Council's highway team. Any works undertaken to provide the bay, such as road markings, would be undertaken by the developer at his own expense. The Section 278 legal agreement would also ensure that a bay of appropriate size can be provided. This matter can be secured by condition. The applicant has confirmed that there is not any vehicular right of way for any other parties to the passageway.
- 8.15 It is not proposed to use the side passageway for vehicular access. The Council would seek to ensure the redundant dropped kerb serving the access would be re-instated to a full height kerb and that works would be undertaken by the developer at his own expense. This matter can be secured by condition.

### **Other Planning Issues**

- 8.16 Bin storage would be provided in the rear of the site and would be wheeled down the passage on collection days. A management plan for collection of refuse can be secured by condition.

## **9 Conclusion**

- 9.1 The proposed development would bring a vacant retail unit back into use in an accessible District Centre location. The alterations would be sensitive to the conservation area and would improve the existing appearance of the building. There would be no adverse effect on the amenity of nearby residential occupiers.
- 9.2 All other relevant policies and considerations, including equalities, have been taken into account.

Contact:      [development.management@croydon.gov.uk](mailto:development.management@croydon.gov.uk)



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**PART 5: Planning Applications for Decision**

**Item 5.2**

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**1.0 APPLICATION DETAILS**

Ref: 18/01641/FUL  
Location: 37-39 Heathhurst Road, South Croydon, CR2 0BB  
Ward: South Croydon  
Description: Demolition of existing garages and erection of a four bedroom detached house with associated access  
Drawing Nos: 01 Rev A, 02, 03, 04, 11, 12 Rev A, 13 and 14  
Agent: Mr Rajan Patel  
Applicant: Mr Amish Derodra  
Case Officer: Georgina Betts

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

**2.0 RECOMMENDATION**

- 2.1 That the Planning Sub 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) The development shall be carried out wholly in accordance with the approved plans
- 2) Prior to the occupation of the development details of (1) Security lighting shall be provided (2) Bird and bat boxes
- 3) Submission of Construction Logistics Plan
- 4) Samples of external facing to be submitted and approved
- 5) In accordance with the tree protection plan
- 6) Hard and soft landscaping to be submitted (including Sedum Roof)
- 7) Removal of permitted development rights
- 8) Water usage and carbon dioxide reduction
- 9) Cycle and refuse stores to be provided as specified within the application
- 10) Commence within 3 years of the date of the permission
- 11) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

**Informatives**

- 1) Community infrastructure Levy
- 2) Code of Practice on the Control of Noise and Pollution from Construction Sites

- 3) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

### **3.0 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 The applicant seeks full planning permission for the:

- Demolition of the existing garages
- Erection of a four bedroom detached dwelling at ground and lower ground floor levels
- Associated access from Heathhurst Road
- Provision of associated parking, landscaping, cycle and refuse stores.

#### **Site and Surroundings**

3.2 The application site lies on the western side of Heathurst Road, located to the rear of 37 to 39 Heathurst Road. The site comprises an undeveloped piece of land, historically used as a tennis club (1910). Prior to this, the site formed part of Sanderstead Plantation with Heathurst Road marked out in 1890.

3.3 There is some conflicting history as regards the site's later designation. After reviewing historical maps and planning archives, it appears that the site was vacant in 1940 and the properties fronting Heathfield Road were constructed in the 1950's. From the approved plans in 1953, the rear gardens do not appear to be included within the area which is now subject to this application. Whilst the precise use of the land is unknown, two detached outbuildings stood on this site until recently.

3.4 The surrounding area is residential in character and comprises of both detached and semi-detached properties, with the majority dating back to the turn of the 20th Century with some inter-war houses.

3.5 The application site is at risk of surface water and critical drainage flooding as identified by the Croydon Flood Maps. The site is not subject to a Tree Preservation Order.

#### **Planning History**

3.6 15/03163/P: Demolition of existing garages; erection of two/three storey four bedroom detached houses; formation of associated access way, hard standings, external works and landscaping. Planning permission was refused on the following grounds:

- 1) The development would result in an inappropriate form of back land development which would harm the character of the locality.
- 2) The development would be out of keeping with the character of the locality, detrimental to the visual amenity of the townscape by reason of its cramped layout, unsatisfactory relationship with adjoining occupiers, its scale, design and prominent siting.



3) The design and layout of the access road and parking areas would not be safe, secure, efficient and well designed.

3.7 An appeal was lodged against this refusal and was later dismissed on the 10<sup>th</sup> May 2016 on the following ground:

1) The development would have an adverse effect on the character and appearance of the area.

#### **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1) The residential nature of the development can be supported in principle
- 2) The development would have limited impact upon the character and appearance of the surrounding area.
- 3) The development would have an acceptable relationship with neighbouring residential properties.
- 4) The standard of accommodation for future occupiers is satisfactory
- 5) Access, parking and turning arrangements are acceptable.
- 6) Flood risks can be appropriately addressed through the use of conditions
- 7) The development would not harm any ecological interests

#### **5.0 CONSULTATION RESPONSE**

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

#### **6.0 LOCAL REPRESENTATION**

6.1 The application has been publicised by way of letters sent to neighbouring occupiers of the application site and site and press notices. 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: 36            Objecting: 36

6.2 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 privacy
- Noise and general disturbance from both construction and future occupiers
- Out of keeping/character
- Loss of green space/gardens
- Loss of trees
- Over development
- Highway safety and emergency access
- Impact on wildlife/ecology
- Parking congestion
- Piecemeal development
- Loss of outlook

## **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 2018 (CLP) and the South London Waste Plan 2012.
- 7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. 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
- 7.3 The main policy considerations raised by the application that the Committee are required to consider are:

### Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.2 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland

### Croydon Local Plan 2018 (CLP):

- SP2 Homes

- SP4 Urban design and local character
- SP6 Environment and climate change
- SP8 Transport and communications
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- Applicable place-specific policies

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

- The principle of the proposed development
- The impact on the townscape and the visual impact;
- The impact on the residential amenity of adjoining occupiers;
- The living conditions provided for future occupiers;
- Transportation considerations

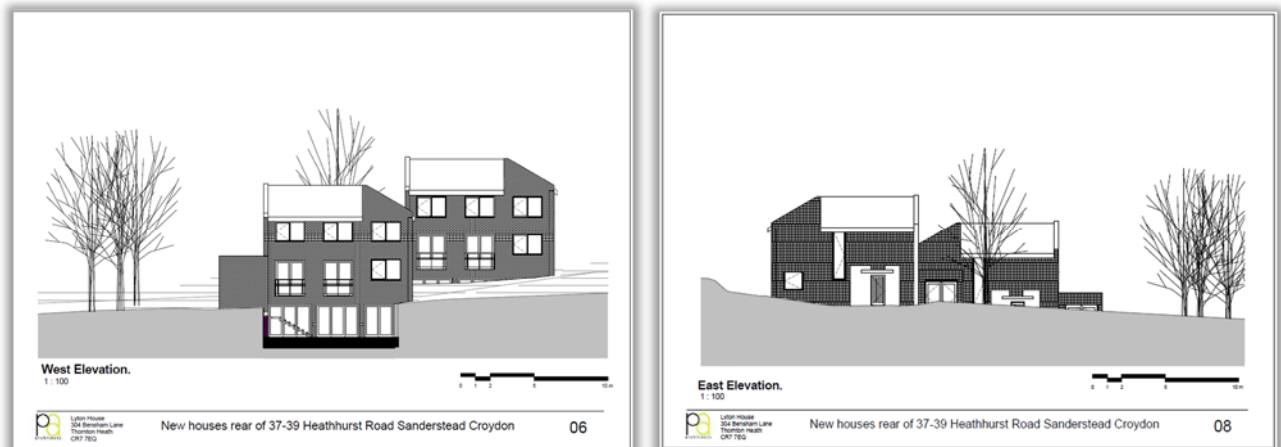
### **Principle of development and the established need.**

8.2 The application site is currently vacant and sits between the properties in Heathurst Road and Mayfield Road. The proposal would result in the net gain of one family home and would be sited within an established residential area. The principle of the development can therefore be supported subject to its impact upon the character and appearance of the surrounding area.

