

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 March 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
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www.croydon.gov.uk/meetings
Wednesday, 1 March 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 - 20)

To approve the minutes of the meeting held on Thursday, 17 November 2022; Thursday, 1 December 2022; Thursday, 15 December 2022; Thursday, 26 January 2023 and Thursday, 9 February 2023 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 21 - 24)

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

5.1 21/04094/FUL - 27 Orchard Rise, Croydon, CR0 7QZ (Pages 25 - 48)

Demolition of an existing house and erection of two semidetached pairs to provide 4 houses including associated amenity space, landscaping, parking, cycle and refuse storage.

Ward: Shirley North

Recommendation: Grant permission

5.2 22/03921/FUL - Kickers House, 172A Selsdon Road, South Croydon, CR2 6PJ (Pages 49 - 68)

Demolition of 3no. garages at the rear of Nos. 172A - 174A (facing onto Helder Street) and erection of one two-storey 4-bed house; including associated works.

Ward: South Croydon

Recommendation: Grant permission

6. Exclusion of the Press & Public

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

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

Planning Sub-Committee

Meeting held on Thursday, 17 November 2022 at 8.43 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);

Councillors Ian Parker, Chris Clark, Sean Fitzsimons, Clive Fraser and Gayle Gander

Also Present: Councillors Jade Appleton and Maddie Henson

Apologies: Councillors Leila Ben-Hassel, Joseph Lee and Ellily Ponnuthurai

PART A

A6/22 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held on Thursday 22 September 2022 be signed as a correct record.

A7/22 **Disclosure of Interest**

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

A8/22 **Urgent Business (if any)**

There was none.

A9/22 **Planning applications for decision**

A10/22 **21/05313/FUL - Land And Garages Rear Of 1 To 4 Mulberry Lane
Accessed Between 36 And 38 Havelock Road**

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

Ward: Addiscombe East

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

Robert Porter and Suzanne Rixon spoke in objection to the application. Alice Brownfield spoke in support of the application.

The Chair used his discretion to enable the ward Member Councillor Maddie Henson to address the Committee on behalf of Sarah Jones MP 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 GRANT the application based on the officer's recommendation was proposed by Councillor Fitzsimons. This motion was not seconded and therefore the substantive motion fell due to a lack of support.

Councillor Neal proposed the motion to refuse the application for the following reasons:

1. The proposed development would result in an overdevelopment of the site, by virtue of its height, mass, scale and design, resulting in a detrimental impact that fails to preserve or enhance the character and appearance of the East India Estate Conservation Area.
2. The proposed development would be detrimental to the amenities of the occupiers of surrounding properties, resulting in an overly dominant, overbearing and oppressive impact on the rear habitable rooms and gardens of these properties, by reason of the height and massing of the proposed development.
3. Insufficient information has been provided to demonstrate that the refuse storage arrangements, in particular the proposed location of the refuse store adjacent to 38 Havelock Road and located on the access road, and the proposed location for bulky waste, would be incompatible with the movement of vehicles and would prevent safe access and egress to the site for vehicles and pedestrians.

The motion to refuse the application was seconded by Councillor Parker.

The motion to refuse the application was taken to a vote and carried with four Members voting in favour one Member voting against and one Member abstaining their vote.

The Committee **RESOLVED** to **REFUSE** the application for the development at Land And Garages Rear Of 1 To 4 Mulberry Lane Accessed Between 36 And 38 Havelock Road.

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.

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

Ward: Park Hill and Whitgift

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

Bob McQuillan and Nicholas Stretton spoke in objection to the application.

Pravin M Patel spoke in support of the application.

The Ward Member Councillor Appleton 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 GRANT the application based on the officer's recommendation was proposed by Councillor Fraser. This motion was not seconded and therefore the substantive motion fell due to a lack of support.

Councillor Parker proposed the motion to refuse the application based on the character, height, scale and mass of the development and its impact on adjoining occupiers. This was seconded by Councillor Gander.

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

The Committee **RESOLVED** to **REFUSE** the application for the development at 39 Grimwade Avenue, CR0 5DJ.

The meeting ended at 10.16 pm

Signed:

Date:

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Planning Sub-Committee

Meeting held on Thursday, 1 December 2022 at 7.30 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 Clive Fraser

Apologies: Councillor Ellily Ponnuthurai

PART A

A1/22 Disclosure of Interest

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

A2/22 Urgent Business (if any)

There was none.

