

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, 26 January 2023** at the rise of Planning Committee but not earlier than **7.15 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
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www.croydon.gov.uk/meetings
Wednesday, 18 January 2023

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 - 10)

To approve the minutes of the meeting held on 20 October and 10 November 2022 as accurate records.

3. Disclosure of Interest

Members are invited to declare any disclosable pecuniary interests (DPIs) and other registrable and non-registrable interests they may have in relation to any item(s) of business on today's agenda.

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 11 - 14)

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

5.1 22/03353/FUL - Land Adjacent To 31 Heath Road, Thornton Heath, CR7 8NF (Pages 15 - 32)

Erection of two-storey three-bedroom detached dwelling.

Ward: Thornton Heath

Recommendation: Refuse 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, 20 October 2022 at 8.33 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);
Councillor Leila Ben-Hassel (Vice-Chair);
Councillors Sean Fitzsimons, Clive Fraser, Holly Ramsey and Luke Shortland

Also Present: Councillors Danielle Denton and Alasdair Stewart

Apologies: Councillors Joseph Lee, Ian Parker and Elily Ponnuthurai

PART A

A42/22 **Minutes of the previous meeting**

RESOLVED that the minutes of the meetings held on Thursday 28 July 2022 and Thursday 11 August 2022 be signed as correct records.

A43/22 **Disclosure of Interest**

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

A44/22 **Urgent Business (if any)**

There was none.

A45/22 **Planning applications for decision**

A46/22 **22/02827/FUL - 70 Croham Road, South Croydon, CR2 7BD**

Conversion of two self-contained flats into one single dwellinghouse.

Ward: South Croydon

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

Andy Lang spoke in support of the application.

The Ward Member Councillor Danielle Denton addressed the committee with her view on the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to REFUSE the application based on the officer's recommendation was proposed by Councillor Fitzsimons. This was seconded by Councillor Fraser.

The motion to grant the application was taken to a vote and fell with two Members voting in favour, three Members voting against and one Member abstaining.

Councillor Ramsey proposed to GRANT the application on the basis that there was a need for larger family homes within the borough. This was seconded by Councillor Ben-Hassel.

The motion to grant the application was taken to a vote and carried with four Members voting in favour and two Members voting against the application.

The Committee **RESOLVED** to **GRANT** the application for the development at 70 Croham Road, South Croydon, CR2 7BD.

Councillors requested that an informative was included on the decision notice to clarify that the proposal is a departure from planning policy which is only considered acceptable in this specific circumstance by the Planning Subcommittee due to the particular needs of the family occupying the dwelling and should not be used as a precedent for the nature of this development (loss of a residential unit).

The Chair called for a vote to extend the Planning Committee meeting past the 10pm guillotine, this was taken to a vote and carried with all Members voting to extend the meeting.

A47/22 22/00419/FUL - 9 The Spinney, Purley CR8 1AB

Demolition of existing property and garage and erection of 5 x 3 storey town houses with associated parking & landscaping.

Ward: Purley Oaks And Riddlesdown

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

James Robertson spoke in objection to the application.

Adem Mehmet spoke in support of the application.

The Ward Member Councillor Alasdair Stewart addressed the committee with his view on the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to GRANT the application based on the officer's recommendation was proposed by Councillor Fraser. This was seconded by Councillor Ben-Hassel.

The motion to grant the application was taken to a vote and carried with six Members voting in favour and no Members voting against.

The Committee **RESOLVED** to **GRANT** the application for the development at 9 The Spinney, Purley CR8 1AB.

The meeting ended at 10.30 pm

Signed:

Date:

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Planning Sub-Committee

Meeting held on Thursday, 10 November 2022 at 9.33 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, Clive Fraser and Joseph Lee

Apologies: Councillor Ellily Ponnuthurai

PART A

The Chair called for a vote to extend the Planning Committee meeting past the 10pm guillotine, this was taken to a vote and carried with all Members voting to extend the meeting.

A1/22 Minutes of the previous meeting

RESOLVED that the minutes of the meeting held on Thursday 27 January 2022 be signed as a correct record.

A2/22 Disclosure of Interest

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

A3/22 Urgent Business (if any)

There was none.

