

Planning Sub-Committee Agenda



To: Councillor Michael Neal (Chair)
Councillor Leila Ben-Hassel (Vice-Chair)
Councillors Ian Parker, Sean Fitzsimons, Joseph Lee and Ellily Ponnuthurai

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 17 November 2022** at the rise of Planning Committee but not earlier than **7.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

KATHERINE KERSWELL
Chief Executive and Head of Paid Service
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Tariq Aniemeka-Bailey
020 8726 6000 x64109
tariq.aniemeka-bailey@croydon.gov.uk
www.croydon.gov.uk/meetings
Wednesday, 9 November 2022

Members of the public are welcome to attend this meeting

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings [here](#) before attending.

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.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact Tariq Aniemeka-Bailey 020 8726 6000 x64109 as detailed above

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 22 September 2022 as an accurate record.

3. Disclosure of Interest

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in advance of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

- Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.
- Where the matter relates to an ORI they may not vote on the matter unless granted a dispensation.
- Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation. Where a matter affects the NRI of a Member or co-opted Member, section 9 of Appendix B of the Code of Conduct sets out the test which must be applied by the Member to decide whether disclosure is required.

The Chair will invite Members to make their disclosure orally at the commencement of Agenda item 3, to be recorded in the minutes.

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 21/05313/FUL - Land And Garages Rear Of 1 To 4 Mulberry Lane Accessed Between 36 And 38 Havelock Road (Pages 11 - 26)

Demolition of garages and construction of 4 mews houses with associated landscaping, cycle storage and refuse provision.

Ward: Addiscombe East
Recommendation: Grant permission

5.2 22/00182/FUL - 39 Grimwade Avenue, CR0 5DJ (Pages 27 - 42)

Demolition of existing dwelling house (retrospective) and the construction of a new 7-bedroom dwelling house comprising basement, ground and first floor with accommodation in the roof space; dormers to the rear; together with landscaping and car parking and associated works.

Ward: Park Hill and Whitgift Ward
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 held on Thursday, 22 September 2022 at 7.10 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);
Councillor Leila Ben-Hassel (Vice-Chair);
Councillors Ian Parker, Sean Fitzsimons, Lee and Ellily Ponnuthurai

PART A

A36/22 **Disclosure of Interest**

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

A37/22 **Urgent Business (if any)**

There was none.

A38/22 **Planning applications for decision**

A39/22 **21/05536/FUL - Laurel Court, 7 South Park Hill Road, CR2 7DY**

Ward: South Croydon

The officer presented details of the planning application and responded to questions for clarification.

After consideration of the officer's report, Councillor Parker proposed, and Councillor Ben-Hassel seconded the officer's recommendation.

The motion to grant the application was taken to a vote and carried with five Members voting in favour and one Member voting against, so the Sub-Committee **RESOLVED** to **GRANT** the application for the development at Laurel Court, 7 South Park Hill Road.

A40/22 **20/03380/HSE - 37B Brighton Road, Purley, CR8 2LR**

Ward: Purley and Woodcote

The officer presented details of the planning application and responded to questions for clarification.

After consideration of the officer's report, Councillor Parker proposed, and Councillor Ponnuthurai seconded the officer's recommendation.

The motion to grant the application was taken to a vote and carried with six Members voting in favour and no Members voting against, so the Sub-Committee **RESOLVED** to **GRANT** the application for the development at 37B Brighton Road, Purley.

A41/22 **Other Planning Matters**

Weekly Planning Decisions

The report was received for information.

The meeting ended at 7.50 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.