A3/22 Planning applications for decision

A4/22 22/01863/FUL - 20 Rectory Park, South Croydon, CR2 9JN

Demolition of existing garage, formation of access from Rectory Park and the erection two detached dwellings with associated parking and landscaping.

Ward: Sanderstead

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

Martyn Avery spoke in support of the application.

The Ward Member Councillor Helen Redfern addressed the Committee with her view on the application and expressed particular concern that the proposed development provided insufficient protection from fire.

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 Ben Hassel. This was seconded by Councillor Fraser.

The motion to GRANT the application was taken to a vote and fell with three Members voting in favour and three Members voting against.

The Chair used his casting vote to vote against the motion to grant the application.

Councillor Parker proposed the motion to refuse the application based on the design and appearance of the proposed development which would have a negative impact on the character of the local area. This was seconded by Councillor Lee.

The motion to REFUSE the application was taken to a vote and carried with three Members voting in favour and three Members voting against.

The Chair used his casting vote to vote in favour the motion to grant the application.

Councillor Ben-Hassel expressed her concern as she did not feel as though the Committees reasons behind the motion to refuse the application would be sufficient if there was an appeal.

The Committee **RESOLVED** to **REFUSE** the application for the development at 20 Rectory Park, South Croydon, CR2 9JN.

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.

A5/22 **22/01376/FUL - 1 The Ruffetts, South Croydon, CR2 7LS**

Erection of a pair of two storey (plus loft) semi-detached dwellinghouses, with associated works.

Ward: Selsdon and Addington Village

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

David Rutherford spoke in objection to the application.

Richard Rumbles spoke in support of the application.

The Ward Member Councillor Ward 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 Ben Hassel. This was seconded by Councillor Fraser.

The motion to refuse the application was taken to a vote and carried with three Members voting in favour two Members voting against and one abstention.

The Committee **RESOLVED** to **GRANT** the application for the development at 1 The Ruffetts, South Croydon, CR2 7LS

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Date:

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Planning Sub-Committee

Meeting held on Thursday, 15 December 2022 at 7.00 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);

Councillors Leila Ben-Hassel, Ian Parker, Sean Fitzsimons, Joseph Lee and
Ellily Ponnuthurai

PART A

Due to a technical error, the items on the agenda were unable to be considered at the meeting.

A1/22 Minutes of the previous meeting

This item was not considered.

A2/22 Disclosure of Interest

This item was not considered.

A3/22 Urgent Business (if any)

This item was not considered.

A4/22 Planning applications for decision

A5/22 22/00530/FUL - 19 Ashburton Road, Croydon, CR0 6AP

This item was not considered.

A6/22 22/03215/FUL - 19 Ashburton Road, Croydon, CR0 6AP

This item was not considered.

Signed:

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Date:

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Planning Sub-Committee

Meeting held on Thursday, 26 January 2023 at 7.15 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 and Joseph Lee and Holly Ramsey

Also Present: Councillor Callton Young

Apologies: Councillor Ian Parker and Ellily Ponnuthurai

PART A

7/23 **Minutes of the previous meeting**

RESOLVED that the minutes of the meetings held on Thursday 20 October and Thursday 10 November 2022 as accurate records.

8/23 **Disclosure of Interest**

Councillor Ben-Hassel stated that she lived in the neighbourhood in which the proposed development in the application which was up for consideration was located. Councillor Ben Hassel assured the Sub-Committee that she would consider the application with an open mind.

9/23 **Urgent Business (if any)**

There was none.

10/23 **Planning applications for decision**

11/23 **22/03353/FUL - Land Adjacent To 31 Heath Road, Thornton Heath, CR7 8NF**

Erection of two-storey three-bedroom detached dwelling.

Ward: Thornton Heath

Officers explained that the design was considered to have a harmful impact and was considered unsuitable because of its size, massing and footprint which represented an overdevelopment of the site. The proposed development would also be harmful impact on the residential amenities of the adjoining occupiers.

In response to members' questions officers explained that:

- Officer concerns were with the scale and massing of the proposed development and the impact that this would have on the local area.
- The site originally formed part of the garden of the neighbouring property.
- There had been two previous pre-applications on the site, in 2019 and 2021. These pre-applications were considered prior to the previous refusal for development on the site and there had been no further communication between officers and the applicant regarding development at the site ahead of the current application.