A4/22 Planning applications for decision

A5/22 22/00495/FUL - Ground Floor Commercial Units, Smitham Yard, Leaden Hill, Coulsdon, CR5 2BQ

Change of use from restricted Class B1(a) [now (Class E(g)(i), offices] to unrestricted Class E (commercial, business and service) and Class F.1 (learning and non-residential institutions).

Ward: Coulsdon Town

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

Katy Mourant spoke in support of the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to GRANT the application based on the officer's recommendation was proposed by Councillor Parker. This was seconded by Councillor Fraser.

The motion to grant the application was taken to a vote and carried with six Members voting in favour and no Members voting against.

The Committee **RESOLVED** to **GRANT** the application for the development at Ground Floor Commercial Units, Smitham Yard, Leaden Hill, Coulsdon, CR5 2BQ.

The meeting ended at 10.00 pm

Signed:

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.

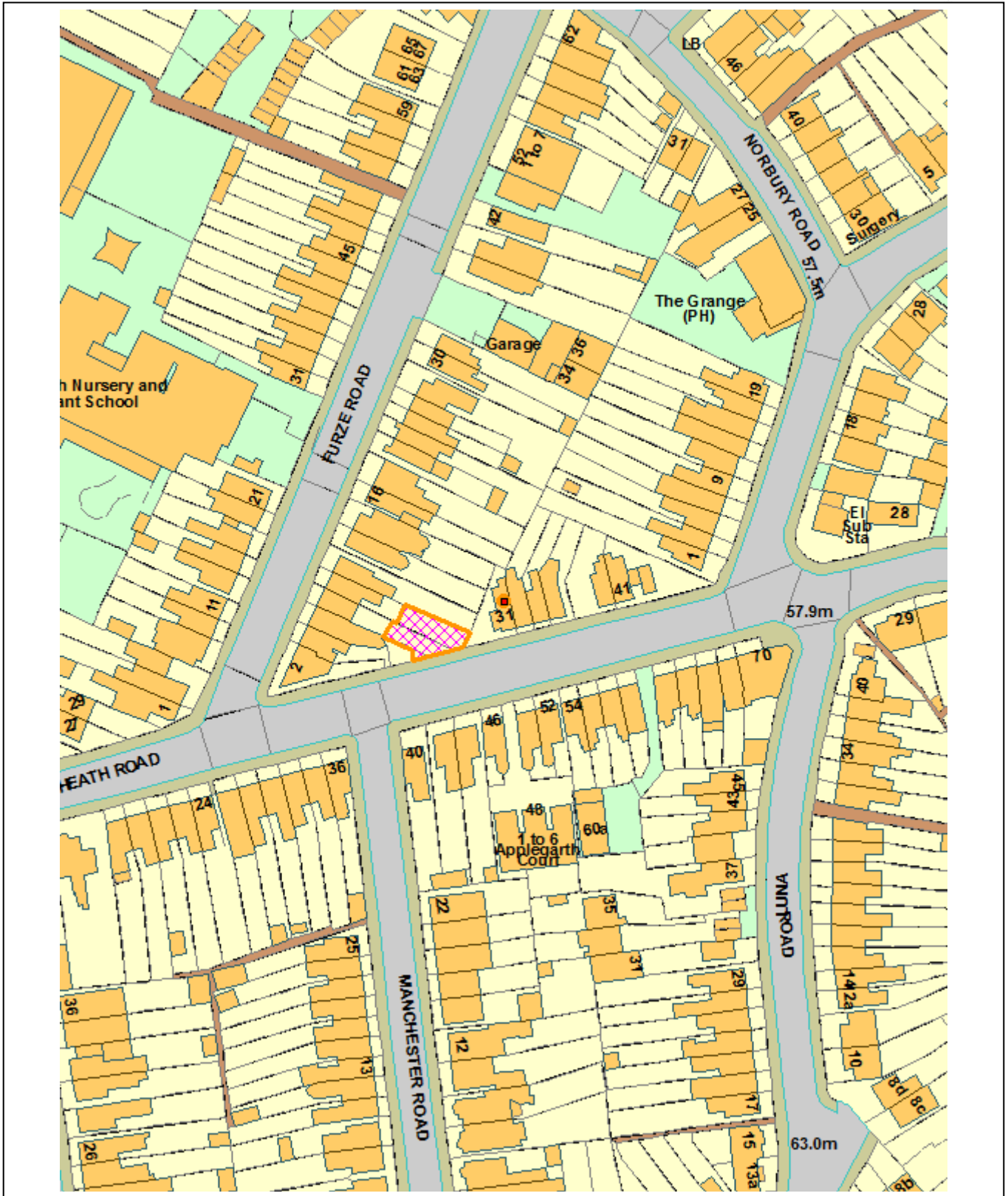
8. BACKGROUND DOCUMENTS

- 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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1 APPLICATION DETAILS