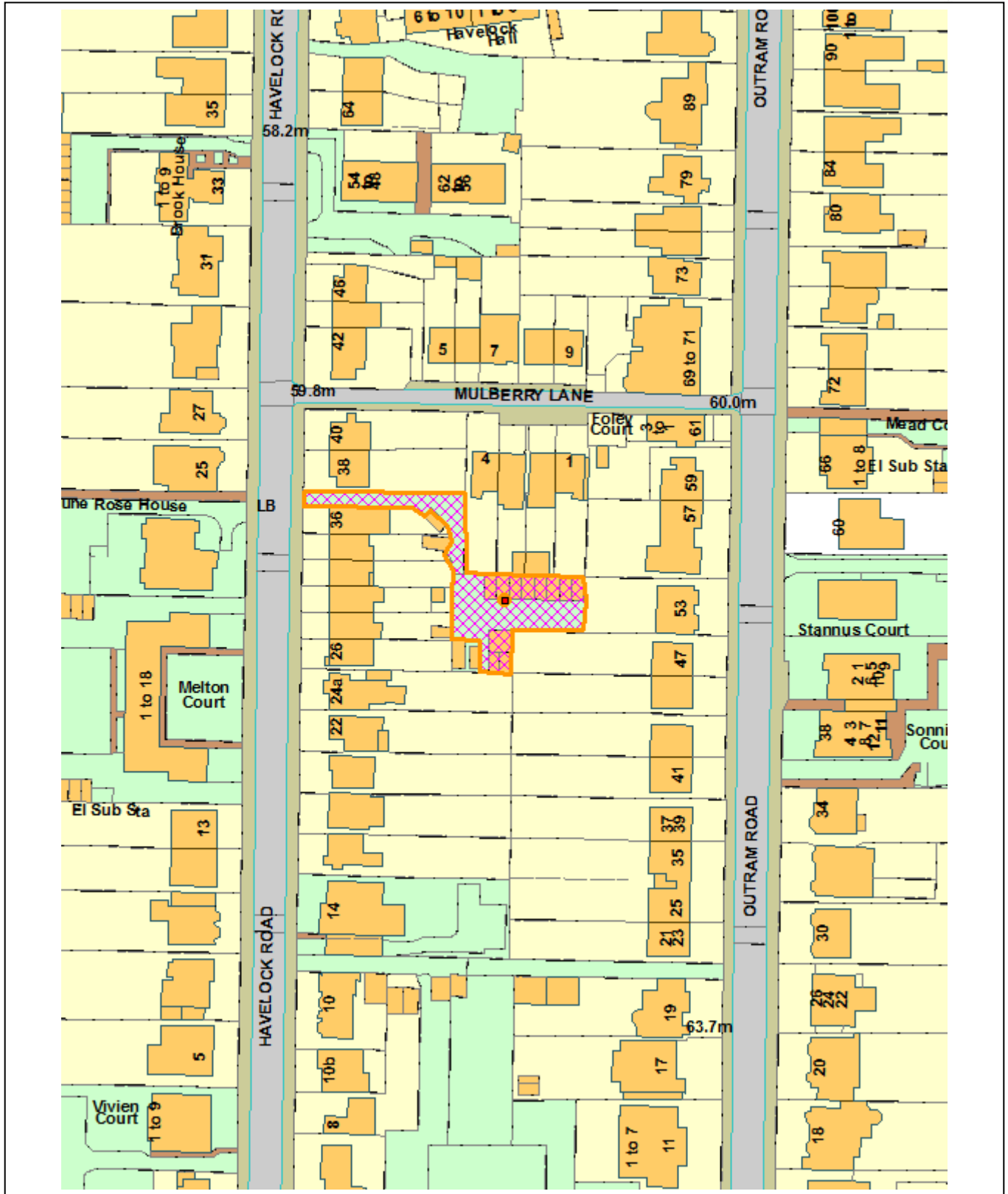
8. BACKGROUND DOCUMENTS

- 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 APPLICATION DETAILS

Ref: 21/05313/FUL
 Location: Land And Garages Rear Of 1 To 4 Mulberry Lane Accessed Between 36 And 38 Havelock Road
 Ward: Addiscombe East
 Description: Demolition of garages and construction of 4 mews houses with associated landscaping, cycle storage and refuse provision
 Drawing Nos: ML_L_070 P01, ML_L_075 P01, ML_L_080 P02, ML_L_090 P02, ML_L_100 P13, ML_L_110 P08, ML_L_120 P08, ML_L_200 P07, ML_L_201 P05, ML_L_202 P04, ML_L_203 P04, ML_L_204 P04, ML_L_205 P02, ML_L_300 P02
 Applicant: Mr Walsh
 Agent: Ms Brownfield
 Case Officer: Victoria Bates

Housing Mix							
	1 bed (1 person)	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (5 person)	3 bed (6 person)	TOTAL
Existing	0	0	0	0	0	0	0
Proposed (market housing)	1	0	1	1	0	1	4
Proposed (affordable rent)	0	0	0	0	0	0	0
Proposed (shared ownership)	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	1	4

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 4	
Car Parking maximum standard	Proposed
0.5-0.75 per unit	0
Long Stay Cycle Storage minimum	Proposed
7	7
Short Stay Cycle Storage minimum	Proposed
0	0

1.1 This application is being reported to committee because:

- Objections above the threshold in the Committee Consideration Criteria have been received

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning Sustainable Regeneration is delegated authority to issue the planning permission subject to:
- C. The prior completion of a legal agreement to secure the following planning obligations:
- a) Restriction of parking permits
 - d) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
- 2.4 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings

Pre-commencement

- 3) Construction Logistics Plan to include a survey of the public highway

Prior to above ground floor slab level

- 4) Sustainable urban drainage (SuDS)
- 5) External materials and samples
- 6) Landscaping

Compliance

- 7) Accessibility (M4(2) and M4(3))
- 8) Refuse, cycle stores and play space to be provided as approved
- 9) In accordance with the Tree Survey
- 10) In accordance with the Fire Statement
- 11) Energy and water efficiency requirements
- 12) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practice for Construction Sites
- 4) Highways informative in relation to s278 and s38 works required
- 5) Compliance with Building/Fire Regulations
- 6) Construction Logistics Informative

7) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.5 That, if by 10 February 2023 the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The application seeks planning permission for the erection of four, part single part two storey dwellings. The houses would be accessed from the Havelock Road. Each house would have its own private external amenity space, bin store and cycle store.



Amendments

3.2 Amended plans were received during the course of the application to address officer concerns. These included the straightening of steps to the dwellings to improve accessibility, removal of first floor terraces, the resizing of a bedroom in Unit 4 to meet standards and increased planting to the front of each dwelling.

3.3 Given that the changes were minor amendments, no further consultations were considered necessary by the LPA.

Site and Surroundings

3.4 The site is located at the rear of the properties that face onto Havelock Road, Mulberry Lane and Outram Road. It is accessed from a single lane road from Havelock Road. Garages currently occupy the site. It is within the East India Conservation Area and has a low risk of surface water flooding. The site is close to 41-47 Outram Road which are locally listed.



Planning Designations and Constraints

3.5 The site is subject to the following formal planning constraints and designations:

- PTAL: 4
- Flood Risk Zone: Low surface water flooding risk
- East India Conservation Area

Planning History

3.6 The following planning decisions are relevant to the application:

21/01134/PRE - Demolition of garages and the erection of 2 x single storey buildings with accommodation in the roof space consisting of 4 maisonettes with associated cycle parking, refuse storage and landscaping

20/03184/FUL - Demolition of garages and erection of a two storey building consisting of 5 flats with associated car parking, cycle parking, refuse storage and landscaping - Refused on character, harm to trees, neighbour amenity, transport, refuse and accessible units

20/01045/PRE - Demolition of existing garages and erection of a two storey building to provide 6 flats

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the intensified residential development is acceptable given the residential character of the surrounding area and the need for housing nationally and locally;
- There is an acceptable mix of unit sizes with all dwellings capable of being classified as family homes;
- The quality of accommodation is acceptable for future residents;
- The design and appearance of the development is of an acceptable quality, and would preserve and enhance the character of the surrounding Conservation area;
- The proposal would not create undue harm to the amenity of nearby residential properties and their occupiers;
- The development would be car free, not adding to on street parking pressure
- All remaining sustainability aspects can be controlled by conditions.