### **Townscape and Visual Impact**

8.4 As can be seen from the planning history above, the site has been the subject of a previous application for the demolition of existing garages; erection of two/three storey four bedroom detached houses; formation of associated access way, hard standings, external works and landscaping. This application was refused and later dismissed on appeal. While the applicant still seeks consent for residential development on the site, there are fundamental differences between the dismissed appeal and the current proposal. It should also be noted also that the previous appeal decision was determined in accordance with the previous Croydon Local Plan – which has now been updated and supplemented by a set of development management policies. The change in local policy is a material planning consideration – and the weight to be afforded to the previous appeal decision is more limited as a consequence.

Rear and front elevations of application 15/03163/P – dismissed at appeal



- 8.5 The application now before the LPA is for the erection of one detached dwelling at ground and lower ground levels utilising the land levels within the site. The fundamental changes since the appeal has been the reduction in the number of units, changes to site orientation and a reduced bulk and development mass. While the previous application was refused on the grounds of inappropriate back-land development, the Planning Inspector did not dismiss this form of development in principle but focussed on the particular scale and mass of the previous proposal which he concluded would have harmed the character of the area.
- 8.6 The design of the current proposal would be modest in height and would make use of the change in land levels to provide a family home over two floors with sedum roofs above. While unapologetically different to the grander Edwardian and post-war properties, the proposed dwelling responds well to its sylvan and verdant character by introducing a more naturalistic and modest appearance – especially with the proposed sedum roof forming an integral part of the overall design approach.
- 8.7 The proposed building orientation has also been adjusted (compared to the previous appeal) which respects the linear built-form found in Heathurst Road and Mayfield Road. Areas of hardstanding would be limited with ample opportunities for soft landscaping across the site. The appeal decision acknowledged that the site was not visible from wider public vantage points and whilst the development would still be visible from neighbouring properties (which was of concern to the previous Planning Inspector), the reduced bulk, massing and improved appearance would reduce this harm. The development would therefore have negligible harm to the character and appearance of the townscape.

CGI of the rear of the proposed development.



- 8.7 Given the significant changes in the design and siting of the development since the previous appeal and the recent adoption of the CLP 2018 it is not considered that the development would result in demonstrable harm to the character and appearance of the surrounding area.

#### **Impact on Neighbouring Residential Amenity**

- 8.10 Substantial separation distances would exist between the development and all neighbouring properties with the lesser of these distances being a generous 24 metres. As accommodation would be provided at the ground and lower ground levels the development would not give rise to any significant loss of privacy.
- 8.11 The proposed dwelling is not considered to give rise to any noise and general disturbance above what is generally expected in such residential areas.

#### **The standard of accommodation for future occupiers**

- 8.13 The development would provide a good standard of accommodation and would contribute to the Borough's need for new family homes. The dwelling would meet the minimum space standards set out in the "Technical Housing Standards March 2015".
- 8.14 The dwelling would be provided with a large garden which is comparable in size to the neighbouring properties, being suitable for families. Details of boundary treatments, hard and soft landscaping would be secured by planning condition.
- 8.15 It is therefore considered that the proposals would result in a good standard of accommodation that would meet the needs of the borough and can be supported.

#### **Transportation Considerations**

8.17 Whilst the site has a PTAL rating of 2 which indicates moderate accessibility to public transport, the site is within a reasonable walking distance of Sanderstead Station and the 403 bus route. A total of 2 parking spaces are proposed within a secure garage while further informal parking can be provided within the site. Cycle storage is provided in accordance with the London Plan. While it is acknowledged that Heathurst Road is heavily congested with parked vehicles, the site is capable of providing sufficient parking and therefore it is unlikely that any overspill would occur.

8.18 Representations have raised concerns over the width of the access road in terms of highway safety and fire access. While the previous application was refused on such grounds, the Planning Inspectorate did not support these conclusions. Given that the application now relates to one dwelling as opposed to two, the concerns in respect vehicular conflict has been resolved. The Planning Inspector concluded as follows:

*“In the absence of any stated objection from either the Highway or Fire Authorities and with the interest of the Fire Authority being subject to other legislation, I am not persuaded that the suitability or otherwise of the access for the use by emergency vehicles is something that would be grounds for the dismissal of this appeal.”*

8.19 Given the previous conclusions (reach on appeal) officers are satisfied that the scheme is acceptable from a highways point of view.

8.18 Cycle and refuse storage would be secured through condition. In addition the Council would seek to secure the following via condition;

- Construction Logistics Plan/Management Strategy

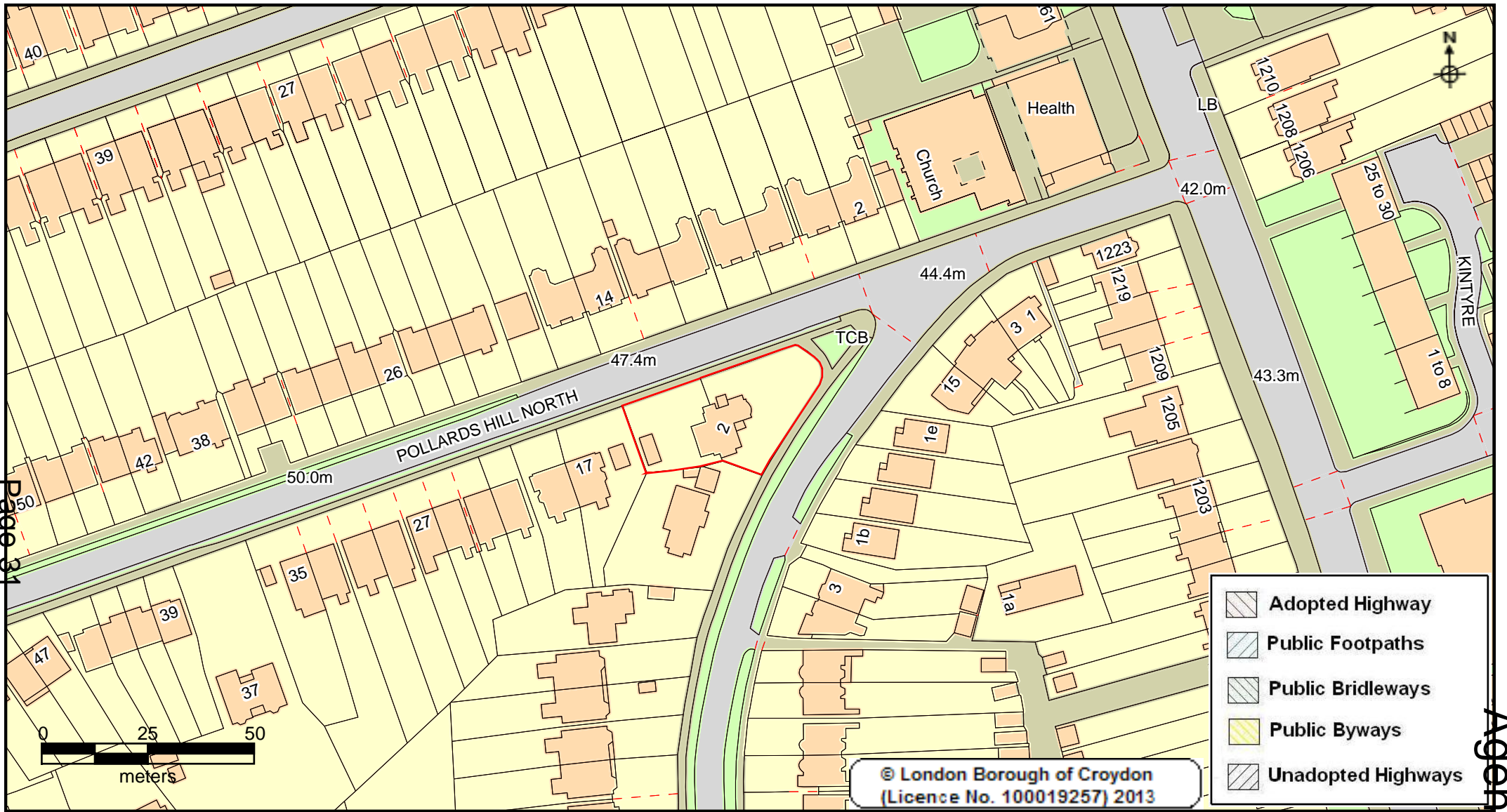
8.19 Subject to conditions in relation to the above the development would be acceptable on highway grounds.