Ms Anita Dowman spoke in support of the application, a written statement submitted by Martin Kaufnan was read out by the committee clerk and the Ward Member Councillor Young addressed the Committee with his view on the application.

After the speakers had finished, the committee began the deliberation, during which they raised the following points:

- The design of the proposed development was not incongruous with the local area.
- The application presented an opportunity to develop a small site which had previously caused harm to the local area through a lack of development.
- The street scene of Heath Road consisted of a diverse mix of properties.
- The development had major massing and footprint issues which would negatively impact the local area.
- The proposed development would be in close proximity to the site boundaries.
- A basement conversion may have been a more suitable development for the site.
- The application was not unpopular as there had been 19 supporters and one objection.
- The proposed development could create an overbearing impact on the adjoining occupiers.
- If the application was refused, it would be unlikely that there would be any further development on the site, leaving the site vacant for many years to come.
- Boundary treatments with the adjoining properties could be a suitable compromise if the application was approved.

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

The motion to refuse the application was taken to a vote and carried with three Members voting in favour and three Members voting against. The Chair used his casting vote to refuse the application.

Committee **RESOLVED** to **REFUSE** the application for the development at the Land Adjacent To 31 Heath Road, Thornton Heath, CR7 8NF.

The meeting ended at 8.40 pm

Signed:

Date:

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Planning Sub-Committee

Meeting held on Thursday, 9 February 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 Clive Fraser, Ian Parker, Holly Ramsey and Appu Srinivasan

Apologies: Councillor Sean Fitzsimons, Joseph Lee and Ellily Ponnuthurai

PART A

A1/23 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held on Thursday 12 January 2023 be signed as a correct record.

A2/23 **Disclosure of Interest**

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

A3/23 **Urgent Business (if any)**

There was none.

A4/23 **Planning applications for decision**

The Planning Sub-Committee was presented with one application for decisions which involved the erection of a two-storey side extension and single-storey side / rear extension to facilitate the subdivision of the existing property into 2 dwellings with associated car parking and including alterations.

A5/23 **22/02056/FUL - 1 South Way, Croydon, CR0 8RH**

Ward: Shirley South

Deputy Team Leader, Laura Field, presented the report to members and in response to questions explained that this scheme had previously been

approved in 2021; since then the scheme had gone through a number of changes but the layout, scale and massing were identical.

Members heard a representation in support of the application from the developer and one in opposition to the application from Councillor Jason Cummings, ward councillor. Councillor Cummings drew the attention of the sub-committee to the measurements of the two schemes, which were different from those stipulated in the report. Councillor Cummings requested that the application be deferred so that a new report which clearly highlighted the differences for consideration be brought to the committee.

Officers confirmed that there was a difference between the width of the original proposal and the one being brought before the committee. Other measurements and information would also need clarifying and agreed that deferring the application so that an accurate report could be written was advisable.

After consideration of the officer's report, members were not content to make a decision on this application and the motion to grant planning permission thereby fell.

A second motion for **DEFERRAL** so that an enforcement officer could revisit the site and check the measurements and bring an updated report back to the sub-committee was proposed by Councillor Parker and seconded by Councillor Fraser was seconded. The Chair put the motion to the vote and members **RESOLVED** unanimously to defer the application.

The meeting ended at 7.42 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 (2021)
 - the Croydon Local Plan (2018)
 - the South London Waste Plan (2022)
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 ROLE OF THE COMMITTEE MEMBERS