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

6 LOCAL REPRESENTATION

6.1 A total of 43 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. 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: 52 Objecting: 48 Neutral: 1 Supporting: 3

(One of the comments of support was from the applicant)

6.2 The following local groups/societies made representations:

- HOME Residents Association [objecting]
- Mid Croydon Conservation Area Advisory Panel [objecting]

6.3 The following MP made representations:

- Sarah Jones MP

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

Objection	Officer comment
Character and design	
Overdevelopment/high density	Acknowledged and addressed in paragraphs 8.6 – 8.19 of this report.
Harm to Conservation Area	
Inappropriate materials	
Obtrusive by design	
Neighbouring amenity	
Loss of light	Acknowledged and this is addressed in paragraphs 8.28 – 8.35 of this report.
Overlooking	
Overshadowing/dominance/visual intrusion	
Disruption through construction	
Quality of accommodation	
Constrained accommodation	Acknowledged and this is addressed in paragraphs 8.20-8.21 of this report.
No shared amenity space or playspace	This is not required for schemes of less than 10 dwellings

Fire Safety	Acknowledged and this is addressed in paragraph 8.47 of this report.
Transport and Highways impacts	
Highway Safety of access road	Acknowledged and this is addressed in paragraphs 8.38 – 8.43 of this report.
Stress on on-street parking	
Tress and ecology	
Detrimental impact on trees	Acknowledged and this is addressed in paragraphs 8.36-8.37 of this report.
Lack of landscaping	
Flooding	
Drainage/flooding	Acknowledged and this is addressed in paragraphs 8.55 of this report.
Support	Officer comment
Benefit of new homes	
Improvement from the existing dilapidated garages	
High quality family housing	
Respects surroundings	

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- HC1 Heritage Conservation and Growth

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character

- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM18 Heritage Assets and Conservation
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). 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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- East India Estate Conservation Area Appraisal and Management Plan (CAAMP)

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. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity

5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Flood risk and energy efficiency
8. Fire
9. Other Planning Issues
10. Conclusions

Principle of development

- 8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher target of 2,079 homes per year.
- 8.3 The Croydon Local Plan (CLP) also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small-sites housing target of 641 per year.
- 8.4 CLP Policies SP2.7 and DM1.1 set a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to meet the borough's need for family sized units and ensure that a choice of homes is available in the borough.
- 8.5 Of the 4 units proposed, 1 unit would have at least 3 bedrooms. This equates to 25%. Given the small number of units, this provision is deemed acceptable.

Design and impact on character of the area

- 8.6 CLP policy SP4.1 states that the council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities.
- 8.7 CLP policy DM10.1 has a presumption in favour of 3 storey dwellings, which should respect the development pattern, layout; siting, the scale, height, massing, and density; and the appearance, existing materials, and built and natural features of the surrounding area.
- 8.8 CLP Policy DM10.7 requires developments to incorporate high quality materials that respond to the local character in terms of other things durability, attractiveness, sustainability, texture and colour. This policy also requires roof forms to positively contribute to the character of the local and wider area with proposals being sympathetic with its local context.
- 8.9 CLP Policy DM18.2 which says that new development affecting heritage assets should be 'of a high quality design that integrates with and makes a positive contribution to the historic environment'.
- 8.10 The site is in the East India Estate Conservation Area. The area is characterised by a concentration of high-quality historic buildings, formal street layout, and spacious character with buildings in generous plots. The existing garages and hardstanding don't make any particular contribution to the special character of the area, but the buildings are small and not widely visible, so the openness of the rear garden area in which the site sits is preserved.

- 8.11 There is no in principle objection on heritage grounds to demolition of the existing buildings and redevelopment of the site. However, demolition should only be considered acceptable where the new development would be of a high quality and would make a positive contribution to the character of the area (as is set out in Croydon's Conservation Area General Guidance SPD 5.1D) and in the East India Estate CAAMP (9.1 Demolition).
- 8.12 Dwellings have been proposed as opposed to the flats proposed in the previous application, and their footprint clearly responds to that of the surrounding building pattern. The articulated, stepped massing further emphasises this relationship to the width of surrounding buildings and creates opportunity for views through the site (creating a greater sense of openness) and providing more space for greenery in the private amenity areas and communal mews. The overall design approach has improved and demonstrates a higher quality and more considerate response than previous proposals.
- 8.13 Massing is subservient in height to the surrounding dwellings. Height slopes up towards the middle of the site - further reducing impact on neighbours whilst providing an effective frontage to the mews street and capturing south light for the first floor rooms.
- 8.14 A sunken ground floor and courtyards is supported from a design perspective to allow an additional storey of accommodation and better internal ceiling heights without excessive height perceived from neighbouring properties.
- 8.15 The dwelling sizes are proportionate to the surrounding plot widths and building widths, which demonstrates consideration of the building pattern.
- 8.16 Massing responds to the stepping articulation. This stepped articulation reduces the impact of the massing on the neighbours (by avoiding an expansive elevation), allows for long views and vistas to be achieved through the site and allows the units to have amenity space and large glazing without direct overlooking and whilst still receiving good levels of daylight and outlook. This strategy has enabled good quality accommodation to be provided on what is a very compact site.
- 8.17 The new mews is lined with planters and in-built seating which will create a pleasant environment. Improvements to the access through reinstating boundary treatments and resurfacing is welcomed.
- 8.18 The proposed use of pale/tallow brick to reference surrounding character is acceptable. Given the importance of materials in this scheme, full details would be conditioned.
- 8.19 Conclusion: The development would be a significant improvement on the existing deteriorating garages and access. The design approach is considered to respect the character of the East India Conservation Area, in terms of design, height, scale, massing and layout and the proposed landscaping is well considered. This is in accordance with DM10 and DM18 of the Croydon Local Plan and HC1 of the London Plan as the proposal is considered to preserve and enhance the appearance of the East India Conservation Area.

Quality of residential accommodation

8.20 London Plan (LP) policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments. CLP policy SP2.8 also deals with quality and standards. The table below demonstrates the GIAs of each residential dwelling:

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1	2b3p	70m ²	61m ²	21m ³	6m ²	3	2
2	2b4p	80m ²	70m ²	13m ³	7m ²	2.1	2
3	3b6p	102m ²	102m ²	27m ²	9m ²	2.5	2.5
4	1b1p	39m ²	37m ²	9m ²	5m ²	1	1

Table 1: scheme considered against London Plan Policy D6 and Table 3.1

8.21 As shown on the table above, all units comply with LP standards on minimum floorspace areas and amenity space. In particular, units 1 and 2 would be 10 and 20sqm larger than the minimum requirements and all amenity spaces would be larger than the minimum requirements also. All bedrooms within the proposal comply with parts 2, 3, and 4 of policy D6 in relation to bedroom size standards. Each dwelling would also have a floor to ceiling height of 2.5m for at least 75% of the floor space of the entire dwelling. All of the dwellings are dual aspect, therefore allowing for adequate light levels and ventilation.