#### **Other matters raised by representations**

8.20 The application site is not located near a site of nature conservation importance nor is there any evidence of protected species on site following the submission of an ecological survey. Whilst the site is not subject to a formal tree preservation order, there is a prominent tree close to the northern corner of the site which is proposed to be retained; such matters would be secured through condition. Officers are therefore satisfied subject to a suitably worded condition that the development would not result in a loss of valued vegetation or habitats.

#### **Conclusions**

8.24 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.



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**1 DETAILS OF THE DEVELOPMENT**

Ref: 18/02925/HSE  
Location: 2 Pollards Hill East, Norbury, SW16 4UT  
Ward: Norbury and Pollards Hill  
Description: Alterations, Erection of two storey side extension with dormer window on front and rear elevation  
Drawing Nos: Location Plan 1550/EX/001, Elevations 1550/EX/006, Elevations 1550/EX/007, Floor plans 1550/EX/003, Floor plans 1550/EX/002, Roof plan 1550/EX/005, Floor plans 1550/EX/004, Elevations 1550/PR/104, Elevations 1550/PR/105, Floor plans 1550/PR/10, Floor plans 1550/PR/10, Roof plan 1550/PR/103  
Applicant: Mr A Rehman  
Agent: Mr Noman Beg  
Case Officer: Diana Phiri-Witty

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

**2 BACKGROUND**

- 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) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) Materials to match the existing building
- 3) No windows at/above first floor level in northern or southern elevations
- 4) Development shall be carried out entirely in accordance with the recommendations of the submitted Flood Risk Assessment
- 5) Commencement of development within three years of consent being granted
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- 1) Code of Practice for Construction Sites
- 2) 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:

- Erection of a two storey side extension
- Dormer windows proposed on the front and rear elevation
- Roof alterations

The difference between this proposal and the previously refused application (paragraph 2.6) is as follows (and shown in the images below):

- Original roof ridge line increased by 0.4 metres
- First floor extension reduced in width by 1.2metres and 1 metre in depth



**Previously refused application - 17/03900/HSE**



**Current Application**

## Site and Surroundings

- 3.2 The site consists of a large detached two storey house with rooms in the roof on the western side of Pollards Hill East. The site is on a corner plot where Pollards Hill East meets Pollards Hill North. The garden of the property is sited to the east of the dwelling. The site has a detached garage on hardstanding to the western side of the plot which faces onto Pollards Hill North.

## Planning History

- 3.3 **12/01096/P** - Demolition of garage; erection of three storey detached three bedroom house at side with basement area - Permission Refused on 02.07.2012 by reason of not respecting the area, cramped and overcrowded layout, not respecting the plot widths, unacceptable design, harm to neighbouring amenity and insufficient garden space.
- 3.4 **12/01107/P** - Formation of vehicular access and erection of boundary walls, gates and piers - Permission Refused on 02.07.2012 by reason of being out of keeping, detrimental to neighbouring amenity and street trees
- 3.5 **17/03900/HSE** - Erection of a double storey side extension and side dormer loft extension - Permission Refused on 26.09.2017 for the following reason:

*The siting and massing of the development would not respect or improve the existing pattern of buildings and the spaces between them. The development would detract from the appearance of the building and would be detrimental to the character of the area by reason of the size, scale dominance and design of the extensions and would thereby conflict with Policies SP3 of the Croydon Local Plan: Strategic Policies 2013, UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 and Supplementary Planning Document No 2 on Residential Extensions and Alterations.*

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 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 any significant 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 are no transport or tree related concerns

## 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 neighbour letters. 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: 24      Supporting: 0

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

- Overdevelopment
- Not in Keeping with the area
- Obtrusive by design
- Loss of light
- Overlooking
- Visual Intrusion
- Overshadowing
- Interrupting the building line
- Detrimental impact on trees
- Parking, Traffic and Highways
- Noise

6.3 The following issues were raised in representations which are not material to the determination of the application

- Part of the lawn has been paved over
- Vehicles serving the property parked inappropriately
- No planning permission neighbour notification sign has been put up [Officer comments: Neighbour letters were sent to adjoining properties]
- Subsidence problem in the area [Officer comment: This is not a planning consideration. Compliance for the construction of the extensions would be addressed by building control.]
- Fear of future multiple occupancy, property being converted into flats [Officer comment: As this has not been applied for this is not a planning consideration at this time and cannot be considered under this application.]

## **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, and the Croydon Local Plan 2018 (CLP).

7.2 Government Guidance is contained in the National Planning Policy Framework. (NPPF), issued in July 2018. 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 availability.

7.3 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
- 7.6 Architecture

Croydon Local Plan 2018 (CLP 2018):

- SP4 Urban Design and Local Character
- SP8 Transport and Communication
- DM10 Design and character
- DM28 Trees

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

- The design and appearance of the development and the impact on the character of the area
- The impact of the development on the residential amenities of adjoining occupiers
- Parking, Traffic and Highways
- Trees

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

8.2 Policy SP4.1 and DM10 of the Croydon Local Plan 2018 requires all development to be of a high quality, which respects and enhances Croydon's varied local character.

8.3 The surrounding area is residential in nature and characterised mainly by semi-detached and large detached dwellings. The host property sits on a prominent and visible site at the intersection of Pollards Hill East and Pollards Hill North. As it is on the corner plot, its two side elevations face public highways. A loft extension and a two storey extension were previously refused at this location as it was deemed that they would be visible from the front elevation and would also have a strong presence from the public highway. The proposal has since been

reduced in size at proposed first floor level. The depth of the first floor extension has been reduced by 1.2m and the width has been reduced by 1 metre thus reducing the overall massing visible from the front and side elevations. The existing roof ridge height has been increased by 0.4 metres with the proposed ridge height of the extension lower.

- 8.4 In relation to the first floor side extension, SPD2 states that extensions should normally be designed so that they are subordinate to the original dwellinghouse, and it also states that two storey side extensions should normally be no wider than half the width of the original house. The proposed two storey side extension would have a width of 4m which would be in line with the requirements of SPD2.
- 8.5 The scale of the extension is considered to have an acceptable relationship with the character of the host property, as it has been set back from the front façade by 3.6 metres and would therefore be compliant with the SPD2 which recommends a 1.5 metre setback at first floor level. The roof of the proposed extension would be set below the new ridge line by 0.4 metres appearing subservient to the host roof.
- 8.6 The proposed dormer windows would comply with the policies in the SPD2 as they would be substantially below the recommended two thirds of the existing roof.
- 8.7 From Pollards Hill North the extension would sit in front of the existing and already altered side building line. As this property is on a unique corner location and as it complies with SPD2 it is not considered that this reason alone would warrant a reason for refusal.
- 8.8 The roof ridge height has been increased in height, but due to the detached nature of the property, the sloping gradients on site and the corner location of the dwelling, there is no immediate established building height and the 0.4 metre increase is not considered to be detrimental to the streetscene or the character of the building.
- 8.9 Overall the development would be sympathetic to the building and in-keeping with the character of the area.

#### **The impact of the development on the residential amenities of adjoining occupiers**

- 8.10 Policy 7.6 of the London Plan requires development not to cause unacceptable harm to the amenity of surrounding residential buildings.
- 8.11 Policy DM10 of the Croydon Local Plan 2018 requires all development to ensure that the amenities of the adjoining occupiers are protected.
- 8.12 The host property is detached and well separated from neighbouring properties, and would therefore not cause any undue loss of amenity for adjoining occupiers through loss of light, outlook or privacy.

