

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, 9 February 2023** at the rise of Planning Committee but not earlier than **7.00 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, 1 February 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 - 8)

To approve the minutes of the meeting held on Thursday 12 January 2023 as an accurate record.

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 9 - 12)

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

5.1 22/02056/FUL - 1 South Way, Croydon, CR0 8RH (Pages 13 - 26)

Erection of two-storey side extension and single-storey side / rear extension to facilitate the subdivision of the existing property into 2 x dwellings (Class C3); associated car parking; including alterations.

Ward: Shirley South

Recommendation: Grant permission

6. Exclusion of the Press & Public

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

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

Planning Sub-Committee

Meeting of held on Thursday, 12 January 2023 at 7.00 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 and Ellily Ponnuthurai

Apologies: Councillor Joseph Lee

PART A

A1/22 Minutes of the previous meeting

The minutes of the previous meeting were not reviewed at this meeting.

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 2105485RSM 10 Cedar Walk

Ward: Kenley

The officer explained that the sub-committee was only to consider appearance, landscaping, layout and scale of this application, as outline planning permission to provide four family homes had already been granted.

In response to members' questions officers explained that:

- The treatment of the boundaries could be secured by planning conditions;
- Two-tone block paving was proposed and this could be made of permeable materials by planning conditions;

- No concerns had been raised regarding biodiversity, and that 22 trees would replace the existing 16; and,
- The plan for the display and removal of refuse complied with building control.

The sub-committee then heard statements made by an objector to the site and by the applicant's agent. In response to points raised officers confirmed that the distances of the proposed development to Hays Lane were correct as stated in the report and that the reference to the house numbers was corrected by the objector. Officers confirmed the properties at 137-139 Hayes Lane were Grade II listed; however, their significance from the street scene would be maintained and given that the siting of the development towards to the rear would not be readily visible from wider area.

The sub-committee then went into deliberation, during which they expressed the desire for the applicant to ensure semi-mature trees were planted, and that the boundaries between the properties were treated carefully so as not to harm the neighbours' outlook. Cllr Ben-Hassel raised concerns over the lack of details in regard to landscaping. In response Officers advised that if Members were concerned in this respect the landscaping condition could be reworded to require the submission of further details.

After consideration of the officer's report and with the rewording of the landscaping condition, Councillor Fitzsimons moved and Councillor Ben-Hassel seconded the officer's recommendation, and the Committee voted 5 in favour and one abstention, so planning permission was **GRANTED** for development at 10 Cedar Walk.

A5/22 **2100848FUL 19 High Street**

This application was withdrawn.

1 **2200530FUL 19 Ashburton Road**

Ward: Addiscombe East

The following two applications on the same site were heard consecutively by the sub-committee. Officers explained that the applicant had previously had planning permission refused for the alterations of the existing outbuilding and use as a separate dwellinghouse, which was later dismissed on appeal by the Secretary of State. The planning inspector stated that the alterations and use of the outbuilding as a separate dwellinghouse would harm the neighbouring properties by reason of over-looking and loss of privacy; the Inspector did not find an issue with the character or appearance of the development.

In response to members' questions officers explained that:

- The rectangular building proposal would not cause any loss of garden space but the L-shaped building proposal would reduce the garden space of the host property by approximately 20 square metres;
- Refuse would be kept within the confines of the development and brought up to the road in the usual way for properties there; and,
- The outlook of both of the proposals was onto the private amenity space of the host property and not the neighbouring gardens.

The sub-committee then heard statements made in objection for both applications from two residents, one of whom was a leaseholder of one of the flats in the host property.

Members then deliberated over the following points:

- Previous appeal decisions and their relevance to the current applications;
- Permitted development rights;
- Whether such an outbuilding was built lawfully when the host property was in single occupancy;
- They had concerns about overlooking and a loss of privacy;
- The solution proposed to overlooking (installing one-way glass) was not sufficient;
- The loss of garden area to the host property was unacceptable;
- The living conditions of present and future occupiers would be poor; and,
- The bins would worsen the outlook of the front of the properties and would add to visual clutter.