8.22 The dwellings would be partly below ground. The height of the floor levels would not be so deep to compromise outlook or access to light.

8.23 CLP policy DM10.4c states: All proposals for new residential development will need to provide private amenity space that provides a minimum amount of private amenity space of 5m² per 1-2 person unit and an extra 1m² per extra occupant thereafter.

8.24 All of the units have adequate private amenity space in excess of the standards. In addition, there is a courtyard in front of the dwellings which could be informally used by residents as this space will be car free.

8.25 LP policy D7 states that 10% of new build housing should meet Building Regulation requirement M4(3) 'Wheelchair User Dwellings'; and all other dwellings should meet the Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings' which requires step free access to all units and the facilities of the site.

8.26 Unit 4 would be M4(3) compliant and the other three units would be M4(1) as there are steps down to the front door and tight staircases internally which are unlikely to be suitable for stairlifts. On balance this is considered acceptable as this design has been chosen to keep the height of the building down to minimise impact on neighbouring amenity.

8.27 Overall, the standard of accommodation is considered to be acceptable, subject to conditions.

Impact on neighbouring residential amenity

- 8.28 CLP policy DM10.6 states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels. CLP policy DM10.6(c) outlines that proposals for development should not result in direct overlooking of private outdoor space (with the exception of communal open space) within 10m perpendicular to the rear elevation of a dwelling.
- 8.29 To the north of the site is 1-4 Mulberry Lane. This is a two storey terrace that abuts the site. Currently, at the end of their gardens is the 2.9 metre wall of the garages. The separation distance at first floor to the boundary is 18 metres. At ground floor, the properties have original and non-original projections measuring between 1.5 metres and 3.3 metres. 1-3 have sheds and outbuildings at the rear of the gardens. All properties are at a slightly higher level than the application site, with steps down to the gardens.
- 8.30 The northern elevation of the development has been designed to minimise impact on these neighbours. The ground floor would be no higher than the existing garages (and shorter at the rear of 1 Mulberry Lane)- shown by the blue dotted line on the image below. The elements of first floor would measure 1.6 metres taller than the existing garages – 4.4 metres in total. The first floor elements have been separated into three sections in order to minimise the visual dominance of this elevation. In addition, all of the properties have sections of single storey at the rear of the garden. The proposal would therefore not cause a loss of outlook or would appear oppressive or excessive in size from 1-4 Mulberry Lane. No windows are proposed on the northern elevation, so privacy would be protected.



- 8.31 To the east of the site is 53 Outram Road which is converted into flats. The wall to wall separation distance between the rear of number 53 and the side elevation of the 3 bedroom unit is 18.2 metres. The two storey element of this dwelling would be set off the boundary by 2 metres. 18 metres is considered sufficient by the London Housing Guide. The eastern elevation would also only have three small windows serving the living room which would not result in a loss of privacy given their size and separation.

- 8.32 To the west, the properties that face onto Havelock Road would be separated from the western elevation of the development by at least 22 metres. Given the separation distance, this relationship is acceptable.
- 8.33 It is considered that other properties in the vicinity of the site are of a sufficient distance to mitigate against any unacceptable amenity impacts. Details of external lighting could be secured via condition to ensure that the proposal would not result in light pollution.
- 8.34 It is acknowledged that with any build, whilst there may be slight disturbances and inconveniences for neighbouring properties, there are no grounds to refuse planning permission based on construction impacts. A Construction Logistics Management Plan can be secured through condition which would seek to protect neighbouring amenities as far as possible during this time. In addition, under the Control of Pollution Act 1974, the council has a Construction Code of Practice which sets out when construction and demolition work can occur, and it is not expected that works will be permitted to take place out of these hours. This would be placed as an informative (in the event planning permission is granted) and is enforceable under the Environmental Health Acts.
- 8.35 Overall, any potential amenity impacts on neighbouring occupiers are considered to have been adequately mitigated by spatial separation between neighbouring properties. Furthermore, the orientation of the proposed development and the existing orientation of the surrounding neighbouring properties is favourable to mitigate adverse impacts. The proposal would therefore comply with policy DM10.6.

Trees, landscaping and biodiversity

- 8.36 LP Policy G7 and CLP policy DM10.8 and DM28 seek to retain existing trees and vegetation. CLP policy DM10.8 requires proposals to incorporate hard and soft landscaping.
- 8.37 The applicant has submitted a Tree Survey and landscaping plan which has been reviewed by the Tree Officer who raises no objection. The proposal would introduce landscaping where there is currently none which would result in a net gain in biodiversity.

Access, parking and highway impacts

- 8.38 The site has a PTAL (Public Transport Accessibility Level) of 4 which is good on a scale of 1a-6b. The site is within walking distance of Sandilands tram stop and bus services. The site is currently occupied by garages.
- 8.39 A contribution of £1,500 per unit would be secured towards improvements to sustainable transport including but not limited to on street car clubs with EVCP's as well as EVCP's in general as per SP8.12 and SP8.13 of the Croydon Local Plan.
- 8.40 The development would be car free. No car parking is proposed on site and a legal agreement will be sought to restrict future occupants from applying for parking permits for the surrounding Controlled Parking Zone (CPZ). The applicant has provided information that the existing garages are either empty or used for storage, so the proposal would not result in an increase in on street parking.
- 8.41 As the development is car free, only users of the remaining garages would enter/exit the site which would be infrequent. Planting would prevent residents from parking

within the development. The Council are satisfied that that the swept path analysis shows that vehicles are able to enter and exit the site safely and pedestrians would have safe passage along the access road.

- 8.42 CLP Policy DM30 and LP policy T5 (and Table 10.2) requires the provision of a total of 7 no. cycle parking spaces for residents. Each unit would have their own store in their courtyard. Residents of three of the four units would have to access their store (and front door) down a couple of steps. Although not ideal, this is not considered overly difficult for residents and is therefore acceptable.
- 8.43 A condition would be attached to require submission of a Construction Logistics Plan (CLP) which shall include a survey of the surrounding footways and carriageway prior to commencement of works on site.