- 8.13 There is no evidence to indicate that there will be a substantial increase in noise levels as a result of the erection of the extension. Any noise or disturbance from building works would be temporary and not sufficient to warrant a refusal.

### **Parking, Traffic and Highways**

- 8.14 Policy 6.3 of the London Plan (2015) is relevant and states that development should not adversely affect safety on the transport network.
- 8.15 Representations have raised concerns about inadequate parking provision at the site, considering the potential for additional occupiers given the increased size of the property. There would be no change to the parking provision 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. It is not considered that the proposed extension would result in a significant increase in the demand for parking. Furthermore the PTAL of the site is 3 which means it is moderately accessible to public transport links.

### **Trees**

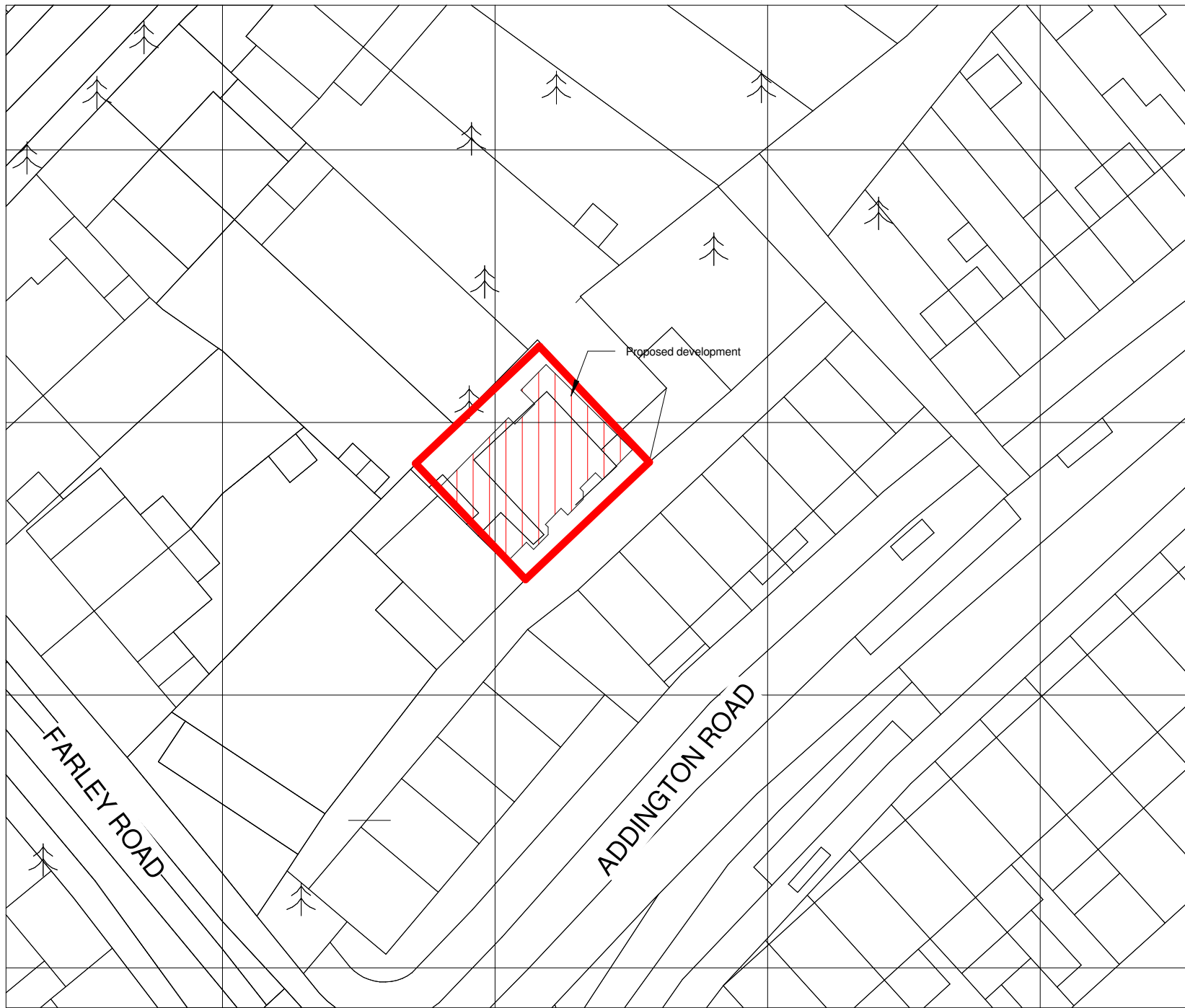
- 8.16 Chapter 11 of the NPPF seeks to conserve and enhance the natural environment. Policy 7.21 of the London Plan indicates that trees and woodlands should be protected, maintained and enhanced. Policy DM28 of the Croydon Local Plan (2018) requires that valued trees especially those protected by Tree Preservation orders are protected.
- 8.17 The development will not be built within close enough proximity to any trees as to cause damage or raise any aboticultural concerns.

### **Conclusion**

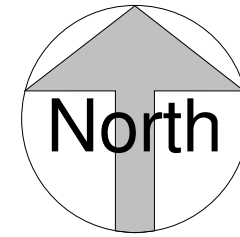
- 8.18 It is considered that the proposal would be visually subordinate to the original dwelling and would be in-keeping with the character of the area. It is therefore recommended that permission is granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

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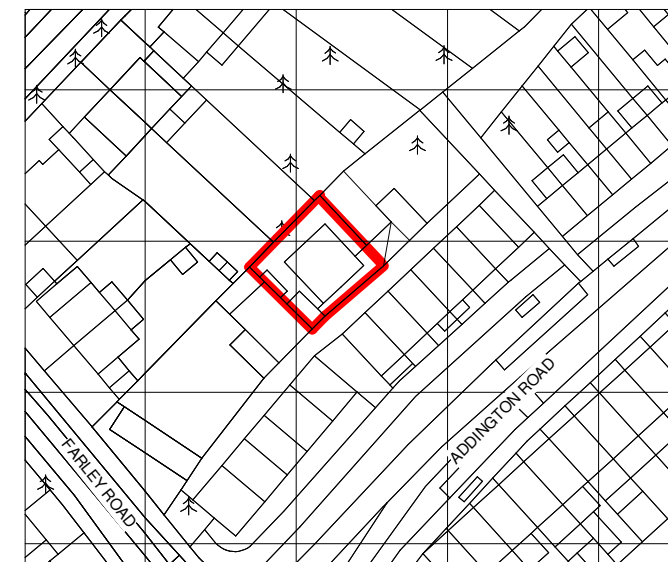
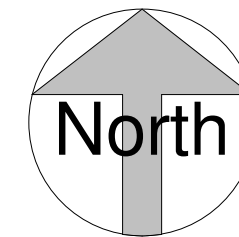
**1** SITE PLAN  
1 : 500



VISUAL SCALE 1:500 @ A3



VISUAL SCALE 1:1250 @ A3



**2** LOCATION PLAN  
1 : 1250

**KRONA DESIGN**  
 ARCHITECTURAL DESIGN & DRAFTING  
 50 Grand Parade | Brighton | BN2 9QA  
 info@kronadesign.co.uk | kronadesign.co.uk  
 Tel: 01273 900209 Mob: 07827 994111

PROJECT  
**Proposed development of 2 Mews Houses and Two Flats**

ADDRESS  
**Rear Of  
 129-131 Addington Rd.  
 Croydon  
 CR2 8LH**

TITLE  
**Site & Location Plan**

CLIENT  
**Cornflower Developments**

DRAWN	STATUS	DATE
JLB	Design	08/06/18

SCALE (@ A3)	PROJECT NUMBER
As indicated	KD.0737

DRAWING NUMBER	REV
<b>A.001</b>	<b>B</b>

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**PART 5: Planning Applications for Decision**

**Item 5.4**

**1 APPLICATION DETAILS**

Ref: 18/02975/FUL  
 Location: Rear of 129-131 Addington Road, South Croydon, CR2 8LH  
 Ward: Selsdon and Addington Village  
 Description: Erection of two storey building comprising 2x2 bedroom dwelling-houses and 2x1 bedroom flats with associated cycle and refuse storage and landscaping  
 Drawing Nos: TBA  
 Agent: Mr J Blomqvist  
 Case Officer: Louise Tucker

	1 bed	2 bed	3 bed	Total
<b>Private sale</b>	2	2	0	4

Number of car parking spaces	Number of cycle parking spaces
0	6

1.1 This application is being reported to Planning Committee because the Ward Councillor (Councillor Helen Pollard) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration.