Ref: 22/03353/FUL
 Location: Land Adjacent To 31 Heath Road, Thornton Heath, CR7 8NF
 Ward: Thornton Heath
 Description: Erection of two-storey three-bedroom detached dwelling
 Drawing Nos: 9000PP01, 9000PP02, 9000PP03, 9000PP04, 9000PP05, 9000PP06, 9000PP07, 9000PP08, 9000PP09, 9000PP10, 9000PP11, 9000PP12, 9000PP13, 9000D&AS02, 9000D&AS03, 9000D&AS10, 9000D&AS11, 9000D&AS12, 9000D&AS13, 9000D&AS16.
 Applicant: Simon Budal
 Agent: N/A
 Case Officer: Grace Hewett

Housing Mix					
	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (6 person)	TOTAL
Existing					0
Proposed (market housing)				1	1
TOTAL					1

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 3	
Car Parking maximum standard	Proposed
Up to 1 space per dwelling	0
Long Stay Cycle Storage minimum	Proposed
2 spaces	2 spaces
Short Stay Cycle Storage minimum	Proposed
0 spaces	0

1.1 This application is being reported to committee because:

The ward councillor (Cllr Young) made representations in accordance with the Committee Consideration Criteria and requested committee consideration. Cllr Jewitt made a representation concurring with Cllr Young.

2 RECOMMENDATION

2.1 That the Committee resolve to REFUSE planning permission.

2.2 That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning decision with the following refusal reasons:

Reasons for refusal

- 1) The proposed development by virtue of its scale, massing, form, siting, proximity to the site boundaries, and design would form an incongruous development that would have a detrimental impact on the character and appearance of the street scene and surrounding area, contrary to Policies SP4 and DM10 of the Croydon Local Plan 2018 and Policies D3 and D4 of the London Plan 2021.
- 2) The scale, massing, and siting of the proposed development would result in loss of outlook and would have an overbearing impact on the adjacent residential occupiers at 8 and 8A Furze Road and would thereby conflict with Policies SP4 and DM10 of the Croydon Local Plan 2018 and Policy D3 of the London Plan 2021.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The erection of two-storey three-bedroom detached dwelling with associated landscaping, cycle and refuse storage.



Figure 1: Proposed Street Scene Elevation

Site and Surroundings

- 3.2 The application site consists of a fenced-off vacant plot located on the northern side of Heath Road, to the west of 31 Heath Road and to the east of the properties along Furze Road. The application site was historically part of the rear garden of 8 Furze Road, which has been previously subdivided.
- 3.3 The surrounding area is predominantly residential in character, consisting of a mix of terraced, semi-detached, and detached houses, with a newly constructed two-storey block of flats opposite to the south.
- 3.4 The application site is identified as being at risk of surface water flooding. There are no other policy constraints affecting the application site, as identified by the Croydon Local Plan 2018. There is a street-tree adjacent to the site on Furze Road.



Figure 2: Site Location Plan

Planning Designations and Constraints

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

- PTAL: 3
- Flood Risk Zone: 1
- Surface water flooding

Planning History

3.6 The following planning decisions are relevant to the application:

15/00354/P - Erection of single family attached dwelling adjacent to 8 Furze Road.

Approved [and implemented].

16/03804/P - Erection of detached one bedroom dwelling at rear; formation of vehicular access onto Heath Road and provision of associated parking.

Approved [not implemented].

18/05321/NMA - Erection of single family attached dwelling adjacent to 8 Furze Road (Non-material amendment to permission 15/00354/P to alter the internal layout including roof space mezzanine, amend the rear elevation window arrangement, form new external access ramp, install 3 solar panels to the rear roof slope and insert 1 front facing and 2 rear facing roof windows).

Approved [and implemented].

20/02177/FUL - Construction of two-storey building to form 2 flats (1 x 1 bedroom 2 person and 1 x 1 bedroom 1 person).