Flood risk and energy efficiency

- 8.44 In accordance with Policies SI 12 and SI 13 of the London Plan 2021 and Policy DM25 of the Croydon Local Plan the development is required to provide SuDS to reduce the cause and effect of flooding. The site is within Flood Zone 1, an area of low risk of surface water flooding. The following SUDs are proposed- green roofs and permeable paving. The current site has hardstanding and this would improve the situation. Full details would be conditioned.
- 8.45 CLP policy SP6 requires development proposals to both achieve the national technical standard for energy efficiency in new homes.
- 8.46 To ensure that a reduction in CO2 emissions beyond the Building Regulations Part L is achieved and that a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G is met a condition is deemed necessary.

Fire safety

- 8.47 LP policy D12A states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. The applicant has submitted a Fire Statement which sufficiently demonstrates that the proposal complies with the requirements of the London Plan 2021, which will be conditioned, with final fire safety measures secured at the Building Regulations stage. The furthest unit would be 79 metres from the street. The standing advice from the Fire Brigade is that all two storey dwellings should be provided with individual fire suppression systems in the form of mist or sprinkler systems if 90 metres from the street. The proposal would comply with this advice.

Other Planning Issues

- 8.48 The development would be liable for a charge under the Community Infrastructure Levy (CIL).

Conclusions

- 8.49 The scheme would provide 4 homes including one family sized home on a site which is currently occupied by dilapidated garages. The development has been carefully designed to limit impact on neighbouring amenity, whilst respecting the character of the East India Conservation Area. The design is considered high quality and would allow views through the site. The proposal would introduce landscaping where there is

currently none, resulting in a increase in biodiversity. The scheme would also be car free, and would provide a good standard of accommodation for future residents.

8.50 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).



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1 SUMMARY OF APPLICATION DETAILS

Ref: 22/00182/FUL
 Location: 39 Grimwade Avenue, CR0 5DJ
 Ward: Park Hill and Whitgift Ward
 Description: Demolition of existing dwelling house (retrospective) and the construction of a new 7-bedroom dwelling house comprising basement, ground and first floor with accommodation in the roof space; dormers to the rear; together with landscaping and car parking and associated works.
 Drawing Nos: 700.PP01, 700.PP02, 700.PP03, 700.PP13, 700.PP15
 Applicant: Parvin Patel
 Case Officer: Christopher Grace

1.1 This application is being reported to committee because:

- The ward councillor (Cllr Jade Appleton) made representations in accordance with the Committee Consideration Criteria and requested committee consideration
- Objections above the threshold in the Committee Consideration Criteria have been received

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission.

2.2 That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning permission

Conditions

- 1) Commencement within 3 years
- 2) Built in accordance with approved plans

Pre-commencement

- 3) Construction method statement
- 4) Details of sustainable urban drainage measures
- 5) Details of tree maintenance and tree protection scheme
- 6) Biodiversity net gain requirement

Prior to above ground floor slab

- 7) Materials to be submitted
- 8) Details to be provided:
 - a) Hard and soft landscaping – including paving surfaces, boundary treatment, parking spaces, planting (including new trees, with a minimum 18 proposed) and species to be submitted

- b) Windows (head/cills) dormers, roof details, ridge detail, terrace parapet walls at scale 1:10; main entrance scale 1:10, rooflights, joinery openings, architectural key junctions, rainwater goods and ventilation extracts
 - c) Boundary treatment
- 9) Refuse and cycle storage areas, land levels and security lighting details to be submitted

Compliance

- 10) One car parking space to be Electric Vehicle Charging Point (EVCP)
- 11) 19% reduction in carbon emissions
- 12) 110 litre water consumption target
- 13) In accordance with Fire strategy
- 14) In accordance with Basement Impact Assessment
- 15) In accordance with Flood Risk Assessment
- 16) Home to be M4(2) compliant
- 17) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informative

- 1) Community Infrastructure Levy
- 2) Code of Practice regarding small construction sites
- 3) Construction Logistics Informative
- 4) Highways works and or/damage to the existing highway during the construction phases to be made good at developer's expense
- 5) Thames Water (surface water and ground water assessment)
- 6) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.3 That the Planning 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 Members will note from the history below that planning permission was granted under 20/01642/HSE for alterations; erection of single/two storey front/side and rear extensions, construction of gable roof and front gable projection; erection of dormer extension in rear roof slope and installation of rooflights in front roof slope.
- 3.2 Under the permitted scheme some demolition was required, but during the works a substantial part the building collapsed, resulting in significantly more demolition than consented. The applicant then decided to demolish the remainder of the building, which subsequently became the subject of the Council Enforcement Investigation file.
- 3.3 As a result this planning application is for the two components:

- Retrospective planning permission for the demolition of the previous 4-bedroom house (157sqm internal floorspace) following the granting of planning permission (ref 20/01642/HSE)
- Prospective planning permission for the construction of a new 7-bedroom dwelling house comprising basement, ground and first floor with accommodation in the roof space; dormers to the rear; together with landscaping and car parking and associated works

3.4 The house would be 9.4m high, 13.8m wide, 16.1m deep across the site running north to south.



Image 1: current site photo

Amendments

3.5 The proposal has been amended to include two parking spaces utilising the existing drop kerb, cycle storage within front garden, and to retain 3 of the 4 trees at the front of the site. The essence of the proposal remains exactly as originally submitted and therefore no further consultation with neighbours was required.

Site and Surroundings



Image 2 and 3: red site plan and proposed site layout

- 3.6 The 0.2ha site is located on the south side of Grimwade Road on an area of land which previously contained a two-storey house (now demolished). The site is largely overgrown but contains a number of mature trees (subject TPO Number TPO 13/1970) along the southern surrounding boundary and within the centre of the site. The site is located within Flood Zone 1 and a Public Transport Accessibility Level of 4.
- 3.7 The area is residential in character, with a mixture of detached and semi-detached houses to the east, north and further to the west. To the south of the site is land designated Metropolitan Green Belt and a Site of Nature Conservation Importance. Lloyd Park is also designated a Locally Listed Historic Parks and Garden.