**2 RECOMMENDATION**

- 2.1 That the Planning 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) The development shall be carried out wholly in accordance with the approved plans
- 2) Details of materials to be submitted and approved (including samples)
- 3) Details of hard and soft landscaping, front and rear boundary treatments, external lighting, SUDs measures to be submitted for approval
- 4) Details of refuse storage to be approved
- 5) Details of cycle storage to be approved
- 6) Development shall achieve a reduction in CO2 emissions of 19% beyond Building Regulations
- 7) Development shall achieve a water use target of 110 litres per head per day
- 8) Privacy screens to be provided as shown prior to occupation and retained for the lifetime of the development
- 9) Tree protection measures to be submitted for approval and implemented

- 10) Construction Logistics Plan to be provided prior to commencement
- 11) Commence within 3 years of the date of the permission
- 12) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

### **Informatives**

- 1) Community Infrastructure Levy - Granted
- 2) Code of Practice on the Control of Noise and Pollution from Construction Sites
- 3) Wildlife protection
- 4) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 3.1 The applicant seeks full planning permission for:
- Demolition of the existing buildings
  - Erection of a two storey building comprising 2x2 bedroom two storey dwelling-houses and 2x1 bedroom flats
  - Provision of associated cycle and refuse storage, balconies and landscaping
- 3.2 Amended plans have been received during the course of the application, to show the privacy screens proposed for the rear balconies. As the amendments reduces the impact of the development on neighbouring occupiers, there has been no need to re-notify neighbouring occupiers.

### **Site and Surroundings**

- 3.3 The application site is currently occupied by single storey commercial buildings; situated to the rear of a terrace of commercial/residential properties fronting onto the north side of Addington Road. The site is accessed by vehicles and pedestrians via an access road between 127 and 129 Addington Road.
- 3.4 The site lies within Selsdon District Centre and a Primary Shopping Area. The frontage commercial properties form part of Secondary Retail Frontage. Policy DM44 of the CLP (2018) concerns Selsdon District Centre (including the application site).
- 3.5 The surrounding area is mixed in character, with commercial/residential properties along Addington Road and residential areas to the north and west of the site. The rear gardens of properties in Foxearth Road lie to the north.

### **Planning History**

- 3.6 There are a number of recent relevant planning applications/planning decisions for this site (or part of this site) some of which affect adjoining land:

### R/O 131 Addington Road

17/05587/FUL – Demolition of existing garage and erection of a two storey two bedroom dwellinghouse – Permission granted on 20<sup>th</sup> December 2017 (not implemented)

17/05789/FUL – Erection of two storey building to provide 2 flats – Permission granted on 5<sup>th</sup> February 2018 (not implemented)

### R/O 129 Addington Road

17/02651/GPDO – Use of building at rear as studio flat – Prior approval granted on 27<sup>th</sup> July 2017 (not implemented)

17/03086/FUL – Alterations and extensions to garage at rear to provide 2 x two storey 1 bedroom houses – Permission granted on 1<sup>st</sup> September 2017 (not implemented)

18/01197/FUL – Erection of a two storey building comprising 2x2 bedroom dwelling-houses and 4x1 bedroom flats with associated landscaping, refuse and cycle storage – Permission granted on 11<sup>th</sup> May 2018 (not implemented)

## **4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- Planning permission has already been granted for similar development at the site, so the principle of development has been established.
- The design, appearance and form of development would be similar to that already approved with limited appearance in the streetscene – the impact on the character of the street-scene would be limited.
- The relationship with the nearest neighbouring properties on Addington Road and Foxearth Road would be acceptable and there would be no undue harm to residential amenity.
- The development would provide an acceptable standard of living for future residents of the development, with satisfactory internal layouts and amenity space.
- The parking provision (car free) is considered acceptable, given the location of the site within a District Centre.
- Other matters including sustainability, trees and landscaping can be appropriately managed through condition.

## **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 14 letters were sent to adjoining occupiers of the application site to publicise the application. 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: 2      Objecting: 2      Supporting: 0

No of petitions received: 0

6.2 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:

- Impact on residential amenity of adjoining occupiers – loss of privacy, noise
- Impact on trees
- Inadequate parking provision
- Impact on wildlife

6.3 The following issues were raised in representations, but they are not material to the determination of the application:

- Building regulations would prevent a permanent structure with windows above a boundary fence [OFFICER COMMENT: This is not relevant to the determination of the application and is not correct in any case]

6.4 Councillor Helen Pollard has objected to the scheme, making the following representations:

- Loss of privacy from the proposed balconies

## **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 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. 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

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

Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 on Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 on Parking
- 7.2 Designing out crime
- 7.4 Local Character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland

Croydon Local Plan 2018 (CLP 2018):

- SP2 on homes
- SP4 on urban design and local character
- SP6 on environment and climate change
- SP8 on transport and communications
- DM1 on housing choice for sustainable communities
- DM10 on design and character
- DM13 on refuse and recycling
- DM16 on promoting healthy communities
- DM19 on promoting and protecting healthy communities
- DM23 on development and construction
- DM24 on land contamination
- DM25 on sustainable drainage systems and reducing flood risk
- DM27 on biodiversity
- DM28 on trees
- DM29 on promoting sustainable travel and reducing congestion
- DM30 on car and cycle parking in new development
- Applicable place-specific policies

7.4 The relevant Supplementary Planning Guidance is as follows:

- London Housing SPG (March 2016)

- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- The Nationally Described Space Standards (October 2015)

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

- Principle of development;
- Townscape and visual impact;
- Residential amenity;
- Living conditions of future occupiers;
- Parking and highway safety;
- Trees and biodiversity;
- Other planning matters

### **Principle of development**

8.2 The principle of residential development on the site has already been established through the previous consents granted. The scheme would provide 4 new homes within the Borough in a sustainable location. The principle of development is acceptable, subject to a consideration of the material impacts.

### **Townscape and Visual Impact**

8.3 As stated above in the planning history, residential buildings which are of a similar massing, form and appearance have already been granted on this site. The building already consented under application (LBC Ref 18/01197/FUL) actually comprised a larger site and building with two more additional units. Consistent with the previous consents, the impact of the proposed building on the street-scene would be limited, given its location to the rear of an existing row of buildings fronting onto Addington Road, which would obscure views of the site from the main road.

8.4 A contemporary design approach is proposed, which is considered appropriate given the back-land nature of the site. A condition is recommended to secure full details of external materials to ensure these are of high quality. A further condition is recommended to get full details of hard and soft landscaping works as well as cycle and refuse stores to ensure these are of an acceptable standard and will successfully integrate the building into its surroundings.

8.5 The development would comply with policy objectives in terms of respecting local character.

### **Impact on Neighbouring Residential Amenity**

8.6 Schemes previously granted planning permission have a similar relationship to neighbouring sites as the scheme currently proposed. Any of these “extant” schemes can come forward at any time (subject to requirements of conditions imposed).