Refused on grounds of lack of family housing, design, substandard quality of accommodation.

Appeal dismissed on character and appearance, substandard quality of accommodation, and lack of family housing.

21/03466/FUL - Construction of new 2 storey 3 bedroom detached dwelling.

Refused on grounds of character and appearance, impact on neighbouring amenity, substandard quality of accommodation, inadequate refuse storage, and transport and highway impacts.

22/01910/FUL - Erection of a two-storey three bedroom detached dwelling.
Refused on grounds of character and appearance.



Figure 3: Previously refused development



Figure 4: Site Plan showing the previously refused development

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 The application is recommended for refusal for the following reasons:

- The principle of the proposed development is acceptable,
- The design and appearance of the proposed development has a harmful impact and is unacceptable in terms of its footprint, massing, siting, form, and design,
- The quality of accommodation would be acceptable for future occupiers,
- The proposed development would have a harmful impact on the residential amenities of the adjoining properties in terms of outlook and visual intrusion and is unacceptable,
- Transport matters are acceptable.
- Trees, landscaping, and biodiversity matters are acceptable.

4.2 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:

Tree and Woodlands Officer

- No objection, subject to a condition requiring tree protection measures and details on works within the root protection area to be submitted. [Officer comment: this consultation comment is in relation to the adjacent street tree].

6 LOCAL REPRESENTATION

6.1 A total of 24 neighbouring properties were notified about the application and invited to comment. 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: 20 Objecting: 1 Supporting: 19

6.2 The following Councillors made representations:

- Councillor Callton Young [supporting]
- Councillor Karen Jewitt [supporting]

6.3 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	Acknowledged and addressed in paragraphs 8.6 - 8.14.
Neighbouring amenity	
Loss of light	Acknowledged and addressed in paragraphs 8.22 - 8.28.
Noise	
Overlooking	
Loss of outlook	
Support	Officer comment
Character and design	
Design	Acknowledged and addressed in paragraphs 8.6 - 8.14.
In-keeping with the area	
Improves current site	
Trees and ecology	
Trees	Acknowledged and addressed in paragraphs 8.29 - 8.32.
Quality of accommodation	
Provides high quality housing	Acknowledged and addressed in paragraphs 8.15 - 8.21.
Disabled access	

Provides family housing	Acknowledged and addressed in paragraphs 8.2 - 8.5.
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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 (2022). 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
- D6 Housing quality and standards
- D7 Accessible housing
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 2 Minimising greenhouse gas emissions
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T5 Cycling
- T6.1 Residential parking

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- SP7 Green Grid
- SP8 Transport and Communication
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- 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
- DM30 Car and Cycle Parking in New Development

- 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)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

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. Refuse
8. Flood risk and energy efficiency
9. Fire safety
10. Other Planning Issues
11. Conclusions

Principle of development

- 8.2 The Croydon Local Plan (CLP) 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 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 Policy SP2.7 of the CLP sets a strategic target for 30% of all new homes over the plan period to have three or more bedrooms. This policy addresses an identified need for family-sized dwellings within the borough and seeks to provide a choice of homes.
- 8.5 The proposed housing mix would provide 1x 3-bedroom 6-person dwelling. This would comply with policy SP2.7 as a family-sized dwelling is provided. The principle of the proposed development is therefore acceptable.

Design and impact on character of the area

- 8.6 Policy D3 of the London emphasises the need for high-quality design which contributes positively to local character and streetscape. Proposals should incorporate the highest quality materials and design appropriate to the context. CLP policy DM10 requires proposals to 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. Similarly, policy SP4 requires development to be of a high quality which respects and enhances local character.
- 8.7 The application site consists of a vacant plot with high fencing, which is currently overgrown. The site historically formed part of the rear garden to 8 Furze Road.
- 8.8 The surrounding area consists predominantly of two-storey terraced and semi-detached properties with pitched roofs. There is a recently constructed two-storey flatted development to the south of the site which has a contemporary design. There is a sense of uniformity; characterised by consistent building lines, building widths, roof forms, and front-facing entrances which are generally set back from the street with defined front boundary treatments. The existing uniformity is a positive feature of the street scene and contributes to the character of the area.
- 8.9 The proposed development would provide a detached two-storey dwelling, which would front Heath Road. Due to the angled nature and boundaries of the site, the side elevation would also be visible from the street.
- 8.10 The previous application (ref. 22/01910/FUL) was refused as the dwelling would occupy most of the site and the two-storey height and massing was considered

