

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, 8 November 2018** at the rise of Planning Committee but not earlier than **8.00pm** in **Council Chamber, Town Hall**, Katharine Street, Croydon, Surrey, CR0 1NX

JACQUELINE HARRIS BAKER
Director of Law and Governance
London Borough of Croydon
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www.croydon.gov.uk/meetings
Wednesday, 31 October 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 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

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 - 8)

To approve the minutes of the meeting held on Thursday 25 October 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 9 - 12)

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

5.1 18/01541/FUL 130 Church Road, Upper Norwood, London, SE19 2NT (Pages 13 - 14)

Demolition of existing single storey side extension and erection of two storey side extension to create 4 additional consulting rooms.

Ward: Crystal Palace and Upper Norwood

Recommendation: Grant permission

5.2 18/03814/FUL Development site adjoining 2 Fitzroy Gardens, Upper Norwood, SE19 2NP (Pages 15 - 16)

Erection of 2no. three bedroom houses with basements with associated parking and landscaping.

Ward: South Norwood

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."

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Planning Sub-Committee

Meeting of Planning Sub-Committee held on Thursday, 25 October 2018 at 9:18pm in Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

MINUTES

Present: Councillor Paul Scott (Chair);
Councillors Clive Fraser, Felicity Flynn, Scott Roche and Gareth Streeter

Also Present: Councillor Maggie Mansell

PART A

A64/18 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held Thursday 25 October 2018 be signed as a correct record.

A65/18 **Disclosure of Interest**

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

A66/18 **Urgent Business (if any)**

There was none.

A67/18 **Planning applications for decision**

The Chair proposed for the business items to be heard in the following order: 18/01510/FUL 80 Newlands Road, Norbury, SW16 4SU, 18/03746/FUL Land Adjoining 1 Sherlock Close, SW16 4BF and 18/03670/FUL Unit 8 Block B 15 Whitestone Way.

A68/18 **18/01510/FUL 80 Newlands Road, Norbury, SW16 4SU**

Alterations to front facade and conversion to form 1 x three bedroom flat and 1 x one bedroom flat, cycle storage and refuse store.

Ward: Norbury

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Sean Creighton spoke against the application.
Councillor Maggie Mansell, Ward Councillor, spoke against the application.

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

The motion of approval was put forward to the vote and was carried with all five Members unanimously voting in favour.

The Committee therefore **RESOLVED** to **GRANT** the application of the development of 80 Newlands Road, Norbury, SW16 4SU.

A69/18 **18/03670/FUL Unit 8 Block B 15 Whitestone Way**

Installation of air vents to the front elevation.

Ward: Waddon

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

Tom Beard spoke in support of the application.

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

The motion of approval was put forward to the vote and was carried with all five Members unanimously voting in favour.

The Committee therefore **RESOLVED** to **GRANT** the application of the development of Unit 8 Block B 15 Whitestone Way

A70/18 **18/03746/FUL Land Adjoining 1 Sherlock Close, SW16 4BF**

Erection of two storey building with accommodation in roof space to provide 1x2 and 2x1 bedroom flats and associated bicycle and cycle storage.

Ward: Norbury and Pollards Hill

Details of the planning application was presented by the officers and officers responded to questions and clarifications.

Denise Giraschi spoke against the application.
Councillor Maggie Mansell, Ward Councillor, spoke against the application.

Councillor Roche proposed a motion to **REFUSE** the application on the grounds of over intensification, loss of amenity, privacy and access. Councillor Streeter seconded the motion.

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

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

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

The Committee therefore **RESOLVED** to **GRANT** the application of the development of Land Adjoining 1 Sherlock Close, SW16 4BF.

The meeting ended at 10.01 pm

Signed:

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Date:

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PLANNING SUB-COMMITTEE AGENDA

PART 5: Planning Applications for Decision

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.