After consideration of the officer's report, Councillor Ben-Hassel moved and Councillor Fitzsimons seconded **REFUSAL**, on the grounds of overlooking resulting in a loss of privacy, the quality of amenities of future occupiers by reason of poor outlook. The Committee voted unanimously in favour of refusal, so planning permission was **REFUSED** for development at 19 Ashburton Road.

A6/22 **2203215FUL 19 Ashburton Road**

The details of this application were heard in conjunction with the other application on the same site.

After consideration of the officer's report, Councillor Ben-Hassel moved and Councillor Parker seconded **REFUSAL**, on the grounds of overlooking resulting in a loss of privacy and the quality of amenities of future occupiers by reason of poor outlook. The Committee voted unanimously in favour of

refusal, so planning permission was **REFUSED** for development at 19 Ashburton Road.

The meeting ended at 9.49 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.

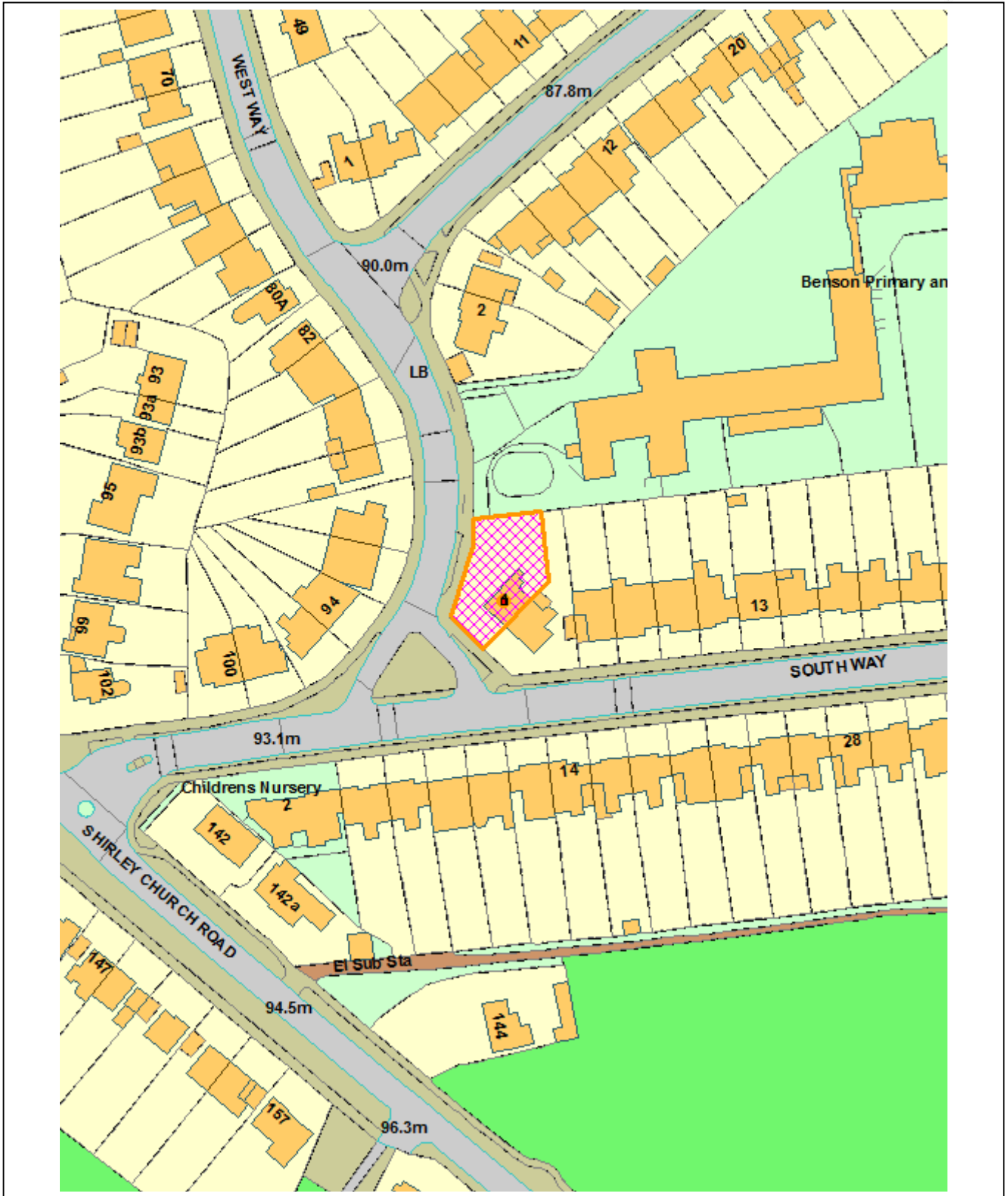
8. BACKGROUND DOCUMENTS

- 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: 22/02056/FUL
 Location: 1 South Way, Croydon, CR0 8RH
 Ward: Shirley South
 Description: Erection of two-storey side extension and single-storey side / rear extension to facilitate the subdivision of the existing property into 2 x dwellings (Class C3); associated car parking; including alterations.
 Drawing Nos: Location Plan, 4974/2 Rev K, 4941/5 Rev A, 4941/6
 Applicant: Visionary Properties
 Agent: Astill Planning Consultants Ltd
 Case Officer: Georgina Betts

	1 bed (2 person)	2 bed (3 person)	3 bed (4 person)	4 bed (7 person)	TOTAL
Existing				1	1
Proposed (market housing)	1				1
TOTAL					2

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 1b	
Car Parking maximum standard	Proposed
1.5	0
Long Stay Cycle Storage minimum	Proposed
1.5	2
Short Stay Cycle Storage minimum	Proposed
0	0

1.1 This application is being reported to committee because:

- The ward councillor (Cllr Jason Cummings) 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 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

Above ground level

- 4) Landscaping and hard standing (to incorporate sustainable urban drainage and biodiversity enhancements)

Compliance