too close to the site boundaries, which would result in a cramped appearance and the overdevelopment of the site. In comparison, the footprint and massing of the current proposal has been increased. The dwelling would be closer to the side and rear boundaries of the site and the footprint would occupy a significant proportion of the plot. Overall, the ratio between the built form and plot size is not in-keeping with the locality as the existing properties have larger rear gardens and less plot coverage. Furthermore, due to the angled nature of the site, the footprint of the proposed dwelling responds to the site boundaries, as opposed to the established pattern of development. Consequently, whilst it is noted that the front building line responds to the existing dwellings along Heath Road, the footprint and massing do not respond to the existing pattern of development and would result in the overdevelopment of the site.



Figure 5: Footprint of the previously refused development



Figure 6: Footprint of the proposed development

- 8.11 As with the previously refused dwelling at this site, the development would fail to form a successful addition to the street scene as the angled nature of the site (relative to Heath Road), would result in a disconnect between the front elevation and the side elevations, which would be highly visible within the street scene. This is considered to undermine the success of the front elevation appearing part of the street scene and part of the established urban grain. This is unacceptable as it results in a development that has a disconnect between the front and side elevations and fails to integrate into the street scene.



Figure 7: Street scene elevation of previously refused development



Figure 8: Street scene elevation of proposed development

- 8.12 Also, as with the previously refused dwelling at the site, the side elevation would appear disjointed due to the overly complicated and unbalanced roof form, and the uncomfortable relationship between the pitched and flat roof forms. The current proposal has varied roof forms, using pitched, part hipped and flat roofs. This results in an overly complicated and unbalanced roof form and the side/rear roof forms would be visually disjointed from the pitched roof on the front elevation. Moreover, the complexity of the roof forms further exacerbates the disconnect between the front and side elevations.

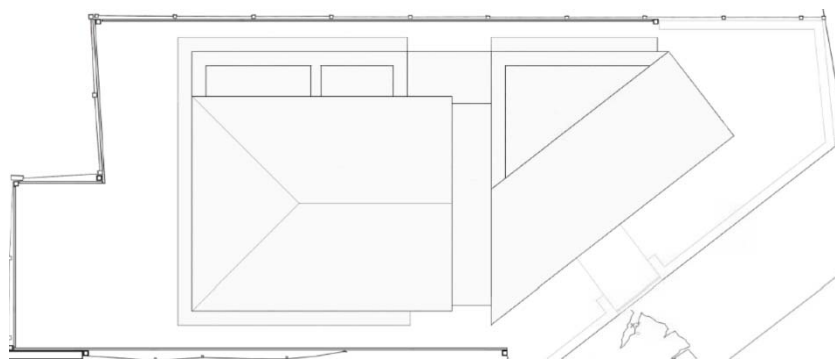


Figure 9: Roof Plan of the proposed development

- 8.13 The proposed development has therefore failed to address and overcome the concerns raised in refused application 22/01910/FUL in regard to the footprint, massing, design, siting, and form. It is recommended that the application should be refused on these grounds.
- 8.14 The existing dwellings within the locality have a material palette consisting predominantly of brick, pebbledash, and render. The proposed material palette

would consist of brick, natural slate tiles, and timber windows, which would respond to the existing character. The front boundary treatment would consist of a low brick wall with hedging behind, which would screen the cycle and refuse stores and would appear in-keeping with the street.

Quality of residential accommodation

- 8.15 Policy D6 of the London Plan 2021 outlines housing development should be of a high-quality design and provide adequate-sized bedrooms and residential units, as well as sufficient floor to ceiling heights and light.
- 8.16 CLP policy SP2.8 requires residential development to comply with the minimum standards set out in the Mayor of London’s Housing Supplementary Planning Guidance and National Technical Standards (2015). Furthermore, proposals should meet minimum design and amenity standards set out in the CLP and other relevant London Plan and National Technical Standards (2015) or equivalent.

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	3b/6p	118.3	102	40	9	4.7	2.5

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

- 8.17 The proposed development would provide a 3-bedroom 6-person dwelling over two storeys with an internal floor area of 118.3sqm. This would exceed the minimum space standards detailed in London Plan policy D6. A minimum floor to ceiling height of 2.4m has been achieved. The dwelling would be dual aspect and all habitable rooms would have adequate internal light and outlook.