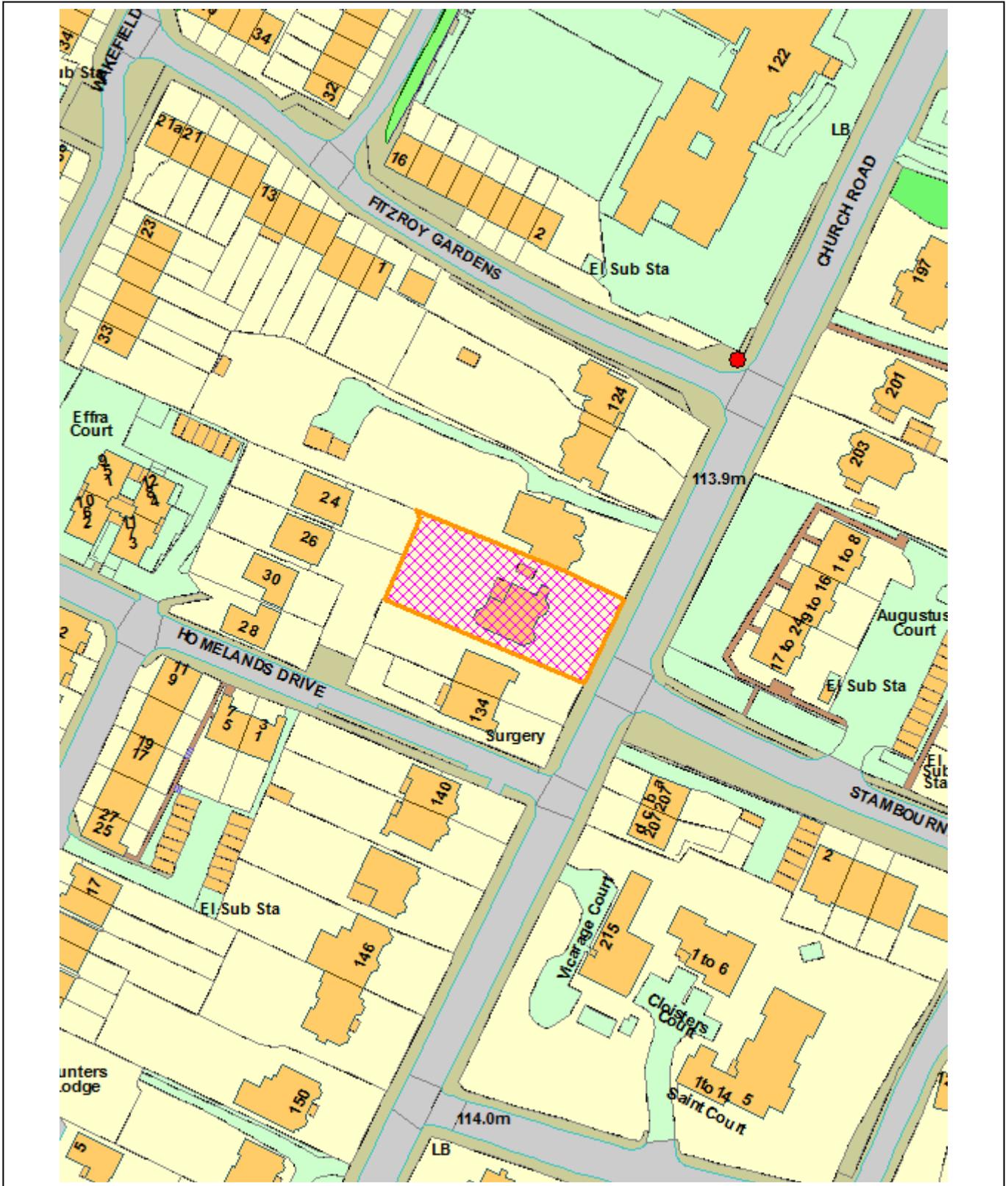
8. BACKGROUND DOCUMENTS

- 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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PART 5: Planning Applications for Decision**Item 5.1****1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 18/01541/FUL
Location: 130 Church Road, Upper Norwood, London, SE19 2NT
Ward: Crystal Palace and Upper Norwood
Description: Demolition of existing single storey side extension and erection of two storey side extension to create 4 additional consulting rooms.
Drawing Nos: P/01; P/03 (amended drawing uploaded to the register 18 October 2018); Heritage Statement.
Applicant: Dr Yogesh Patel, Upper Norwood Group Practice
Agent: Mr Charles Park, Plans Ink Ltd
Case Officer: Kate Edwards

- 1.1 This application is being reported to Planning Sub-Committee because more than 12 objections have been received.

2.0 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. In accordance with the approved plans
2. Tree protection plan to be submitted prior to works
3. Samples of materials to be submitted including render colour and texture
4. A series of typical bay sections through various points along the external façade detailing façade treatments, key junctions and openings. Drawing should show build ups with enough detail to enable clear definition of material junctions and depth. Indicative scale of 1:10/1:20.
5. Detailed drawings in plan and section at 1:5 through all typical external elements/details of the facades including all openings in external walls including all window-types including reveals, heads and cills;
6. Details and locations of mechanical ventilation systems or other ducts or extracts (where they appear on any of the development's elevations). These should not exit the building to the front elevation or any other prominent location.
7. Details of any rainwater goods.
8. Details of landscaping
9. Commence within 3 years
10. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Community Infrastructure Levy
- 2) Site notice removal

- 3) Code of practice for construction sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The applicant seeks full planning permission for the following:

- Demolition of existing single storey side extension
- Erection of two storey side extension to create 4 additional consulting rooms.