Planning History

- 3.8 20/01757/PRE – Redevelopment of land to provide seven family dwellings
- 20/03098/PRE – Redevelopment of the Land to provide seven family dwellings comprising of 1 detached dwelling and 6 semi-detached dwellings
- 20/00872/GPDO – Prior approval granted for erection of a single storey rear extension projecting 8.0 metres.
- 20/01642/HSE – Permission granted for alterations; erection of single/two storey front/side and rear extensions, construction of gable roof and front gable projection; erection of dormer extension in rear roof slope and installation of rooflights in front roof slope.
- 20/06373/HSE – Refused planning permission for erection of single storey outbuilding in rear garden including formation of a new boundary fence and associated crossovers
- 20/06376/NMA- Refused non-material change to p.p. 20/01642/HSE for (Alterations; erection of single/two storey front/side and rear extensions, construction of gable roof and front gable projection; erection of dormer extension in rear roof slope and installation of rooflights in front roof slope).
- 21/01370/HSE – Planning permission granted for erection of single storey outbuilding in rear garden.
- 21/00160/NBI – Enforcement investigation file remains open for previous works underway following demolition of original house; applicants advised to obtain planning permission; outcome of enforcement investigation subject to this planning application decision.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The existing building was larger than a 3-bedroom house and in excess of 130sqm, nor was it listed or located within a conservation area and therefore there is no objection to demolition in principle terms.

- 4.2 The proposed development would provide an appropriately sized and designed home, making effective use of the residential site and retaining the housing stock.
- 4.3 The proposed replacement house would preserve the character of the area and would not harmfully affect the appearance of the immediate surroundings.
- 4.4 The proposed replacement house would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.5 The development would incorporate safe and secure bicycle access and access/servicing arrangements to and from the site and would have an acceptable impact on the highways network.
- 4.6 The development would incorporate an appropriate drainage strategy.

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 consultation letters and site notice. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: Responses 16 Objections 14 Supporting 2

- 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:

Summary of objections	Response
Principle of development	
<i>Previous approved extensions do not exist so no weight can be given to these; Proposal gives in effect 4 floors a total floorspace of 643m2.increase in floorspace of over 400% overdevelopment,</i>	Refer to paragraphs 8.2 of this report.
Appearance	
<i>Much too large for plot; scale and size despite other large houses in the estate; Poor design fails to improve the character; ignore importance of original design; obtrusive by design at odds with character assessment requirement, not good design; does not comply with a number of design policies and NPPF guidance; not in keeping; insensible, not sympathetic; does not fit in the Whitgift Estate; narrowest of plots in the estate; original house modest in size</i>	Refer to paragraph 8.7 to 8.10 of this report.

Neighbour Amenity	
<i>Relationship of previous building significant material consideration; Mutual privacy not achieved; the three windows in the rear will invade neighbours' privacy as will window to bedroom two leading to overlooking neighbours garden and swimming pool. Overbearing effect on amenities; loss of neighbours' privacy; disruption to neighbours</i>	Refer to paragraphs 8.13 to 8.19 of this report.
Trees and Ecology	
<i>Loss of established trees and wildlife</i>	Refer to paragraphs 8.22 to 8.25 of this report.
Other	
<i>Impact during construction</i>	Refer to paragraphs 8.18 of this report
Summary of support	Response
<i>Plans are in keeping with the street view given many properties on the road have been modernised or re-built</i>	Refer to paragraph 8.7 to 8.10 of this report

6.3 Councillor Jade Appleton (Park Hill and Whitgift Ward) has objected to the proposal making the following representations

- Overdevelopment: The proposed design is not in keeping with the area and would have detrimental impact on the neighbouring property, as well as negatively impacting the street scene.
- Obtrusive by design: Do not believe that the current plan is subservient to the plot. The proposed design would have detrimental impact on the neighbouring property. Loss of privacy and overlooking
- Loss of privacy for neighbouring property, overlooked not just within their garden but also within their own private amenity space.

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 London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2015).

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018 (Amended in February July 2021). 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 (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)

- Making effective use of land (Chap 11)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).
- Conserving and enhancing natural environment (Chap 15)

London Plan 2021:

- GG2 Making best use of land
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D10 Basement development
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T7 Deliveries, servicing and construction

Croydon Local Plan 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication
- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM27 Protection and enhancing biodiversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM45 Shirley

7.3 There is relevant Supplementary planning Guidance as follows

- London Housing SPG, March 2016.
- National Technical Housing Standards, 2015.
- National Planning Practice Guidance, 2014.

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. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Sustainability and flooding
6. Trees and ecology
7. Transport

Principle of development

8.2 In considering this proposal the local planning authority has had regard to delivering homes in favour of sustainable development in line with the principles of the NPPF, Policy GG2 of the London Plan relating to making best use of sites; policies SP2 of the Croydon Local Plan 2018 in providing a choice of housing for all stages of life and DM1 in supplying new housing.

8.3 Policy DM1.2 seeks to prevent the loss of small family homes by restricting the net loss of three bed units and the loss of units that have a floor area less than 130 sqm. The previous property consisted of a four-bedroom house (not a three-bedroom home) and had an internal floor area in excess of 130sqm. Therefore, the proposal would comply with policy DM1.2. As the previous building was not listed, nor located within a conservation area, there was no protection against its demolition from a principle perspective.

8.4 The submission confirms that as part of approved works to extend the property (under planning permission 20/01642/HSE) the demolition contractor erroneously demolished a substantial part of the house. Under the permitted scheme some demolition was required, but the extent that was undertaken was significantly more than approved and therefore a retrospective application was invited.

8.5 The proposed replacement building would be 7-bedroom dwelling house comprising basement, ground and first floor with accommodation in the roof space. The principle of including basement accommodation within similar properties has been accepted at no.9 and 33 Grimwade Avenue. The inclusion of the basement level would not be noticeable from the front of the building (being below ground level with lightwells to the rear garden). Given this, and the

absence of a policy restricting basements, there would not be an objection in principle to its inclusion.

- 8.6 Subject to the proposed house being of appropriate design, with limited impact on neighbouring amenity and immediate surroundings and not raising any issues with regards to transport and flooding the proposal is considered acceptable in principle.

Townscape and visual impact

- 8.7 Neighbours have objected to the proposal as out of keeping with area, unacceptable design and being too large for the site. The surrounding area consists of a mixture of large two storey detached and pairs of detached buildings, some comprising pitched roofs with accommodation within the main roof, generous driveways with the building line set back at the front of the site, low front boundary walls and hedges. The proposed house would follow this approach and would appear as two storeys in height from the front with the third floor contained within the roof slope. The basement level would not be visible from the front with light provided by two small lightwells to the rear. The application site rises gradually from north to south. The application site is 0.9m below the level of no.37 to the east. The proposed house would be lower in overall height than no.37 due to the change in levels. The proposed house would however be similar overall form, massing and size to neighbouring surrounding properties. The proposed house would fit within the existing site boundary with only a narrow porch extending slightly beyond the footprint of the previous building. The proposed house would be 11m from the front boundary set back similarly to neighbouring properties. The house would be 16m deep, 4.5m of which would extend towards the rear at single storey level. The proposed house would leave a 27m depth garden to the rear of the site between the host building and the proposed single storey outbuilding approved under planning permission 21/01370/HSE.