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

4. THE ROLE OF THE CHAIR

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

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

5. PROVISION OF INFRASTRUCTURE

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

6. FURTHER INFORMATION

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

7. PUBLIC SPEAKING

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

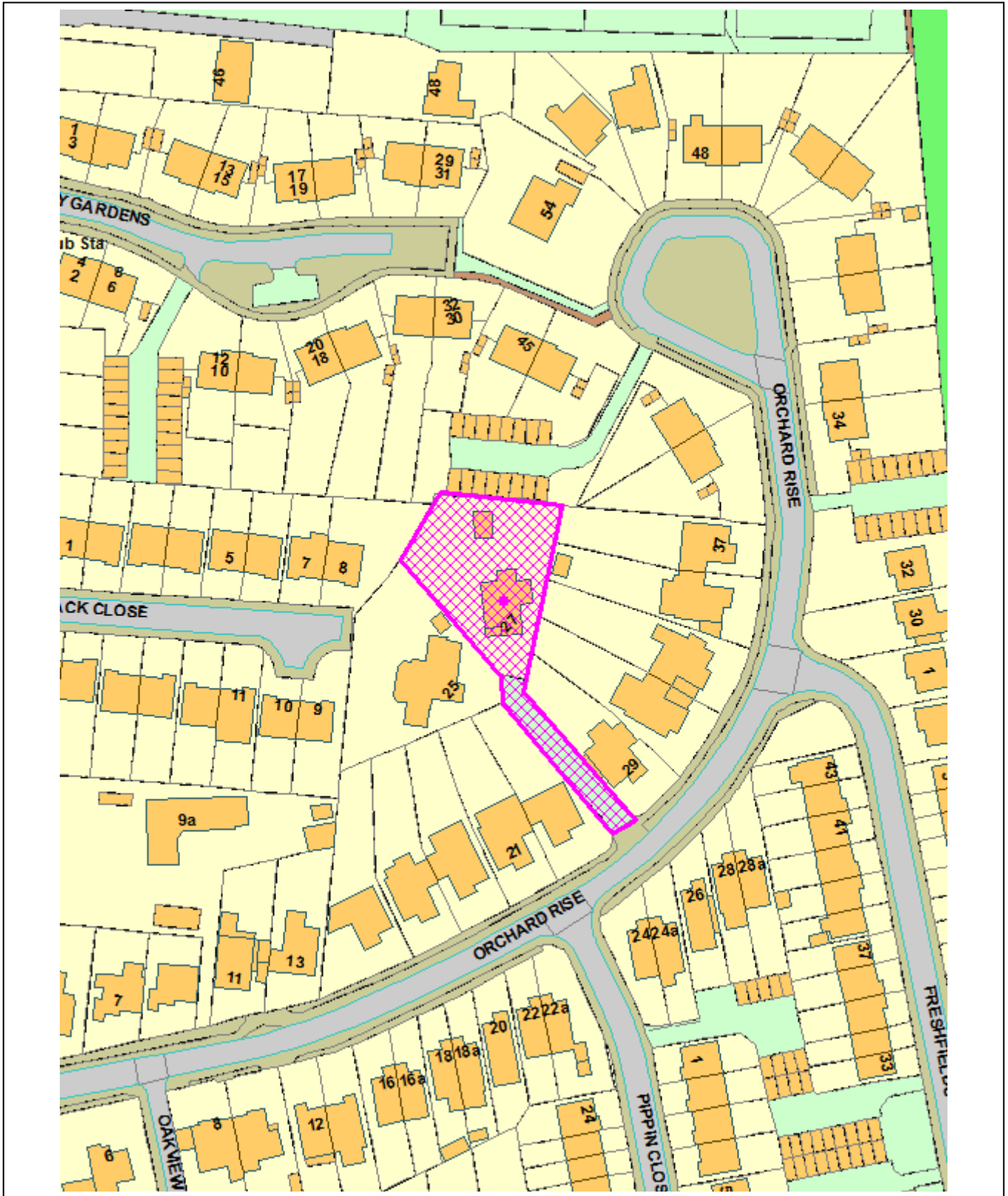
8. BACKGROUND DOCUMENTS

- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

9. RECOMMENDATION

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

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PART 5: Planning Applications for Decision

Item 5.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 21/04094/FUL
 Location: 27 Orchard Rise, Croydon, CR0 7QZ
 Ward: Shirley North
 Description: Demolition of an existing house and erection of two semi-detached pairs to provide 4 houses including associated amenity space, landscaping, parking, cycle and refuse storage.
 Drawing No's: 100.01; 101.01; 200.03; 201.01; 202.01; 203.01; 206.03; 207.03; 208.00; 210.04
 Applicant: Mr Mahmood
 Agent: Mr Jake Brockwell
 Case Officer: Nathan Pearce / Chris Stacey

| | 1 Bed | 2 Bed | 3 Bed | 4 Bed | TOTAL |
|------------------------------|-------|-------|-------|-------|-------|
| EXISTING | 0 | 1 | 0 | 0 | 1 |
| PROPOSED (Market Housing) | 0 | 0 | 2 | 2 | 4 |

| Car parking spaces | Cycle parking spaces |
|-----------------------|----------------------|
| 5 (Inc. 1 blue badge) | 8 |