Amenity Space

- 8.18 CLP policy DM10.4 requires proposals for new residential development to provide a minimum amount of private amenity space of 5m² per 1–2-person unit and an extra 1m² per extra occupant thereafter.
- 8.19 The proposed dwelling has direct access to an adequately sized private rear garden, which would exceed the requirements of policy DM10.4. The quality of accommodation for future occupiers is therefore considered acceptable.

Accessible Dwellings

- 8.20 Policy D5 of the London Plan outlines development should be convenient and welcoming with no disabling barriers and policy D7 requires at least 10 per cent of dwellings to meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’.
- 8.21 The access to the dwelling would be step free from the street. The ground floor bedroom has been designed for wheelchair users and could provide an

independent living area. The entrance area and ground floor bedroom appear to be M4(3) compliant, which would be subject to Building Regulations approval.

Impact on neighbouring residential amenity

- 8.22 CLP policy DM10.6 specifies that proposals should protect the amenity of the occupiers of adjoining buildings and should not result in direct overlooking to habitable rooms, or private outdoor space within 10m perpendicular to the rear elevation of a dwelling. Furthermore, proposals should ensure that they do not result in significant loss of sunlight or daylight levels to the adjoining occupiers.
- 8.23 The previous application (ref. 22/01910/FUL) was set in from the rear boundary of the site by 4m at ground floor level and 4.35m - 6.3m at first floor level. The impact on the amenities of the adjoining properties (6, 8a, 8, and 10 Furze Road) was considered to be acceptable, subject to a condition requiring the lower part of the rear facing windows to be obscured and non-openable. In considering the previous scheme, reference was made to the applicant's daylight impact assessment and compliance with the BRE 45-degree measurement.
- 8.24 In comparison to the previously refused application, the current proposal is closer to the rear boundary, separated by 1.9m - 4m at ground floor level and 2.3m - 4.35m at first floor level. The applicant has submitted a daylight impact assessment showing that the proposal would pass the 45-degree measurement from the rear of Nos. 8 and 8A. As such, the proposal would not result in any unacceptable loss of daylight and sunlight to these properties.

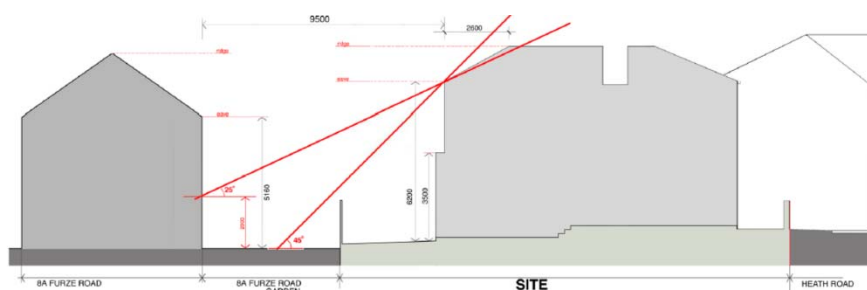


Figure 10: Daylight impact analysis for the proposed development

- 8.25 Notwithstanding this, the massing of the proposed dwelling has been increased and is closer to the rear boundary at first floor level. In comparison, the increased massing also measures the full width of the rear elevation. At ground floor level, the proposed dwelling would be approximately 9.15m from the rear elevations of 8 and 8A Furze Road. The separation distance would be approximately 9.5m at first floor level. No.8A has ground and first floor windows in the rear elevation which serve habitable rooms. No.8 Furze Road also has ground and first floor windows on the rear elevation which appear to serve habitable rooms, as well as a part-width single-storey rear addition which accommodates a kitchen with windows on both the side and rear elevations. Both Nos.8 and 8a have short rear gardens.