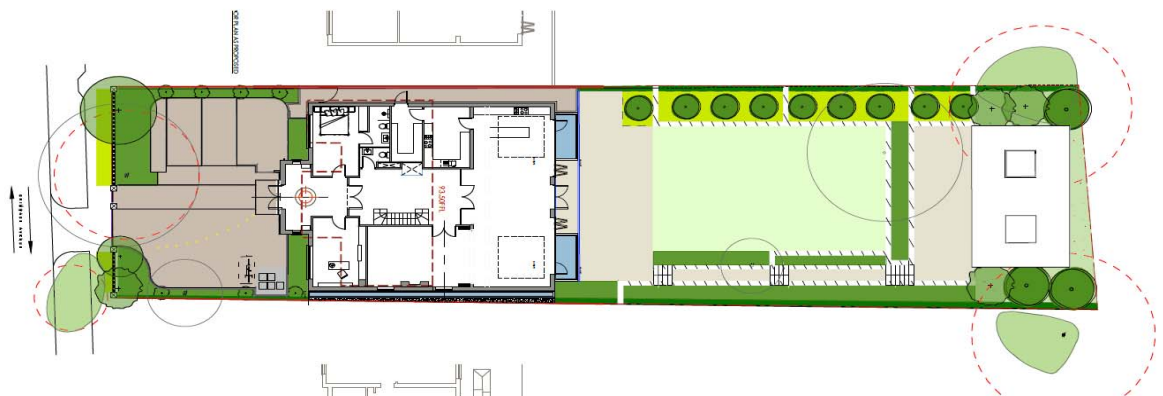


Image 4: ground floor site arrangement

- 8.8 Officers do not consider that the proposed building would be too large for this site. The property would benefit from generous space towards the front and the rear and the change in levels between this and the adjacent site at no.37 would ensure that the house does not appear dominant or overbearing within the street

scene. The proposed house would be appropriate in terms of height, scale and massing when compared with those nearby. The set back from the front and area to the rear would retain the spacious character and green space characteristic to its settings and built environment. The inclusion of Mock Tudor appearance would be in keeping with several properties along Grimwade Avenue and Sandilands to the north. The design of the proposed house would be appropriate, finished in red brick, limited render sections, clay tiles, large expanse windows and defined openings. The overall detail of materials would be subject to condition to ensure a high-quality finish.



Image 5: front elevation

- 8.9 The bin and bike storage would be located close to the building within easy access at the front of the site and screened in order to have minimal impact on street scene. Details of the refuse and cycle storage area and the walkway entrance would be controlled by condition to ensure suitable arrangement and access. The proposal achieves an Urban Greening Factor of 0.4 which meets the requirement for a residential major development under London Plan Policy G5; whilst not technically required it is a welcomed addition.
- 8.10 Overall, the proposed scheme is considered a sensitive response to the site. The proposal would sit comfortably with the character of the area, be of a suitable appearance and repair the street scene at this point, in accordance with the NPPF, London Plan (2021) and CLP (2018) policies.

Housing quality for future occupiers

- 8.11 The proposed house would accord with the national technical housing standards and London Plan D6 in terms of floor space requirements including areas for storage. The houses would have dual aspect, receive good levels of light and maintain a large rear garden area characteristic of the area, retaining a suitable green environment for potential occupiers. This arrangement is acceptable and would be in accordance with the London Plan and Croydon Local Plan policies. The applicants have outlined their Fire Strategy as part of their planning statement in line with the requirements of London Plan Policy D12. A condition should ensure full detail compliance.

- 8.12 In terms of accessibility, policies D7 of the London Plan requires 10% of dwellings to be M4(3) and all other dwellings to be M4(2) 'accessible and adaptable dwellings'. Given the scheme is for one unit, it is only reasonable to ensure it meets M4(2). Potential occupiers and visitors will be able to access the site with step free access to the frontage and from the parking space, with gently sloping and steps to the rear, a WC and living areas on entrance storey and at least one bedroom with sufficient circulation. A condition seeking to secure this home as M4(2) will ensure the proposal seeks to provide an accessible and adaptable dwellinghouse.
- 8.13 The proposal would therefore be in line with London Plan policies D6 and D7, and Local Plan policy DM10.

Residential amenity for neighbours

- 8.14 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light and a loss of outlook.
- 8.15 The neighbour with the potential to be most impacted by the proposed development would be the occupier of a large-detached part single/two storey house at no.37 Grimwade Avenue immediately to east as playing fields exist to the west, Metropolitan Green Belt to the south and there is a separation of 4m to no.37 Grimwade Avenue to the north.
- 8.16 No.37 Grimwade Avenue includes third floor accommodation in the main roof, rooflights to the front with dormer extensions to the rear, rooflights above the single storey rear element, and a large garden with swimming pool and outbuilding. There are no flank windows facing the application site. The proposed house would be 1.2m from this neighbouring boundary fence, 4m from the flank elevation of no.37 and would extend 8m further towards the rear than the previous house on this site. However, 4.5m of the 8m length would be at single storey level with the proposed house projecting only 2m overall beyond the single storey rear elevation of no.37. The combination of a change in levels (0.9m) between these two sites and separation distance between both buildings means that the proposed house would not have an undue overbearing or dominant impact for the neighbour at 37.
- 8.17 The 45-degree line suggests that the proposed house would not unduly impact on the outlook from the rear ground floor to ceiling windows of no.37 or rear first floor windows of this neighbouring building. The proposed house would include only a single bathroom window at first floor level in the side elevation towards this neighbour. The window would include obscured glazing details to be secured by condition to protect this neighbour's amenity. Towards the rear, the first-floor level window nearest to the boundary with no.37 would be a bathroom and a condition requiring this window to obscured glazed would further reduce any possibility of overlooking. The inclusion of rear dormers within the roof slope of the proposed house would be similar to that at no.37. Officers consider that the layout and form of window openings at first and roof level would create the mutual

overlooking normally expected between properties and apparent in Grimwade Avenue.