1.1 This application is being reported to committee because

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

2.0 RECOMMENDATION

2.1 That the Planning Committee resolve to GRANT planning permission.

2.2 That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time limit of 3 years
2. Implemented in accordance with approved drawings

Pre-Commencement

3. Submission of a construction management plan
4. Construction environmental management plan (biodiversity)
5. Detailed sustainable urban drainage (SUDS) design

Prior to Above Ground Works

6. Materials and detailing (including decorative metal screening)
7. Landscaping (including maintenance, external lighting and boundary treatments)
8. Biodiversity enhancement strategy
9. Cycle store and refuse store

Pre-Occupation

10. Wildlife sensitive lighting design scheme
11. Copy of private refuse contract and how future occupiers informed
12. Provision of electric vehicle charging points (EVCP) (active and passive)

Compliance

13. Aboricultural measures
14. Accessible homes – Houses 1-3 to M4(2) and House 4 to M4(3) standard
15. In accordance with ecological appraisal recommendations
16. 19% emission rate reduction and 110litre water usage
17. In accordance with fire strategy statement
18. Removal of permitted development rights to extend houses
19. 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. Compliance with Building/Fire Regulations
4. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

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

3.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of some form of intensifying the residential use of the existing site to provide a greater quantum of homes than existing is acceptable.
- The provision of a 100% family housing scheme is supported and would contribute towards the boroughs need for new homes with 3+ bedrooms.
- The design and appearance of the development is acceptable and would respect the local character whilst using land efficiently. Planning conditions are recommended to ensure that the development would use high quality materials, detailing and landscaping.
- The living standards for future occupiers would be acceptable and Nationally Described Space Standard (NDSS) compliant, with acceptable light and outlook levels and private amenity space.
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The level of parking and impact upon highway safety is considered acceptable subject to conditions.
- The proposal's impact on trees and biodiversity is acceptable subject to conditions.
- The proposed flooding and sustainable drainage measures are acceptable subject to conditions.

- All remaining sustainability aspects can be controlled by condition.

4.0 SITE LOCATION AND PROPOSAL DETAILS

Site and Surroundings



Figure 1: Existing site plan

- 4.1 The application site is a broadly triangular shaped site located to the rear of Orchard Rise and accessed via a private driveway of approximately 40m in length and shared with the neighbouring property at No.25 Orchard Rise.
- 4.2 The site itself measures 33m in width and 39m in depth at its greatest extent, has an overall area of 0.09ha, and is currently occupied by a detached 2 bedroom single storey house. The site is broadly flat and features a paved forecourt at its front which leads via gates onto the private driveway allowing for vehicle access to and from the site. The property features an attached garage and a large outbuilding adjacent to the northern boundary of the site which sits within a large rear garden, which along its western and northern boundaries also features a number of large trees.