3.2 The extension would have a lower ground floor level and upper ground floor level, with a flat roof above, as per figure 1 below. It would be 3.5m wide and set back from the main front wall of the existing building (excluding the bay window) by 1.5m at both levels.

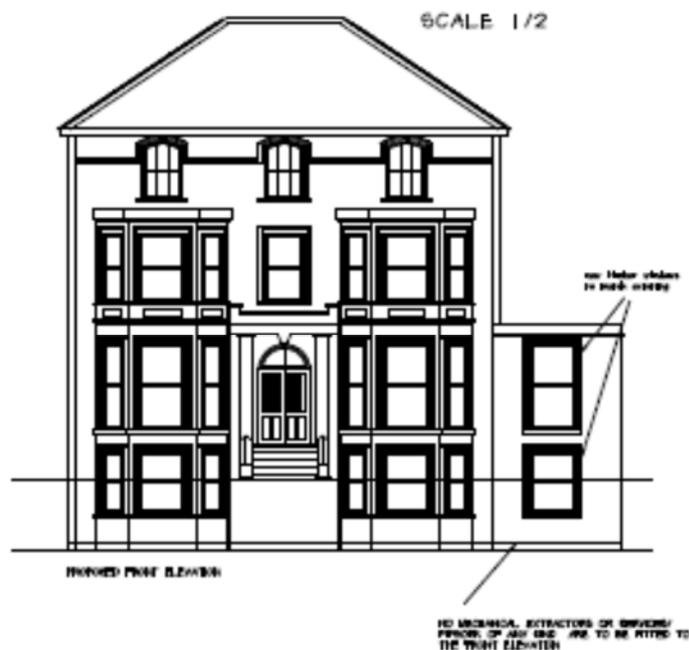


Figure 1 – Proposed front elevation.

Site and Surroundings

3.3 The application site lies on the north western side of Church Road and is occupied by a large detached building in use as the Upper Norwood Group Practice GP surgery. The building is on the Local List of Buildings of Special Architectural or historic merit. It is within the Church Road Conservation Area, which is in predominantly residential use. The adjacent building to the north east (on the side of the proposed extension) is Rockmount (128 Church Road), which is Grade II Listed.

Planning History

3.4 18/01559/FUL – Concurrently submitted application which has subsequently been withdrawn for the erection of a single storey detached building at the rear to create 4 additional consulting rooms a reception area and WC.

17/02781/FUL – Permission refused for demolition of existing single storey entrance hall and erection of single storey rear and side extensions. The proposed rear extension extended by the same depth as the existing building to the rear. It was refused due to: 1. Unacceptable appearance and impact on heritage assets; and 2. Detrimental to the amenity of adjoining occupiers.

16/02650/P – Permission refused for erection of single storey detached building due to: 1. Unacceptable appearance and impact on heritage assets; and 2. Detrimental to the amenity of adjoining occupiers.

16/02542/P – Permission refused for demolition of existing single storey entrance hall and erection of 2/3 storey side extension. It was refused due to 1. Unacceptable appearance and impact on heritage assets. The principle differences between the refused application and the current proposal are: 1. The refused extension had three storeys; 2. The fenestration of the proposed extension did not comfortably model that of the existing building; 3. The refused extension has a complex lean to pitched roof design and variable height, as can be seen in figure 2 below.