- 8.7 The buildings opposite the site to the south east are occupied by commercial uses at ground floor level with residential units above. These have rear facing obscurely glazed windows.
- 8.8 The rear gardens of properties in Foxearth Road lie to the north of the site. Relationships would be similar to those schemes previously granted planning permission - including the provision of first floor rear balconies. That said, the balcony proposed in relation to the current application would be slightly closer (by approximately 1m) to the rear boundary with Foxearth Road properties – compared to the most recent planning permission (LBC Ref 18/01197/FUL) but the proposed relationship is similar to that which has been approved under an earlier consent (LBC Ref 17/05789/FUL). The applicant has provided a plan showing the proposed privacy screens for the first floor balcony. These would be of a height and form which would prevent any outward views towards the adjoining properties and gardens in Foxearth Road. A condition would be imposed which would require these to be provided on site prior to occupation of the units and retained in the approved form for so long as the development exists.
- 8.9 In any case, the dwellings on Foxearth Road benefit from long gardens with window to window separation being in the region of 30 metres. It is reasonable to expect that most activity in the garden would take place close to the Foxearth Road dwelling – rather than at the end of the garden. Consequently, there would be high levels of separation, well in excess of guidance for minimum separation distances between facing homes set out in the London Plan and the CLP (2018). This states that, in general terms, a minimum distance of 18-21m should be achieved to ensure there is no loss of privacy (although this should not be used as a yardstick to unnecessarily restrict density).
- 8.10 Taking into account all factors (including the installation of a privacy screen) officers are satisfied that the relationship with all of the adjoining occupiers is acceptable.

### **The Standard of Accommodation for Future Occupiers**

- 8.11 The proposal would comply with internal dimensions and minimum GIA required by the Nationally Described Space Standards. All units are dual aspect with adequate outlook. In terms of layout, each unit would benefit from an open plan living, kitchen and dining area.
- 8.12 Each unit would have access to an area of private amenity space in the form of either a balcony or rear garden. This would meet the requirements set out in policy, including in the London Housing SPG. There would be level access to the front entrances of three of the units.
- 8.13 It is therefore considered that the proposals would result in a good standard of accommodation for future occupiers of the development.

### **Parking and Highways**

- 8.14 The proposal would be car free and no parking for vehicles could reasonably be provided on the site. The site has a PTAL rating of 2 which indicates relatively poor accessibility to public transport.
- 8.15 There has been no on-site car parking provision for any of the previous consents recently granted, including that which proposed 6 units. Current transport policy generally seeks to reduce on-site parking in areas with good PTAL rating and encourage sustainable transport methods. Whilst the PTAL rating is 2, the site is within Selsdon District Centre and a Primary Shopping Area in walking distance to local services, amenities and bus stops. Cycle parking has been included for each of the units, with full details to be agreed with an appropriate condition. The scheme is made up of 1 and 2 bedroom units.
- 8.16 The development would be acceptable on highway and transportation grounds, with no undue harm caused to the surrounding highways network or parking provision.

### **Trees and Biodiversity**

- 8.17 There are some mature trees to the rear of the site. These are not protected by a Tree Preservation Order (TPO), so these are not subject to any planning controls. It is not considered these trees would be worthy of a preservation order, and the tree officer has raised no objection to the scheme as proposed. Consistent with the previous consents granted, a condition is recommended to secure details of tree protection measures concerning these specimens to be approved by the LPA and implemented on site for the duration of construction.
- 8.18 A representations has raised concerns regarding potential harm to wildlife as a result of the development. The site does not fall within a designated Site for Nature Conservation Importance nor a Local Nature Reserve. It is currently occupied by dilapidated commercial garages with residential properties to the north, so the potential for wildlife and habitats is likely to be limited. If protected species are identified on site during the course of construction any species and/or their habitat would be protected under the Wildlife and Countryside Act of 1981. An informative has been included to draw the applicant's attention to this.

### **Other Planning Matters**

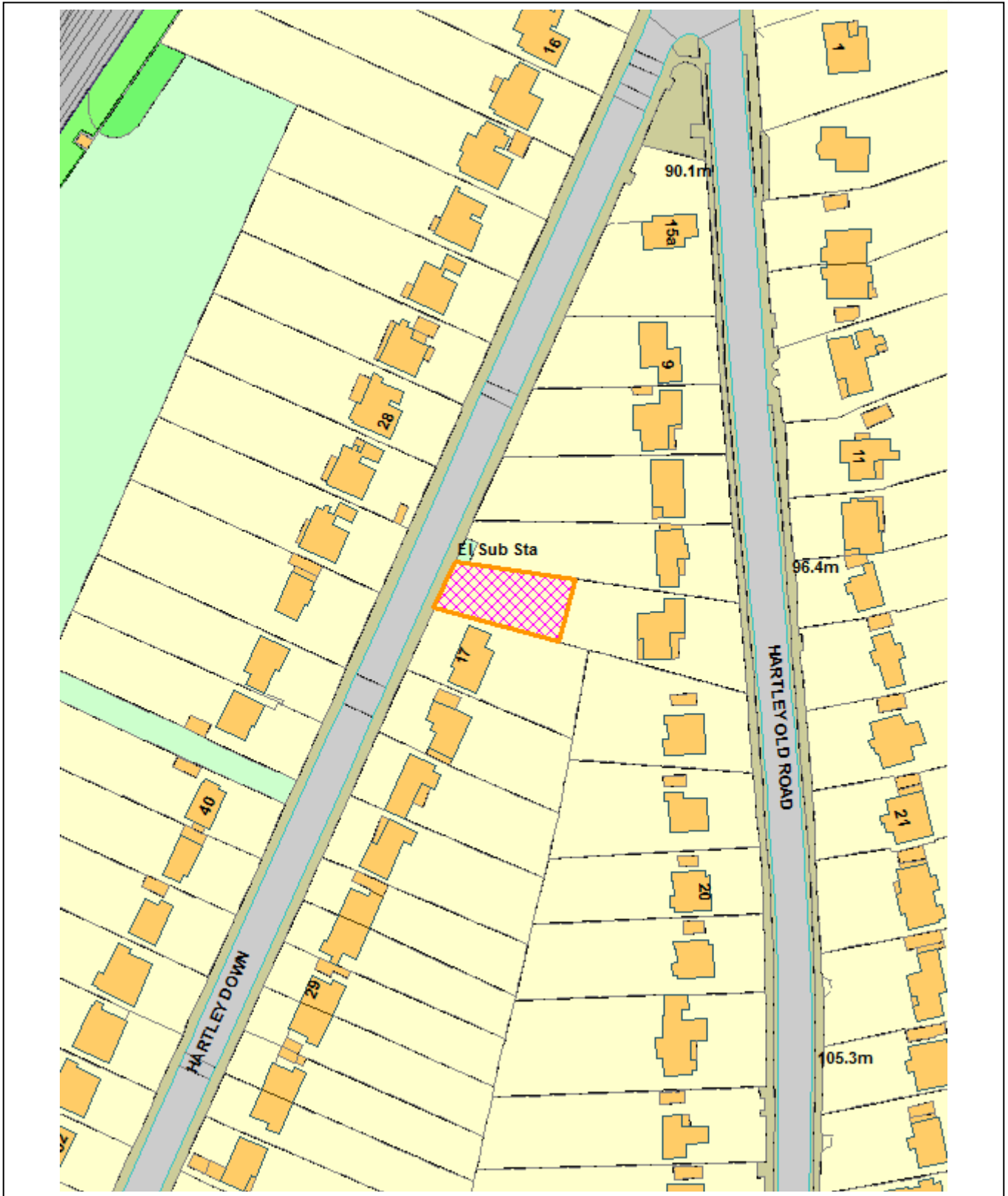
- 8.19 Conditions are recommended in relation to carbon emissions and water use targets for the development. It is also recommended that details of SUDs be provided as part of a landscaping condition, to ensure any surface water runoff be managed on site.
- 8.20 The development would be CIL liable. This would contribute to meeting the need for physical and social infrastructure, including education and healthcare facilities.

### **Conclusions**

- 8.21 Taking all of the above planning considerations into account, it is recommended that planning permission should be granted.