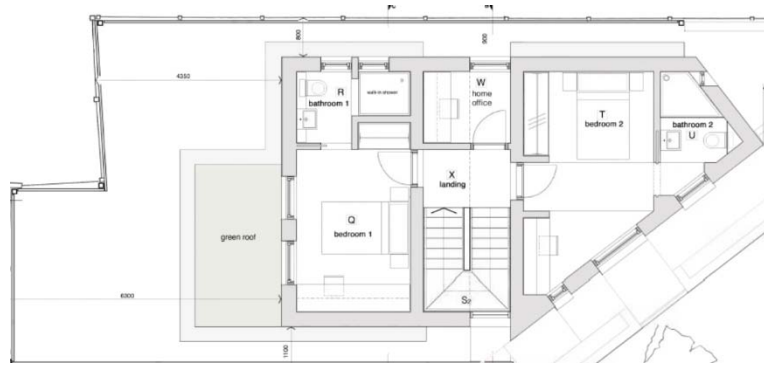


Figure 11: First floor plan showing the previously refused development

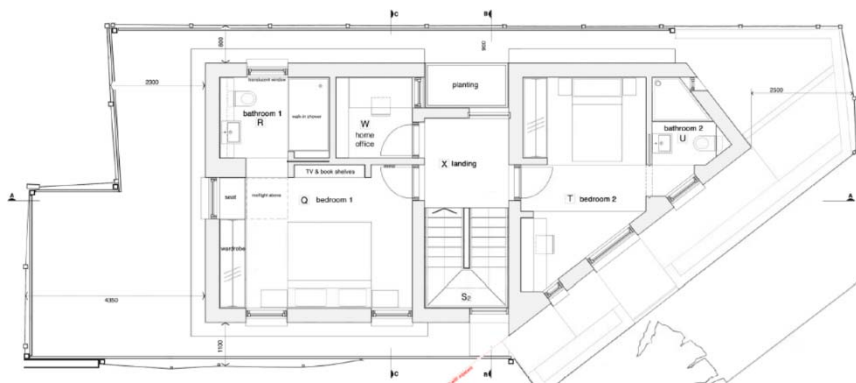


Figure 12: Proposed first floor plan of the proposed development.

- 8.26 The ground floor level of the proposed dwelling would not be particularly visible given the boundary treatments. However, given the proximity to the rear boundary of the site, as well as the proximity to the rear elevations of Nos. 8 and 8a, the bulk and massing would appear visually imposing when viewed from the rear windows of 8 and 8a Furze Road and would harm the outlook of these properties due to the overbearing nature of the proposed development.
- 8.27 In comparison to the previous scheme, the proposal has also introduced additional first floor windows in the western side elevation facing towards the rear gardens of 6 Furze Road. There is also a first-floor window in the rear elevation facing towards 8 and 8A Furze Road. If the application had been otherwise acceptable, a condition could have been added requiring the lower part of the first-floor windows on the side and rear elevations to be obscured and non-openable to avoid unacceptable overlooking.
- 8.28 The proposal is not considered to result in any harmful loss of light and outlook or overshadowing to Nos. 6 and 10 Furze Road.

Trees, landscaping, and biodiversity

- 8.29 London Plan policy G6 requires proposals to manage impacts on biodiversity and policy G7 requires that wherever possible, existing trees of value should be retained. Similarly, CLP policy DM28 specifies that proposals which result in the avoidable loss of retained trees where they contribute to the character of

the area will not be acceptable. CLP policy DM10 also requires proposals to incorporate hard and soft landscaping.

- 8.30 There is an existing street tree on the pavement adjacent to the front of the application site. The applicant has submitted a drawing plotting the stem diameter, canopy, and root protection area (RPA) of this tree, which has been categorised as category B. The footprint of the dwelling would be partly within the RPA.
- 8.31 It is noted that this street tree is part of a pollarding programme, and the canopy has previously been reduced. The Council's Street Trees team have been consulted on the proposal and have raised no objection. Furthermore, there is an upcoming work order to pollard the trees on this road. If the application was otherwise acceptable, full details of tree protection measures, including measures to protect the tree during construction works, could have been secured by condition.
- 8.32 The proposal incorporates soft and hard landscaping in a coherent manner and includes the provision of a pond and planting, which would promote biodiversity in line with policy G6. If the application had been otherwise acceptable, full details of the landscaping would have been secured by condition.

Access, parking, and highway impacts

- 8.33 London Plan policies T4, T6, and T6.1 (and Table 10.3) set out parking standards for proposed development and seek to ensure that proposals should not increase road danger. Similarly, CLP policies SP8, DM29, and DM30 promote sustainable growth and provide further guidance with respect to parking within new developments.