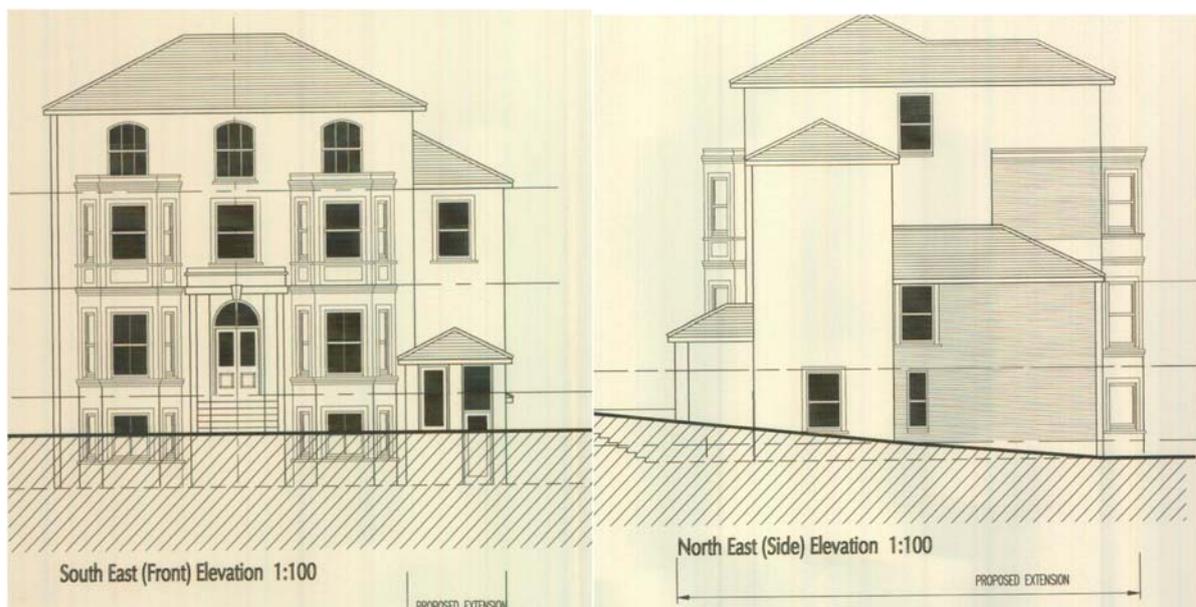


Figure 2 – Front and flank elevation of the previously refused side extension ref 16/02542/P

15/04205/P – Permission refused for single storey detached building due to 1. Unacceptable appearance and impact on heritage assets; 2. Detrimental to the amenity of adjoining occupiers; and 3. Inaccurate plans.

14/00397/P – Permission granted for formation of vehicular access at the side and provision of 2 disabled parking spaces in the rear garden. Consent implemented.

12/03639/P – Permission refused for installation of replacement windows due to 1. Unacceptable appearance and impact on heritage assets.

04/00375/P – Permission granted for alterations; use as doctors' surgery with ancillary services; erection of 1-4 storey side and rear extensions; provision of associated parking.

3.5 History of enforcement investigations

Between 2006 and 2015, 5 enforcement complaints were received. These related to non-compliance with landscaping conditions, adverts and the scale of the rear parking area. All investigations have subsequently been closed and are not the subject of this application.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable subject to detailed design considerations given that the building would provide important services to the community
- The design and appearance of the development would be appropriate with sufficient high quality detailing to respect the historical integrity of the Local List Building itself and other heritage assets
- The living conditions of adjoining occupiers would be protected from undue harm.
- The highway impact would not be materially different from the existing situation and would be acceptable.

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 consultation letters sent to the properties which are adjacent to the application site, and by site and press notice. 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: 12 Supporting: 12

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:

Objecting:

- Not in keeping with the character of the Conservation Area and detrimental to the appearance of this row of similar houses, the Local List building and the adjacent Listed building.
- Contrary to the Church Road Conservation Area Appraisal and Management Plan (CRCAAMP) and local policies.
- Adverse impact on symmetry and deliberate design spacing between buildings
- Detrimental to adjoining occupiers
- Overdevelopment, especially when combined with proposal in concurrent application (Officer comment – The concurrent application has now been withdrawn,

but whether the level of development is suitable in scale for the site is none the less a material planning consideration which is discussed below).

- There are currently problems with on street parking and the application should include additional staff and patient parking in light of this.
- Will add to traffic congestion, causing air and noise pollution and poor health
- The development will impact on trees but no tree survey is provided.
- Reduction in permeable surfaces and increase in run-off and sewer overload.
- Does not adhere to the principles of a 'Green city'

Supporting:

- Will address significant need for accommodate more patients at this high quality surgery
- Will support Croydon NHS goals (reducing hospital admissions etc) and the Croydon economy

6.3 The following comments have been received but are not material to the determination of this application and will require no further assessment:

- Elimination of the garden is not acceptable (Officer comment – Development on the rear garden land is not proposed in this application. The concurrently submitted application proposing this has been withdrawn).
- The applicant is seeking to gain consent by attrition (Officer comment – An applicant is entitled to resubmit amended proposals following refusals, and provided that they are materially different from previous proposals (which is the case here) a Local Planning Authority is required to give these full consideration. Each case is judged on its own merits).
- Previous compliance issues at the surgery regarding landscaping and rear parking (Officer comment – That there have been previous unrelated compliance concerns is not a factor in the determination of a fresh application.)
- Will set a precedent for development for commercial purposes (Officer comment – The proposal is for expansion of a building in which health services are provided. The impacts of the proposal need to be assessed thoroughly regardless of proposed use.)
- The surgery is used for private as well as NHS practice (Officer comment – The provision of health services is considered a community facility whether or not a fee is paid for all or any services provided.)
- The hours of opening are increasing (Officer comment – there are no hours of use restrictions on the original consent for use as a doctors surgery. No hours are indicated on the application form).
- History of inaccuracies on plans, and with current application (Officer comment – the plans submitted with previous applications have not been submitted with this application and are not material in this regard. The detailed inaccuracies described in this representation related to the depth of garden shown on the concurrently submitted application (18/01559/FUL), which is not of relevance to this case).
- For this site and others in the locality the Council has shown a disregard for the views of local residents in relation to planning decisions. (Officer comment – All representations are considered by the planning decision makers when undertaking a professional assessment of a case. That local residents express objections does not mean automatic refusal of planning permission if this is not warranted following assessment.)