- 5) External materials to match the existing
- 6) Carbon dioxide reduction
- 7) Water usage
- 8) In accordance with the Fire Strategy Statement
- 9) No enlargement of the proposed dwelling under permitted development
- 10) New unit to be built to M4(2) accessible standard
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Community Infrastructure Levy
- 2) Code of practice for Construction Sites
- 3) Construction Logistics Informative
- 4) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The applicant seeks full planning permission for the erection of two-storey side extension and single-storey side / rear extension to facilitate the subdivision of the existing property into 2 x dwellings (Class C3); associated car parking; including alterations.



Figure 1: proposed front elevation

Amendments

- 3.2 Amended plans were received during the course of the application which shows the plot division in relation to the garden area for the host and proposed property. As such amendments did not alter the description of the development and would not impact upon third parties, it was not considered necessary to re-consult on the changes.

Site and Surroundings

- 3.3 The application site lies on the northern side of South Way, on the eastern side of the junction with West Way, within the ward of Shirley South and is currently occupied by a two storey semi-detached property. The surrounding area is residential in character and comprises two storey semi-detached and detached inter war properties. Benson Primary School lies to the north of the application site.



Figure 2: Site Location Plan

Planning Designations and Constraints

- 3.4 The site is not subject to any formal planning constraints and designations.

Planning History

3.5 The following planning decisions are relevant to the application:

21/02954/HSE – Erection of two storey wrap around side/rear extension and single storey rear extension. Planning permission was refused 03.09.2021 for the proposed two storey side and rear extensions given their visual prominence from the streetscene, overall design, in conjunction with the proposed roof form and height would result in a dominant and obtrusive form of development and would have a harmful impact on the character and appearance of the house and surrounding area as a whole.