Car Parking

- 8.34 The application site has a PTAL (public transport accessibility level) of 3, which is considered moderate on a scale of 0 (worst) - 6b (best). The application site is not located within a controlled parking zone. The site is approximately 200m from the Beulah Road Local Centre and nearby bus routes to Thornton Heath District Centre and train station.
- 8.35 London Plan policy T6.1 specifies a maximum provision of up to 1 car parking space for a 3-bedroom unit in areas with a PTAL 3 in outer London.
- 8.36 The proposed development does not provide any off-street parking. A car-free development is considered appropriate in this location and would comply with the maximum provisions in policy T6.1.

Cycle Parking

- 8.37 CLP policy DM10 requires proposals to incorporate cycle parking within the building envelope. Failing that, cycle parking should be located within safe, secure, well-lit, and conveniently located weather-proof shelters unobtrusively located within the setting of the building. Policies DM16 and DM29 promote

active travel including cycling. CLP policy DM30 and London Plan policy T5 (and Table 10.2) require the provision of 2 cycle parking spaces for a 3-bedroom dwelling.

- 8.38 A bicycle store would be located in the front garden, concealed behind the front boundary wall and hedging, and would provide space for 2 cycles. The location of the store and quantum of cycle spaces would comply with policy T5. If the application had otherwise been acceptable, full details of the cycle store would have been secured by condition.

Refuse

- 8.39 CLP policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design.
- 8.40 A refuse store would be located in the front garden and would be screened from the street behind the front boundary treatment. The store would provide adequate space for refuse and recycling bins and would comply with policy DM13. If the application had otherwise been acceptable, full details of the refuse store would have been secured by condition.

Flood risk and energy efficiency

Flood Risk and Sustainable Urban Drainage Systems

- 8.41 CLP policies SP6.4 and DM25 seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS) to ensure surface run-off is managed as close to the source as possible. Similarly, London Plan policies SI 12 and SI 13 require proposals to ensure that flood risk is minimised and mitigated, and that surface water run-off is managed as close to its source as possible.
- 8.42 The application site is located within Flood Zone 1 and is identified as being at risk of surface water flooding. The applicant has submitted information addressing flood risk and drainage, which outlines that the garden area would provide permeable surfaces and rainwater would be collected in water butts. If the application had otherwise been acceptable, a condition requiring the incorporation of sustainable urban drainage systems would have been added to ensure compliance with policies DM25, SI12 and SI13.

Energy Efficiency

- 8.43 CLP policy SP6 requires the development to achieve the national technical standard for energy efficiency in new homes, which is set at a minimum of 19% CO2 reduction beyond the Building Regulations Part L (2013). Policy SP6 also requires the development to meet a minimum water efficiency standard of 110 litres/person/day.

- 8.44 If the application had been otherwise acceptable, matters regarding energy efficiency would have been secured by condition to ensure compliance with policy SP6.

Fire safety

- 8.45 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety, which should be considered from the outset. Part A sets out six requirements that should be achieved on all developments.
- 8.46 The applicant has submitted a fire safety strategy which suitably addresses the relevant requirements of policy D12. Fire safety measures would also be subject to Building Regulations approval.

Other Planning Issues

- 8.47 It is acknowledged that applicant has outlined that the proposal would improve the condition of the existing site, which has become overgrown with frequent fly-tipping. However, for the reasons discussed above, the proposal would result in harm to the amenities of the adjoining properties and the character and appearance of the area. It has not been demonstrated that the site could not be cleared otherwise and taking all material considerations into account in the consideration of this planning application, the benefit of clearing the site does not outweigh the harm identified.
- 8.48 It is acknowledged that the application has received a number of representations in support of the proposed development. However, the volume of support received is not in itself a material consideration and, as outlined above, the proposal is considered to result in harm to the character and appearance of the surrounding area and to the amenity of adjoining occupiers.

Conclusions

- 8.49 The proposed development would be harmful to the character and appearance of the area and would have a harmful impact on the residential amenities of the adjoining occupiers. Whilst it is acknowledged that the proposed development would provide a family home and would clear up the site, on balance, this would not outweigh the harm identified.
- 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.
- 8.51 Given that the proposed development does not comply with the Development Plan, and weighing this against all other material planning considerations, the proposal is considered to be unacceptable in planning policy terms and is recommended for **REFUSAL**.