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 Consolidated London Plan 2015, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), re-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.
- The preservation of the heritage assets
- The provision of community facilities

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

- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment

7.4 Croydon Local Plan 2018:

- SP5.2, SP5.3, SP5.4 and SP5.5 - Provision of community facilities
- SP1.1 Sustainable development
- SP1.2 Place making
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 regarding character
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.17 Parking
- DM10: Design and character
- DM16: Promoting Healthy Communities
- DM23: Development and construction
- DM25: Sustainable Drainage Systems and Reducing Flood Risk
- DM29: Promoting sustainable travel and reducing congestion
- DM30: Car and cycle parking in new development

7.5 There is relevant additional guidance as follows:

- Church Road Conservation Area Appraisal and Management Plan (CRCAAMP)
- Conservation Area General Guidance Supplementary Planning Document (CAGG)

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- Impact on character and appearance and heritage assets
- Residential amenity for neighbours
- Transport
- Flood risk
- Other planning issues

Principle of development

8.2 The proposed extension would allow for the expansion of a community facility with growing demand. The provision of such facilities are supported by local and national policy. The site is very sensitive in heritage terms as discussed below, but this does not preclude the consideration of a side extension in principle, as it is noted that the CAGG that “(within Conservation Areas) Side extensions can sometimes be considered as acceptable. Each planning application will be judged on its own merits.”(p.23).

Impact on character and appearance and heritage assets

8.3 The host building is on the Local List of Buildings of Special Architectural or historic merit. It is within the Church Road Conservation Area, and the adjacent building to the north east (on the side of the proposed extension) is Rockmount (128 Church Road), which is Grade II Listed. It is therefore essential that any proposed development has a high quality appearance and responds appropriately to the rich historical context. Overall, it is considered that the proposed extension will preserve the character and appearance of the Local List Building, Conservation Area and setting to the Listed Building. This is because:

- The application has been amended following its receipt in line with Conservation Officer advice. The proposed side extension does create a level of asymmetry in the frontage and partially infill a space between buildings which is a general feature of the conservation area. However, the reduced scale of the proposal means that it is kept to minimal dimensions and therefore appears subservient and proportionally has reduced impact on the character of the building.
- It is set back from the main front elevation (excluding the prominent bay windows) by 1.5m at lower and upper ground floor levels, increasing the subservience to the original building.
- The proposed flat roof is suitable for the period of the property and has an uncluttered appearance.
- The pattern of window openings suitably respects that of the existing building
- Timber windows are proposed to match those of the original building, and details have been submitted to demonstrate that the profile, reveal and cill details of the windows will match the existing building.

- Stucco (render and moulding) is proposed for the extension, to match that of the original building. Moulding details have been submitted to demonstrate continuation of the moulding profiles on the existing building, and the exact colour and texture of the render can be secured by condition.
- Finally, a not insignificant gap of in excess of 3m would still be maintained within the site separating the extension from the adjacent Listed Building.

Impact on the residential amenity of adjoining occupiers

- 8.4 It is noted that a number of previous applications on the site have proposed extensions that projected into the rear garden by significant depths and which would have had a significant adverse impact on neighbours. The proposed extension, however, would not project beyond the existing rear building line and would be separated from number 128 (The Listed building, Rockmount) by in excess of 3m. It is not considered that the light levels, outlook, or privacy of adjoining occupiers would be harmed. It is noted that the principle is also established by the refusal of side extension application 16/02542/P, which did not include a refusal reason relating to residential amenity. Representations have raised concern regarding noise and general disturbance. It is not considered that the use of the premises would be increased to such an extent as to generate an unacceptable level of noise and general disturbance.

Transport

- 8.5 The application site is located in an area with a PTAL of 1B, which is poor. However, it is noted that the practice serves a local, high density catchment area and the majority of patients walk to the surgery. The proposal would not increase the level of parking serving the surgery. It is not considered that the proposal would harm the safety or efficiency of the Highway. It is also noted that this principle is established by the history of refused applications on the site, given that although significant numbers of additional consulting rooms have previously been proposed, refusal reasons in relation to transportation have not been included.