8.22 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted subject to a legal agreement for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

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**PART 5: Planning Applications for Decision**

**Item 5.5**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 18/03430/FUL  
 Location: 14 Hartley Old Road, Purley, CR8 4HG  
 Ward: Purley and Woodcote  
 Description: Erection of a two storey four bedroom detached house with internal garage, including associated landscaping and formation of vehicular access onto Hartley Down.  
 Drawing Nos: 14HOR P1, P2(A) P3(D) and 745-L-02  
 Applicant: Barnfield Homes  
 Agent: Mr Graham Rix  
 Case Officer: Emil Ancewicz

1.1 This application is being reported to Planning Sub Committee, because HADRA (Hartley and District Residents' Association) made representations in accordance with the Committee Consideration Criteria and requested Planning Sub 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) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) Materials to be submitted with samples
- 3) In accordance with Tree Planting Schedule and Landscaping Plan
- 4) Removal of permitted development rights for enlargements and outbuildings
- 5) No additional windows in the flank elevations
- 6) Side facing windows at first floor or above (including roof window) to be obscure glazed and non-openable
- 7) Details to be submitted including retaining walls, boundary treatments, SUDs details
- 8) Visibility splays to be retained for the lifetime of the development
- 8) Permeable forecourt material
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Commencement of development within three years of consent being granted
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- 1) CIL liability

- 2) Code of Practice for Construction Sites
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2.3 That the Planning Sub Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 The proposal comprises the following:

- Erection of a two storey four bedroom detached house with internal garage; and,
- Formation of vehicular access onto Hartley Down with associated landscaping;

3.2 Amendments were received during the course of the application, comprising the following:

- Changes to site levels to the rear of the site
- Changes to internal layout of the house including the reduction in number of bedrooms from five to four
- Changes to front garden layout
- Submission of a landscaping plan and tree planning schedule

3.3 These changes did not alter the nature of development nor increase its impact, and thus it was not necessary to advertise these amendments.

#### **Site and Surroundings**

3.4 The application site currently forms part of the rear garden of 14 Hartley Old Road, a two storey detached property which is located on the western side of the road, a short distance south of its junction with Hartley Down. Land levels fall towards the north-west, meaning that the rear of the garden is at a lower level than the front. The bottom of the rear garden fronts onto Hartley Down

3.5 The surrounding area is residential in character, generally made up of detached properties of varying styles. Among these, numerous neighbouring buildings are characterised by stained timber frames, boarding and rendering with gable projections at the front.

3.6 The site is not subject to any designated constraints.

#### **Relevant Planning History**

3.7 04/04969/P – Full planning application for alterations to land levels at rear and erection of a two storey detached four bedroom house with integral garage, and formation of vehicular access onto Hartley Down – Application withdrawn

3.8 04/01022/P – Full planning application for alterations to land levels at rear and erection of a two storey detached four bedroom house with integral garage, and formation of vehicular access onto Hartley Down – Application withdrawn



- 3.9 01/02001/P - Erection of a three storey detached four bedroom house with integral garage; formation of vehicular access onto Hartley Down and erection of 1.8 metre high boundary fence and gates – Application dismissed on appeal

Reasons: *'Out of character with surroundings'; 'Out of proportion to the plot'; 'loss of trees' and poor window to window separation (in view of the change in levels) resulting in loss of privacy*

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of residential development on the site would be acceptable given the established residential character of the area
- The scale and design of the development is appropriate
- There would be no significant harm to neighbours' living conditions
- The living standards of future occupiers are acceptable and compliant with the Nationally Described Space Standards and the London Plan
- The proposed replacement trees would mitigate the loss of existing trees in site
- The level of parking and impact upon highway safety and efficiency is acceptable
- Sustainability aspects of the development can be controlled by condition

#### **5 CONSULTATION RESPONSE**

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

#### **6 LOCAL REPRESENTATION**

- 6.1 Twelve letters were sent to adjoining occupiers to advertise the application. The number of representations received from neighbours and local groups including Hartley and District Residents' Association, in response to notification and publicity of the application were as follows:

No of individual responses: 9      Objecting: 9      Supporting: 0      Comment: 0

- 6.2 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:

- Inappropriate back-land development
- Out of character with the area
- Overdevelopment
- Detrimental to highway safety
- Impact on neighbours' living conditions – loss of privacy or light
- Impact on future occupiers' living conditions - inadequate private amenity space
- Impact on trees

- 6.4 The following matters were raised in representations which are not material to the determination of the application:

- No landfill has been identified where excavated soil would be disposed [OFFICER COMMENT: This is not a material planning consideration and would be a separate civil matter];

- Proximity to electric substation [OFFICER COMMENT: The adjacent electric substation is not considered to harm the living conditions of future occupiers in any way];
- The house, once constructed, could be converted into flats [OFFICER COMMENT: Planning application would be required before the house can be converted into flats. Thus, any potential conversion would be subject to a separate assessment process];
- Inconvenience and noise during construction process [OFFICER COMMENT: This can be addressed through general construction logistics and restrictions on hours of construction – this should not be a significant issues given that the construction process would only result in a short-term inconvenience];
- Impact on local services, including schools, utilities or road service [Whilst a relevant planning matter, it is not considered that a single dwelling would unacceptably affect local infrastructure. Furthermore, any potential impacts would be mitigated by CIL contributions from this development];
- Precedent for similar development is the area [OFFICER COMMENT: This is not a material planning consideration given that any planning application would be considered on its own merits];
- Devaluation to neighbouring properties [OFFICER COMMENT: This is not a material planning consideration];

## **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 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the revised National Planning Policy Framework (NPPF), issued in July 2018. 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, including requiring good design that takes the opportunities available for improving the character and quality of an area and the way it functions.

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

### Consolidated London Plan 2011 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion

- 6.13 Parking
- 7.2 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland
- 3.5 Quality and design of housing developments
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

Croydon Local Plan 2018 (CLP):

- SP2 Homes
- SP6.3 Sustainable Design and Construction
- DM1 Housing choice for sustainable communities
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of development
2. Townscape and visual impact
3. Impact on neighbours' living conditions
4. Residential amenity of future occupiers
5. Highways and transport
6. Environment and sustainability
7. Trees and landscaping

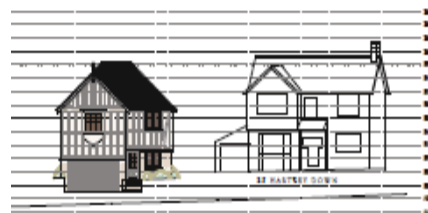
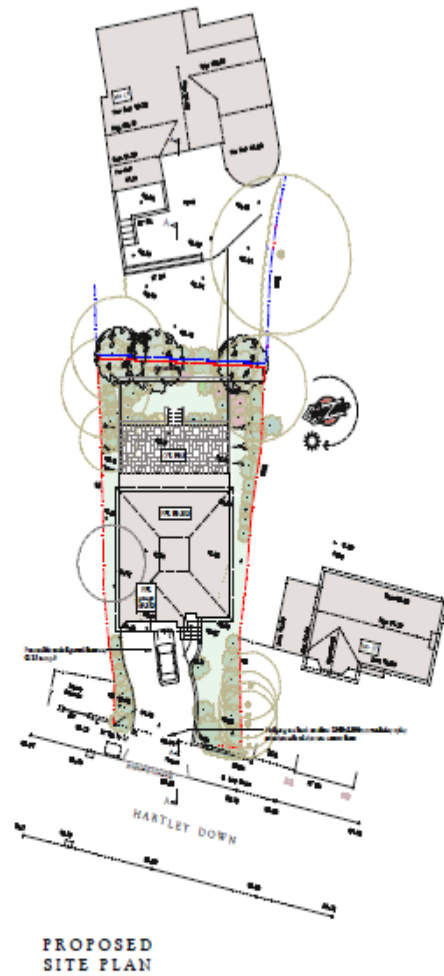
### **Principle of Development**

8.2 The principle of development is acceptable. The development would provide an additional home in an established residential area, retaining the existing dwelling to the front. The other material considerations are discussed below.

### **Townscape and Visual Impact**

8.3 Whilst the plot would be smaller than those predominantly seen in the area, the proposed development would provide a high quality design and adequate levels of private amenity space. Furthermore the proposed subdivision of the plot would allow half of the existing private garden area to be retained for the host property, in compliance with policy DM10 of the CLP (2018).