21/06026/HSE - Erection of two-storey side extension and single-storey side/rear extension. Granted 15.03.2021 and being implemented on site.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of an additional residential unit is acceptable given the residential character of the surrounding area and the need for housing nationally and locally;
- Whilst the unit is not family accommodation, it is a single unit that would add to the housing stock;
- The quality of accommodation is acceptable for future residents;
- The design and appearance of the development is an acceptable quality and consistent with the approved 22/06026/HSE, with this permission currently being implemented on site;
- The proposal would not create undue harm to the amenity of nearby residential properties and their occupiers;
- The level of parking (with no parking provision off-street for the new unit) and impact upon highway safety and efficiency would be acceptable;
- Impacts upon biodiversity and ecology are acceptable;
- All remaining sustainability aspects can be controlled by condition.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 A total of 9 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 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: 14 Objecting: 14 Supporting: 0

6.2 The following Councillor made representations:

- Councillor Jason Cummings [objecting]

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	
Not in keeping Out of character Over development	<i>Covered within paragraphs 8.5 to 8.12</i>
Neighbouring amenity	
Noise pollution Pressure on localised parking availability Overlooking	<i>Covered within paragraphs 8.22 to 8.26 and 8.29 to 8.35</i>
Transport and Highways impacts	
Lack of onsite parking Highway safety concerns given the position of the site on a tight junction and close to a Primary School	<i>Covered within paragraphs 8.29 to 8.35</i>
Not material matters	
Will set a dangerous precedent	<i>Each case is to be considered on its own merits, therefore a precedent argument is not material in the determination of this application</i>

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
- 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

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
- 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
- DM45 Shirley

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:

- Technical Housing Standards: Nationally Described Space Standard (2015)
- London Housing SPG (March 2016)
- 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. Flood risk and energy efficiency
8. Other planning issues
9. 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 (LP) 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 LP 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 LP policy H2 seeks to increase the contribution of small sites to meeting London's housing needs. The site has a PTAL 1b and lies over 800m from a station or town centre boundary, so the site is not appropriate for incremental densification as identified in H2. Notwithstanding, the site is a small site, with H2 requiring them to make a substantially greater contribution to supply of homes.
- 8.5 Policy DM10.4 of the CLP requires new development to retain an appropriately sized garden for the host property. The host property would retain a garden with a depth of 11.09m and would result in the net loss of less than 50% of its existing garden area, thereby complying with Policy DM10.4 of the CLP.
- 8.6 The proposed development would seek to retain the existing four-bedroom family dwelling and would provide a net increase of 1x one bedroom dwelling. Whilst the new one-bedroom dwelling would not contribute to the strategic target of 30% family homes (SP2.7), given that the proposal would not result in the loss of a family home, is for only one extra unit and would contribute to the Councils housing stock the principle of the development can be supported.

Design and impact on character of the area

- 8.7 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.
- 8.8 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.
- 8.9 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.

- 8.10 CLP policy DM10.1 (a) requires the development pattern, layout and siting to respect that of the surrounding area. CLP policy DM10.1 (c) requires proposals to respect the appearance, existing materials and built and natural features of the surrounding area.
- 8.11 The application site currently benefits from planning permission for the erection of a two-storey side extension and single-storey side/rear extension (ref no 21/06026/HSE). The extant permission is the same as this scheme in terms of built form, with minor differences in terms of window/door positions, the key difference relating to its separate use as a self-contained dwelling. The layout, height, form, scale and massing of the built form is identical to that approved under application 21/06026/HSE; this planning permission is therefore a material consideration and should be attributed significant weight. As previously considered, the proposed development would respect the development pattern, layout and siting of the surrounding area.
- 8.12 The key matter for consideration here is whether the subdivision of the plot to create two separate dwellings would result in harm to the character and appearance of the area. The host property would retain a large proportion of the existing garden which would be L-shaped, extending beyond the rear of the new property and provide access onto West Way for the car parking space.
- 8.13 The new dwelling would be provided with a combined garden area of approximately 67m² (front and back) which would be sited largely towards its flank elevation with some to the rear. The applicant has indicated that a 1.8m high close boarded fence would separate the host property from the proposed dwelling to the rear. While this boundary treatment would extend, in part, up to the edge of the footway it would also extend, in part, the existing boundary wall. The existing boundary wall fronting West Way is up to approximately 1.4m in height and similar boundary treatments can be seen within the wider area. Full boundary details would be secured via condition and Officers would expect to see low boundary walls or hedging towards the frontage; such details would be secured via condition and would help to secure a soft transition between the plots when viewed from South Way itself. The physical subdivision of the plot through additional boundary treatment would be seen in the context of the existing development pattern, such matters alone would not result in significant harm in character terms.
- 8.14 Turning to activity patterns, the proposed development would largely appear as an extension to the host property which has previously been found acceptable in design terms. The access to the new dwelling would be provided to the western flank wall and would be physically distinct from that of the host property. Parking would be provided towards the rear for the host property with a through access to West Way; the proposed dwelling would not be provided with any off-street parking. The activity pattern associated with the proposed 1 bedroom two-person dwelling would be low and not dissimilar in character terms to the nearby residential properties.
- 8.15 It is recognised that the proposal would bring about some change in terms of the intensification of the use of the site. However, the increased activity would not be at odds in such a suburban location and can be supported, noting the close proximity to Harris Primary Academy Benson.
- 8.16 Having regards to the extent permission and the modest increase in housing the proposed development is not considered to result in significant harm to the character