Flood risk

- 8.6 The site is within an area which is of very low risk of surface water flooding and is not within a river flood risk area. It is not considered that flood risk mitigation is therefore required.

Other Planning Issues

- 8.7 A representation has raised concerns regarding air and noise pollution due to additional traffic visiting the site. It is unlikely that there will be a material change in pollution levels as a result of a proposal of this scale.
- 8.8 It is noted that there is a mature specimen tree in the garden, which is not highly prominent within the street scene. Although this is some distance from the extension, as the tree is worthy of retention it is recommended that a condition is attached to any consent requiring the submission of a Tree Protection Plan prior to any materials being brought on to site.
- 8.9 It is not considered that the proposal represents an overdevelopment of the site in line with the detailed assessment of impacts outlined above. It is noted that the proposal

will be constructed on existing garden land, but this does not mean that there is a blanket policy restriction on any development.

Conclusions

- 8.10 The proposal would result in the provision of valuable community facilities and, with suitable design detailing secured by condition, would preserve the character of the Local List building, Conservation Area and adjacent listed building. The proposal would also preserve the amenity of adjoining occupiers, and Highways safety and efficiency.
- 8.11 All other relevant policies and considerations, including equalities, have been taken into account.

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PART 5: Planning Applications for Decision

Item 5.2

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/03814/FUL
 Location: Development site adjoining 2 Fitzroy Gardens, Upper Norwood, SE19 2NP
 Ward: South Norwood
 Description: Erection of 2no. three bedroom houses with basements with associated parking and landscaping.
 Drawing Nos: 2472/PL/21, 2472/PL/20 Rev D and un-numbered site location plan
 Applicant: SPJ Holdings Ltd
 Agent: Adam Shephard, GVA
 Case Officer: Katy Marks

Proposed Houses	2 x 3 bedroom
Cycle Parking	2 per dwelling
Car Parking	1 per dwelling

1.1 This application is being reported to Sub-Committee because representations over the threshold for Committee consideration were received.

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) Car parking, refuse and cycle parking to be submitted
- 4) Removal of permitted development rights for enlargements and outbuildings
- 5) Landscaping scheme to be submitted including hard/soft landscaping, retaining walls, balustrades/screens, boundary treatments
- 6) Tree protection plan
- 7) 19% reduction in carbon emissions
- 8) Water usage restricted to 110 litres per person per day
- 9) Development to be carried out in accordance with the flood risk assessment, including the installation of a rain water harvesting system for each house prior to occupation.
- 10) Commencement of development within three years of consent being granted
- 11) Development to be carried out entirely in accordance with submitted tree report including protection measures

12) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The proposal comprises the following:

- Erection of a pair of three storey, 3 bedroom houses with basements
- Two new accesses would be created off Fitzroy Gardens, serving one off street parking spaces for each dwelling with associated refuse storage, cycle storage and landscaping to the frontage
- Each house would have a small garden and basement courtyard

Site and Surroundings

3.2 The application site is a vacant area of land adjacent to 2 Fitzroy Gardens. The land slopes down away from the road and contains a number of trees. It is bounded to the east by an existing sub-station structure and to the west by the end of terrace property of 2 Fitzroy Gardens. To the north and north east, the site is bounded by the Queen's Hotel. The main building of the hotel is a locally listed building. To the south on the opposite side of the road, no.124 Church Road (which faces onto Church Road) is a grade II listed building.

3.3 The surrounding area is residential in character. Fitzroy Gardens comprises 3 storey terraces houses constructed in the 1960s.

3.4 The site adjoins the Church Road Conservation Area to the north, east and south. There are no other designations for the site.

Planning History

3.5 11/02007/P: Permission granted for erection of three bedroom attached house at side; formation of vehicular access and provision of associated parking; installation of light wells at rear ground level

3.6 15/02255/P: Permission granted on Appeal for erection of 2 three bedroom three storey attached houses; formation of vehicular access and provision of associated parking; provision of bin and cycle stores

3.7 17/00318/FUL: Application withdrawn for Erection of 2 three storey three bedroom houses with basements: provision of associated parking