- 8.18 Due to the orientation of the building, and the presence of rooflights providing alternative sources of light to the single storey extension of no.37, officers consider that the proposal would not result any loss of light, undue overlooking or loss of privacy for these neighbours. The submitted sunlight/daylight report shows that all the neighbouring windows at 37 would continue to receive sufficient levels of light including winter sunlight. Details of boundary treatment would protect gardens and safeguard privacy with these neighbouring properties.
- 8.19 Based on the basement impact assessment (BIA) report and subject to suitable construction mechanism the creation of the basement level is unlikely to adversely impact on the neighbour at no.37. The applicants BIA report concludes that due to the site not having variable levels excavation works would be much simpler and faster during construction than a sloping site; flood risk of the site is very low; studies show the soil to be free draining and precedents suggest that the area is suitable for basement construction. Full construction details would be secured through Building Regulations and sufficient comfort has been given from a planning perspective.
- 8.20 Officers acknowledged that there will be some noise and disturbance during the construction process, with pollution access also a concern expressed by neighbours. A planning informative is recommended to advise the applicant to follow the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites". The applicants have indicated that they are willing to accept a condition requiring Construction Logistics Plan to be approved prior to the start of building works, in order to reduce amenity considerations, traffic impacts and safeguard the development during the build. Further informatives would ensure the reinstatement of the highway with developers to meet the cost of reinstatement of any work. The proposal would therefore be in accordance with policy DM23.
- 8.21 A condition requiring details of lighting and illuminance to the front and rear of the site would ensure that neighbour's amenity is protected. Based on the above Officers are satisfied that the proposal would not have an undue impact on neighbouring amenity and would be in line with policy DM10.

Sustainability and Flooding

- 8.22 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy SI2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. In addition, the Council would require the development to achieve a water use target of 110 litres per head per in line with London Plan Policy SI5. Subject to conditions the development would need to achieve sustainable requirements in line with national, regional and local level.
- 8.23 The site does not fall within a major flood risk area or surface water flood risk area. The applicants have provided a Basement Impact Assessment outlining

the proposed structure, existing ground conditions, flood risks and proposed construction methodology for the basement as well as considering potential impacts on neighbouring buildings. The report identifies that the impact on the water course is limited as all of the water that may enter the building will be pumped back into the surface water drain that will discharge back into the ground. The report states that several bore holes would be introduced prior to works in order to assess of the makeup of the soil, so any calculations for loading and bearing capacity can be revisited and revised if necessary.

- 8.24 The flood risk report identifies very low risk category for surface water flooding, or various other forms. There is no ground water flooding associated with this site. Existing run off rates have been calculated and the report identifies infiltration as a method of discharge of surface water. The proposed drainage measures for this site would involve use of permeable paving details to be secured by condition in addition to SUDS (with a maintenance plan). The flood risk report advises that should infiltration not be possible (after completion of infiltration testing) the paving will be tanked, and discharge would be via a hydro brake to the sewers in Grimwade Avenue, limited to 2 litres per second in accordance with best practice. Attenuation will be provided for all storm events up to and including the 1:100 storm plus 40% allowance for climate change. Thames water have raised no objection subject to standard informatives on surface and ground water. The strategy and proposals are acceptable.

Trees and Ecology

- 8.25 Neighbours have raised issues with regard to loss of tree and wildlife on this site. The applicants Tree Report Statement has identified all 11 trees on or immediately adjoining the site.
- 8.26 T01 (category U, suitable for removal) which has fallen in the rear garden, T02 (category C1 low quality) in rear garden, T09 (category U, suitable for removal) and T10 (category B moderate - which has toppled to one side causing damage to the front garden boundary wall) are proposed for removal. Three new trees are proposed to the site frontage which would provide an uplift to what exists currently. The remaining trees to the rear of the site have been previously identified for removal with the grant of the outbuilding application (20/06373/HSE). Notwithstanding, the landscaping scheme proposes a line of 12 new trees along the boundary with no.37 and three new trees in the south-western corner. Details of tree protection and types of newly planted trees to be controlled by condition, with a minimum 18 secured.
- 8.27 Officers have reviewed the amended landscaped tree layout and are satisfied that the correct information has been supplied which identifies the trees involved and the tree officer has raised no objection. Officers have not raised any objection to the pruning works, tree removal, protection and subsequent replanting. The proposal is therefore in accordance with policy DM28 of the Croydon Plan and G7 of the London Plan.
- 8.28 The site is clear of any buildings given the existing building has already been demolished, so there is no opportunity for ecological species to be present. The main trees with the potential to have any ecological benefit are located to the

rear boundary of the site and work to construct the rear outbuilding has been approved. Under such circumstances officer consider it reasonable to include a condition to ensure that the proposal would be carried out in accordance with the arboriculture report and that details are submitted to ensure biodiversity net gain is achieved. Given the 18 new trees proposed, this is considered reasonable.

Transport

- 8.29 The site has a PTAL 1b. There is an existing crossover for this property and the new crossover will be aligned with it which is acceptable on highway grounds due to its location on a minor junction.
- 8.30 The proposed property would have formal space for 2 vehicles. London Plan policy identifies that there should be a maximum 1.5 spaces per family sized dwelling. Given that the existing property has 2 spaces weight is given to the existing situation, which is similarly found in neighbouring properties. It is acknowledged that the area of hardstanding significantly exceeds the marked spaces; given the extent of similar frontages in the area, it is considered a ground for refusal on this matter alone could not be substantiated. A condition would ensure that one of the two parking spaces accommodates an EVCP.
- 8.31 Vehicles would be able to enter and leave the site in forward gear. The crossover is located close to the junction, however as the proposal involves replacement of a single property the proposal would not contravene the Council crossover policy. Details of low boundary treatment would ensure suitable site lines to the site. A footway and carriageway survey as part of an approved CLP would safeguard the existing walkway.
- 8.32 The proposal includes cycle parking and refuse storage located within the front garden of the site. A condition would ensure that the cycle storage meets LCDS and Cambridge Cycle Design Guide standards and secure suitable screening to the refuse storage. The proposal is therefore considered in line with Policies DM29 and DM30.

Conclusion

- 8.33 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).