and appearance of the area to warrant a refusal of planning permission. The development would therefore accord the aforementioned policies in this respect.

Quality of residential accommodation

8.17 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	1b/2p	67	58	67	5	1.5	1.5

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

8.18 As shown on the table above, the proposed dwelling would comply with LP standards on minimum floorspace areas, storage space, and amenity space. The primary bedroom would comply with parts 2, 3, and 4 of policy D6 in relation to bedroom size standards. The dwelling would have adequate floor to ceiling heights for the entire dwelling and would be dual aspect. Adequate light levels and ventilation would therefore be achieved.

8.19 Given the above it is considered that adequate floor areas and space standards would be provided for future occupiers.

Amenity Space

8.20 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.

8.21 CLP policy DM10.4d states: All proposals for new residential development will need to provide private amenity space.

8.22 The proposed development provides amenity space well in excess of the space standards and is of a size suitable for a two-storey property. The host property would maintain an appropriately size amenity/garden space at 91.67m².

Accessible Dwellings

8.23 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.

8.24 The proposed dwelling would have step-free access with the floorplans demonstrating that a wheelchair user could use the facilities with a W/C on the ground floor. The proposal appears capable of meeting M4(2) and given the scale of development proposed this is considered acceptable. A condition would seek to secure this, with final details considered at Building Regulations stage. Given the donor property is existing, such a condition is not necessary.

- 8.25 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 Strategy Statement which satisfies the requirements of Policy D12 of the London Plan 2021. Full fire safety measures would be secured at the Building Regulations stage.
- 8.26 Overall, the standard of accommodation is considered to be acceptable, subject to conditions.

Impact on neighbouring residential amenity

- 8.27 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.
- 8.28 CLP Policy DM10.6c requires new developments to not result in direct overlooking of private space 10m perpendicular to the rear elevation of an existing neighbouring property.
- 8.29 The proposed dwelling would have an identical depth to that of the host property and given its siting would be well separated from all neighbouring properties so as not to appear visually intrusive. Windows within the western flank wall would serve the hallway and would overlook West Way and would not result in a loss of privacy. The impact of the built form is identical to that which was considered acceptable under application 21/06026/HSE. There is no change in national or local policy since this decision that would alter this view.
- 8.30 The proposed development would seek to provide an additional residential unit within an established residential area. While it is noted that there would be modest increase in activity on the site, this would not be to such a degree that would cause harm to the residential amenities of nearby properties by virtue of general noise and disturbance. In respect of noise pollution, such would be limited to the construction phase of the development which given its temporary nature would not have long term profound impacts on nearby properties. Regardless, noisy works as a result of the construction phase are controlled and safeguarded under the Environmental Health Act.
- 8.31 For the reasons given above the proposed development is not considered to result in demonstratable harm to warrant a refusal of planning permission, the proposal would therefore accord with the above policies.

Trees, landscaping and biodiversity

- 8.32 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.