3.8 The adjacent Queens Hotel has relevant planning history as follows:

- 14/03472/P: Permission granted with legal agreement for erection of four storey front/side extension (including lower ground, ground, first and second floors) to provide an additional 24 rooms; alteration of car parking arrangement and associated landscaping works
- 17/04332/FUL: Permission granted for erection of a ground and lower ground floors rear extension, to accommodate additional ancillary hotel space, and associated works
- 18/00831/FUL: Permission refused (Appeal pending) for the demolition of existing buildings to the centre and rear of the site and existing extensions to the roof, and the construction of a new spine building including a glazed link to part retained mews building, an extension from the southwestern facing elevation of the existing locally listed building, a single storey extension to the restaurant, five subterranean levels which provide parking, a swimming pool and servicing space, to create a total of 495 hotel rooms and 207 vehicle parking spaces, the re-cladding of the 1970's extension, provision of enhanced landscaping across the site including 5 coach parking spaces to the front, and the adaption of existing entrance to the hotel

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The principle of residential development on the site is acceptable given the established residential character of the area
- 4.2 The design and appearance of the development reflects the character of the street scene and would preserve the setting of the conservation area
- 4.3 There would be no undue harm to the residential amenities of adjoining occupiers
- 4.4 The living standards of future occupiers are acceptable and compliant with the Nationally Described Space Standards and the Local Plan
- 4.5 The parking provision for the development is acceptable
- 4.6 Sustainability aspects of the development can be controlled by condition

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 Site notices were erected to advertise 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: 18 Objecting: 18 Supporting: 0 Comment: 0

- 5.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:
 - Overdevelopment of the site
 - Loss of green space, trees and buffer between the hotel and Fitzroy Garden

- Development would not preserve or enhance the conservation area
- Basement would be out of keeping with the area
- Development would spoil the uniformity of the existing row due to width and basements
- Houses would compromise the architectural integrity of the estate
- Proposed houses do not appear to have same roof line as neighbours [Officer Comment: The proposed elevations confirm that the roof line is designed to be the same as the adjacent neighbour].
- Loss of light and invasion of privacy to houses along Fitzroy Gardens
- Clutter from bins and cycles to the front gardens
- The houses would be very close to the Hotel car park and substation, providing very little amenity for residents
- Basement rooms would be overshadowed by hotel scheme if it gets approval
- New hotel development would harm the living conditions of occupiers
- Inadequate parking
- Not clear how many trees to be removed [Officer Comment: A tree plan has been provided which confirms which trees are proposed for removal]
- Loss of trees will increase pollution [Officer comment: The existing trees to be removed are not considered to be high quality; soft landscaping within the gardens of the properties would be secured by condition]
- Poor physical boundaries around the site with adjacent hotel scheme and impact upon quality of accommodation for future residents [Officer comment: Details of landscaping would be secured by condition, this would include details of boundary treatment].
- Basement concerns regarding connection to sewers, stability and subsidence and pressure on utilities e.g. drainage, sewers [OFFICER COMMENT: Issues relating to the connection to sewers and pressure on utilities are outside the scope of planning remit; with regards to subsidence, the National Planning Policy Framework (NPPF) states that, where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.]

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

- A number of objections raised related to the demolition of the existing terrace buildings. [Officer comment: These buildings are not due to be demolished as part of this application]
- This use for multiple occupancy not family houses and use by the hotel which is in the same ownership; the use of the neighbouring property as an HMO has caused anti-social behaviour [Officer Comment: The application is for 2 houses; House in Multiple Occupancy (HMO) use is not part of the scope of the application; planning permission would be required to convert either of the properties into a large HMO]

6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 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 2016, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

- 6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), reissued 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.
- 6.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2011 (LP):

- 3.4 – Optimising housing potential
- 3.5 - Quality and design of housing developments
- 6.13 - Parking
- 7.4 - Local Character
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.21 – Trees and woodlands

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
- DM18 - Heritage assets and conservation
- DM23 - Development and construction
- DM28 - Trees
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

7 MATERIAL PLANNING CONSIDERATIONS

- 7.1 The main planning issues raised by the application that the committee must consider are:
1. Principle of development
 2. Townscape and visual impact
 3. Residential amenity of adjoining occupiers
 4. Residential amenity of future occupiers
 5. Highways and transport
 6. Environment and sustainability
 7. Trees and landscaping

Principle of development

- 7.2 The principle of development is acceptable. The development would provide two additional family homes in an established residential area. The homes would both be 3 bedroom homes which the Local Plan identifies a need for in the Borough. The other material considerations are discussed below.

Townscape and visual impact

- 7.3 Planning Permission was granted in 2016 for the erection of two 3 bedroom houses. The appeal decision concluded that whilst the width of each proposed dwelling would be slightly narrower than other dwellings in the host terrace the difference would be minor and it would not be immediately recognisable when viewing the terrace frontage. The Planning Inspector noted that the land changes and staggered height of the terrace splits the uniform appearance of the terrace and would reduce any perceived difference between it and the proposed development. The decision also noted that several properties have refuse containers to the front and the proposal would not be out of keeping with the street frontage. Finally, the Inspector concluded that the buildings would not be visually discernible when viewed from the Church Road Conservation Area to the east and south and he noted that to the rear (north), the terrace has a more varied appearance and the development would preserve the setting of the Conservation Area.