8.4 The street has no uniform building pattern, with a variety of styles and sizes. It is considered that the site itself does not have any special character and thus, any new building form would add to the apparent diversity of Hartley Down whilst linking into the surrounding built environment.



8.5 The house would be set back from the highway by 3.65m to 5.1m. Inclusion of defensible space to the front to match neighbouring buildings on this side of the road would ensure that the scale would not be overbearing to the street scene and would maintain existing openness. The proposal would be an improvement in relation to existing arrangements. Currently there is an approximately two metre high part brick part timber fence, which subsequently would be replaced with an attractive front garden and house. This would create a new soft edge in this residential street, which would be more inviting, rich in detail would contribute to the character of the street (providing a frontage presence).

- 8.6 The building would be slightly higher than the adjacent dwellings to the south; however, it would be built partially below existing ground level. Furthermore, the land levels slope down towards the south-west, meaning that the floor slab would be set at a lower level compared to neighbouring dwellings on this side of the road. Therefore, it would visually appear to be of similar height as 17 Hartley Down.
- 8.7 The house would feature a hipped roof with a front gable, meaning that highest part of the building would be set back further from the street. This aspect of the development would help to reduce the massing of the building and ensure that the house respects the local development pattern.
- 8.8 Overall, in design terms the proposed scheme is considered to be a significant improvement in relation to previously dismissed appeal at subject site. Whilst the current proposal would provide a similar house in terms of size or height; in this case,
- 8.6 The building would be slightly higher than the adjacent dwellings to the south; however, it would be built partially below existing ground level. Furthermore, the land levels slope down towards the south-west, meaning that the floor slab would be set at a lower level compared to neighbouring dwellings on this side of the road. Therefore, it would visually appear to be of similar height as 17 Hartley Down.
- 8.7 The house would feature a hipped roof with a front gable, meaning that highest part of the building would be set back further from the street. This aspect of the development would help to reduce the massing of the building and ensure that the house respects the local development pattern.
- 8.8 Overall, in design terms the proposed scheme is considered to be a significant improvement in relation to previously dismissed appeal. Whilst the current proposal would provide a similar house in terms of size or height; in this case, the resultant height and massing of the building would be mitigated by the provision of a high quality design. In any case, the policy position has changed markedly since 2002 (the date of the previous appeal decision) in terms of the need for housing and the positive approach to such development.

### **Impact on neighbours' living conditions**

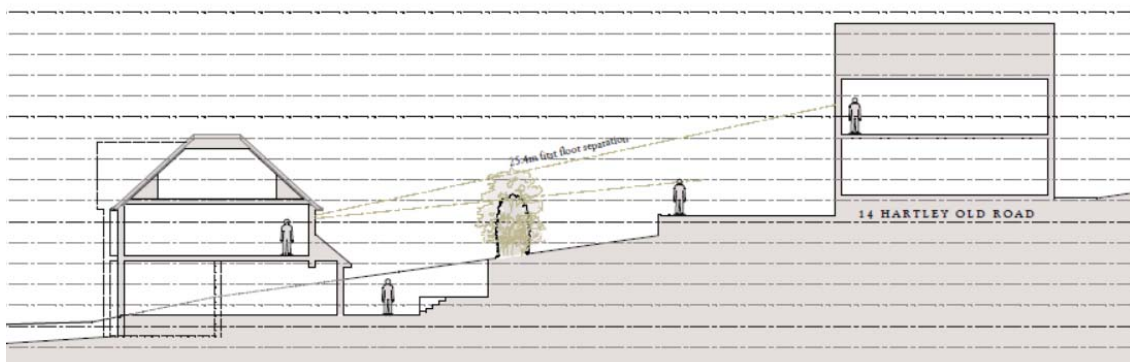
- 8.9 The position of the proposed house would not be parallel to the adjacent dwelling at 17 Hartley Down, so that the gap between these houses would be relatively wide. Although, the proposed house would occupy a greater footprint and protrude approximately four metres beyond the rear building line of 17 Hartley Down, there would be an 8.15m gap between the rear end of side wall of 17 Hartley Down and side wall of proposed house. The separation distance is considered sufficient to mitigate any potential impacts of the new building on the living conditions of occupiers of this adjacent property. This neighbouring house does not feature any habitable windows in its side wall and further all rear facing windows would retain outlook at 45 degrees, in line with the guidance set out in the BRE Guidelines. Taking these factors into account, there would not be any undue impact to the occupiers of this dwelling through loss of light or outlook.
- 8.10 Two windows (including one roof window) would be inserted in the southern elevation of the building at first floor or above and one window in the norther elevation. Planning

condition is therefore suggested to ensure that these window are obscure glazed and non-openable in order to safeguard privacy of adjoining neighbours.

- 8.11 The dwelling would be sited behind 14 Hartley Old Road and separated from it by 25.4m when measured at first floor level. There would also be a 5.8 metre difference in site levels when measured at ground floor level of these dwellings. Whilst a similar separation distance together with difference in site levels was deemed unacceptable by Planning Inspectorate in 2002 (APP/L55240/A/02/1081459), in this case it has been demonstrated that the proposed site level changes and planting provision would create a stepped barrier, which would effectively mitigate any potential overlooking at ground floor level. Again, the policy position has evolved substantially since 2002 with a 25 metre window to window separation (even with changes in levels) being acceptable in other similar situations. This is considered sufficient to prevent any overlooking between these two houses as it would result in a typical residential relationship that exists between houses with back-to-back gardens.
- 8.12 With regards to outlook, the proposed building would be sited at significantly lower level than 14 Hartley Old Road, which would reduce its perceived height when viewed from the existing dwelling. As such, it is not considered that the proposed development would unacceptably affect outlook from 14 Hartley Old Road.

### **Residential Amenity of Future Occupiers**

- 8.13 The proposed four bedroom dwelling would meet the minimum floorspace requirements of the Nationally Described Space Standards for units of this type. The internal rooms are considered to be of acceptable sizes, with adequate light and outlook provided.
- 8.14 A 95 sq m private garden for the dwelling would be provided to the rear. The submitted landscaping plan demonstrates that this space would be suitably usable and private. The latter has been achieved by the difference in site levels, as well as fencing and planting on the new boundary between proposed dwelling and 14 Hartley Old Road. These features would create a stepped barrier with a height of up to five metres, mitigating any potential overlooking between the higher elevated rear garden of 14 Hartley Old Road and that of proposed dwelling. The development would therefore be acceptable in terms of living conditions for future occupiers.



PROPOSED SITE SECTION

## **Highways, Parking and Waste Matters**

- 8.15 The location for the proposed development has a PTAL level of 1b, which indicates a poor level of accessibility to public transport links. The new dwelling would benefit from one internal parking space, which would be in accordance with the parking standards set out in the London Plan for a four bedroom home. It is considered that if necessary any additional demand could be accommodated on Hartley Down.
- 8.16 Two cycle parking spaces and waste storage would be located in the internal garage of the house, which is considered acceptable.
- 8.17 A crossover to Hartley Down would be created for access. It has been demonstrated that the vehicle would be able to access and exit the car park without difficulty in forward gear and that adequate pedestrian visibility splays could be achieved either side of the access. A condition is proposed to ensure that these are retained in this form for the lifetime of the development.
- 8.18 Overall, it is not considered the development would significantly alter the safety and efficiency of the surrounding highways network.

## **Environment and Sustainability**

- 8.19 Planning condition is proposed to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

## **Trees and Landscaping**

- 8.20 There are several trees within the existing rear garden which would be removed to facilitate development, along with some shrubbery along the boundaries. These specimens are not preserved and there is no objection to their removal, subject to appropriate replacement. A comprehensive landscaping scheme and tree planting schedule have been submitted showing that several heavy standard trees would be planted in order to mitigate the loss of trees on site. These would bring immediate benefit to the appearance of the area.
- 8.21 Overall, it is considered that the proposed level of planting would be similar to existing arrangements at other houses along this side of the road. Whilst some trees would be removed, the resultant levels of planting would have a degree of visual compatibility with the wider area, which is considered acceptable.

## **Conclusions**

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

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