8.33 The proposed development would not result in the loss of any protected trees or valued landscape features, again noting the 21/06026/HSE permission. Hard and soft landscaping matters are capable of being secured through condition and in doing so the proposal would seek to enhance the quality of the development and would contribute to the suburban character of the surrounding area. Such landscaping proposals are capable of incorporating a betterment in terms of biodiversity that are proportionate to the development proposed. Subject to a suitably worded condition the proposal would comply with the aforementioned policies.

Access, parking and highway impacts

8.34 LP policy T6.1 suggests a provision of up to 1.5 spaces per dwelling for developments within this PTAL. CLP Policy DM30 and LP policy T5 (and Table 10.2) requires the provision of a total of 1.5 cycle parking spaces for the development proposed in this application. The host property would continue to be provided with one space, accessed via Westway, whilst the new unit would be car free, noting it is capable of providing cycle parking at a greater ratio to that set out in Policy T5 of the London Plan.

8.35 The application site lies within an established residential area and while parking is restricted around the junction of South Way and West Way the wider area is not subject to a controlled parking zone. It is noted that the site lies within close proximity to a Primary School (to the east) and private nursery to the south. In such locations it is reasonable to expect that a residential parking stress survey is submitted in support of an application, but such submissions must be proportionate to the development proposed. Given the unit type, being a 1 bedroom, two-person unit, nearby bus connections and the proximity of the site to wider amenities in the Shirley (600m to the north) it is considered that a car free development could be supported. It was noted from the Officers site visit that parking is available in the immediate locality, be it likely that such capacity would be reduced around school and nursery pick up times. The potential overspill of one parking vehicle onto the highway would not contribute significantly to any localised parking stress to warrant a refusal of planning permission.

8.36 In respect of the parking bay at the rear of the site for the host property, this would be accessed via an existing crossover onto West Way. As this is an existing access with nearby parking restrictions (yellow zig zags) the proposed development (being car free) would not give rise to highway safety and efficiency concerns.

8.37 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. Refuse storage would be provided to the western flank wall and such is capable of being presented on collection days within a 20 metre drag distance; such an arrangement would be identical to nearby properties. Given the presence of a 1.8-metre-high boundary fence and/or wall a purpose-built structure is not considered necessary as its visual impact on the street scene would be limited.

8.38 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.

8.39 Overall, in terms of transport matters, the proposal is considered acceptable.

Flood risk and energy efficiency

- 8.40 The site is not at risk of surface water flooding nor is the site located within a Flood Zone. However it is noted that the proposal has the potential to contribute to surface water run-off given the introduction of built form and associated hardstanding. In accordance with Policies SI 12 and SI 13 of the London Plan 2021 and Policy DM25 of the Croydon Local Plan it is therefore reasonable that the proposed development seeks to reduce the cause and effect of flooding through the incorporation of Sustainable Drainage Systems (SuDS) as part of the wider landscape strategy. Subject to the incorporation of an appropriately worded condition the proposal would accord with the aforementioned policies.
- 8.41 CLP policy SP6 requires development proposals to both achieve the national technical standard for energy efficiency in new homes.
- 8.42 The proposed development is capable of meeting the energy hierarchy of the LP and would therefore be in accordance with CLP policy SP6. In addition, the development could achieve a reduction in CO2 emissions beyond the Building Regulations Part L and meet a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G. These aspects would be secured via condition.

Other Planning Issues

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

Conclusion

- 8.44 The proposed development would seek to retain the existing family house and provide a net gain of one dwelling. Such an approach would seek to make better use of land in an established residential area and would result in sustainable development, of which significant weight should be attached. The design of the development is similar to that set out in the extant permission and would appear as an extension to the host property. The plot division would not be evident from the street scene due to the height of the boundary treatment while a soft landscaping condition can ensure that the frontage area is treated sensitively to respect the wider suburban character. Adequate amenity would be provided for the host property and future occupiers while the amenity of nearby properties would be protected from harm. The lack of on-site parking for the proposed dwelling would not lead to unacceptable levels of parking stress while the development would not pose a risk to highway safety as no new vehicular crossovers are proposed. All other matters are capable of being secured through condition and Officers are therefore satisfied that the proposal is acceptable in all regards.
- 8.45 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).