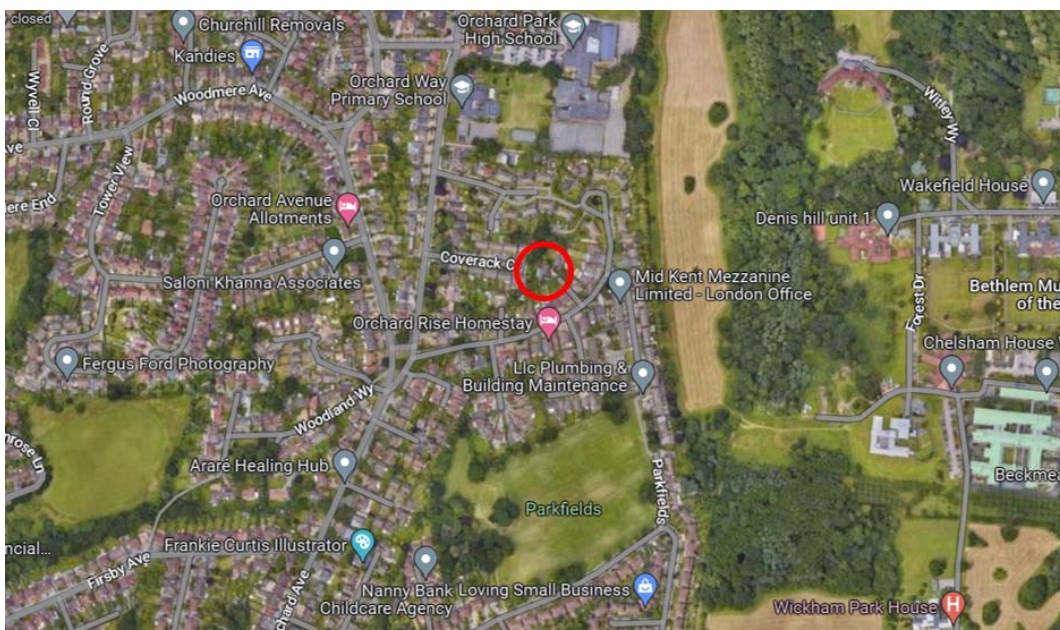


Figure 2: Location of site

4.3 The site sits on the north-west side of Orchard Rise to the rear of a number of existing properties fronting Orchard Rise. Orchard Rise is accessed from Orchard Way and is a non-through road, albeit it provides access to a number of other cul-de-sacs. The site sits approximately 0.8km north of Shirley Local Centre in an area which is principally residential in character, featuring a variety of single and two storey houses, including detached, semi-detached and terraced properties. Whilst Orchard Rise itself is not served by a bus route, bus services can be easily accessed from Orchard Avenue, approximately 300m west of the site. The site does not fall within a conservation area, nor does it sit in close proximity to any statutory listed buildings.

Planning Designations and Constraints

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

Proposal

4.5 The application seeks to demolish the existing single storey property and erect 4 new houses in the form of 2 pairs of semi-detached houses.

- The proposal would comprise of 2 x 3 bedroom and 2 x 4 bedroom houses, all of which would be for market sale.
- Both 3 bedroom houses would feature 2 storeys (with the 2nd storey being accommodated within the roof form), whereas both 4 bedroom houses would feature 3 storeys (with the 3rd storey being accommodated within the roof form).
- Each pair of semi-detached houses would feature a 3 bedroom and 4 bedroom house, with the 3 bedroom houses being located on the 'outer side' of each pair of houses (i.e. the side closest to the site boundary), and the 4 bedroom houses being located on the 'inner side' of each pair of houses (i.e. adjacent to one another).
- Each house would feature both a rear and front garden and would also feature secure cycle parking storage within the demise of each property.
- 5 parking spaces (including 1 x blue badge space) would be located to the front of the site, accessed via the existing access point onto the private driveway.
- Refuse storage would be located at the front of the site and be surrounded by soft landscaping. Due to the positioning of the site (in excess of 40m from the public highway) a private refuse collection arrangement has been proposed.

4.6 During the course of the application amendments have been made which neighbouring residents were re-notified on. Said amendments constituted the following:

- Updated site plan to include a red line around the entire access road.
- Increased onsite parking provision from 4 to 6 spaces, later reduced to 5 spaces.
- Provision of 1 Blue Badge holder space.
- Submission of swept path analysis for car parking spaces.
- Access road width increased to 3.7m.
- Pedestrian and vehicular sightlines provided.
- Increased size of refuse stores.
- Updated ecology report provided.
- Updated bat report provided confirming no evidence of bats within the building.

Planning History

4.7 The following planning decisions are relevant to the application:

Application Site:

20/05640/PRE – Demolition of existing dwelling and construction of 5 number new houses with associated parking, refuse and cycle storage.

9a Orchard Rise:

18/06070/FUL – Demolition of the existing house and ancillary office and erection of a two-storey block of 4 flats and 5 three bedroom houses, provision of parking spaces, refuse storage and cycle stores.

Permission granted March 2019, complete and occupied.

8 Coverack Close:

19/02755/TRE – English Oak (T1) - Fell and treat stump; English Oak (T2) - Fell and treat stump; English Oak (T3) - Fell and treat stump.

Consent granted July 2019, works appear not to have been undertaken.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 A total of 14 neighbouring properties were notified about the application and invited to comment and the application was also advertised by site notice.