Proposed street elevation from the Appeal Scheme

- 7.4 The current scheme is similar in design and layout to the extant permission. The only difference is the inclusion of a basement room for each property and associated courtyard space to the rear and light wells to the front elevation.
- 7.5 The light wells to the front elevation would result in limited intervention to the front elevation with short railings around the light wells. The land level changes would reduce the visibility of the light wells and railings within the street scene. To the rear, two basement courtyard areas would be created for each house. The proposed basement courtyards would not be visible from the street scene and would have a limited impact upon the character and appearance of the area. It would be visible from neighbouring upper floor windows and from the neighbouring Queen's Hotel but boundary treatment and landscaping would limit the impact. It is considered that further details of these elements could be secured by condition.



Proposed front elevation (showing land levels of front garden)

- 7.6 Therefore the development would not appear out of keeping with the character and appearance of the street scene and would preserve the setting of the conservation area and the listed and locally listed buildings nearby.

Residential amenity of adjoining occupiers

- 7.7 The development would respect the building line of the existing neighbours and it would therefore not result in any harm to the living conditions of the adjacent property. The development would overlook the Regency Gardens to the rear with a similar relationship with it to the existing terrace. The development is not considered to have any impact upon the amenity of Queen's Hotel as there is no direct overlooking for the hotel building due to orientation. Overall, the development is not considered to result in any harm to the living conditions of neighbours.

Residential amenity of future occupiers

- 7.8 The proposed dwellings are three bedroom dwellings, and the proposed floorspace for each unit would exceed the minimum 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. A daylight assessment has been submitted which confirms that the main habitable rooms on ground floor and above would all provide high levels of daylight exceeding the BRE guidelines. The basement rooms for each house would not meet the guidelines, but the report concludes that the light wells allow for daylight and sunlight from the front (south facing) façade and large windows to the rear lighten the rooms. The proposed use of the rooms is as 'cinema rooms' which is likely to have a low expectation for daylight. Furthermore the proposed dwellings would have a number of other well sized rooms which would be well in excess of the BRE guidelines.
- 7.9 Each property would have a split level private garden which would meet the standards set out in the Local Plan for amenity space. The space would be constrained by the shape of the site but would provide useable space and the daylight report confirms that they would meet BRE guidance in terms of overshadowing. Overall, the development is considered to be acceptable in terms of living conditions for future occupiers.

Highways and parking

- 7.10 The location for the proposed development has a PTAL level of 3, which indicates a moderate level of accessibility to public transport links. Each new dwelling would benefit from one off street parking space to the frontage. This is considered acceptable as the site is located in walking distance to main bus routes along Church Road and within close proximity to the Crystal Palace District Centre.
- 7.11 Cycle parking is proposed to the front of the buildings together with waste storage. The cycle storage should provide 2 spaces for bicycles for each house in line with London Plan standards. A condition is recommended to secure details for cycle storage structure design to ensure that it meets policy requirements.
- 7.12 It is not considered that the addition of the two new dwellings would have a significant impact on local parking facilities, congestion or the flow of traffic due to its small scale and proposed parking provision. The development is considered acceptable in this respect.

Environment and sustainability

- 7.13 Conditions would secure a 19% carbon dioxide emission reduction and a water use target of 110L per head per day thereby meeting sustainability targets.
- 7.14 The site is not located within an area with surface water flood risk but it is located within a critical drainage area. A flood risk assessment has been submitted with the application which confirms that the development would not result in an increase in surface water run-off. The report proposes the introduction of a rainwater harvesting system for each dwelling to promote rainwater reuse. This is considered acceptable and it is recommended that this detail be secured by condition.

Trees and landscaping

- 7.15 There are trees and shrubbery on site, mostly to the boundaries of the site. The proposals seek to retain the larger trees to the rear boundary and to the side of the site which will assist in retaining the green character of the street scene. The trees proposed for removal have been assessed and are not of high quality and would not warrant a tree preservation order.
- 7.16 A tree protection plan (for the trees to be retained) has been provided but needs to be updated to reflect the introduction of the basement courtyards and provide further information about the location of proposed tree protection fencing. A condition is recommended for submission of an updated tree protection plan to ensure the works, including protection measures and methods during construction, are carried out to required standards. A condition for comprehensive landscaping for the site is also recommended to ensure that suitable landscaping to the basement courtyards and rear gardens is provided.

Conclusions

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