6.2 A re-consultation on revised plans took place between 21/03/2022 and 06/04/2022.

6.3 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: 25 Objecting: 25 Supporting: 0

No of petitions received: 0

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

| SUMMARY OF OBJECTIONS | RESPONSE |
|---|---|
| Principle of development | |
| Overdevelopment | Please refer to paragraphs 8.2 – 8.8 of this report |
| The existing site cannot be considered 'brownfield' | The existing site represents previously developed land and thus would be considered to constitute a 'brownfield' site |

| | |
|---|---|
| Loss of existing dwelling | The existing dwelling does not benefit from any planning policy designations |
| Design | |
| Houses would be out of keeping (in terms of form, scale and mass) with surrounding properties which are bungalows | Please refer to paragraphs 8.7 – 8.8 of this report |
| Houses 2 and 3 do not have sufficient built in storage | Please refer to paragraph 8.14 of this report |
| House 4 does not appear to be M4(3) compliant | Please refer to paragraph 8.15 of this report |
| Amenity | |
| Negative impact on neighbouring amenity | Please refer to paragraphs 8.16 – 8.20 of this report |
| Overlooking of neighbouring properties | Please refer to paragraphs 8.16 – 8.20 of this report |
| Impacts on neighbouring outlook | Please refer to paragraphs 8.16 – 8.20 of this report |
| Impacts on neighbouring daylight | Please refer to paragraphs 8.16 – 8.20 of this report |
| Disturbance from construction | A condition is recommended requiring the submission of a construction management plan prior to the commencement of works |
| Highways, Parking and Refuse | |
| Adverse impact on parking stress levels within the local area | Please refer to paragraph 8.23 of this report |
| Insufficient parking proposed | Please refer to paragraph 8.23 of this report |
| The parking stress survey submitted is misleading | The submitted parking survey has been undertaken in accordance with the 'Lambeth Methodology' |
| The proposed blue badge bay would not be usable for members of the public, is poorly located and insufficiently sized. | The proposed blue badge bay is intended solely for future occupiers of the development. It has also been relocated such that it is adjacent to the proposed M4(3) unit and is of a sufficient size. |
| Negative impact on highway safety and access along the private driveway | Please refer to paragraph 8.22 of this report |
| The swept path diagrams demonstrate that entering/exiting some of the spaces would be challenging | Please refer to paragraph 8.23 of this report |
| Construction traffic passing over the access road may cause damage | This is a private matter between the respective owners of the access road and not a material planning consideration |
| The upheaval of the drive to install new services, which in their present state would be insufficient for additional properties, would interfere with access to No.25 | This is a private matter between the respective owners of the access road and not a material planning consideration |

| | |
|--|--|
| The proposed bin store is inappropriately sited and is too far from the highway for Council operatives to collect from. Furthermore a bin store cannot be located on the private driveway. | Please refer to paragraph 8.25 of this report |
| Access for fire engines and other large vehicles is inadequate | Please refer to paragraph 8.22 of this report |
| The width of the driveway as indicated on the proposed plans does not accurately reflect the reality | Please refer to paragraph 8.22 of this report |
| This area has poor public transport provision | Please refer to paragraph 8.21 of this report |
| The provision of cycle stores is an ineffective way of mitigating vehicular usage due to the low levels of cycling in Croydon | The provision of cycle stores is a planning policy requirement |
| Trees and Ecology | |
| A number of trees have already been felled on site | The existing trees on site do not benefit from any protection and therefore no consent for their removal is required |
| The proposal will result in a loss of trees, shrubs and disturbance to existing wildlife | Please refer to paragraphs 8.27 – 8.30 of this report |
| Other matters | |
| The rights of way over the private driveway for No.27 are only based upon one property occupying this plot | This is a private matter between the respective owners of the access road and not a material planning consideration |
| Deliveries, including post to No.25 would be impacted upon during construction | This is a private matter between the respective owners of the access road and not a material planning consideration |
| The proposed houses will be unaffordable to those most in need of housing | There is no requirement on developments proposing fewer than 10 dwellings to provide affordable housing |
| Impact upon local infrastructure | The proposed development would be CIL liable which assists in delivering infrastructure in the local area |
| The nearby recent development at 9a Orchard Rise caused substantial disruption and has also caused damage to the street which is yet to be remedied | The construction of developments of this nature are subject to construction management plans, and any necessary remediation work should be carried out by the Council at the cost of the developer |
| Inaccurate information submitted with the application | Sufficient information to allow for the determination of the application has been submitted |

6.5 Monks Orchard Residents Association (MORA) made the following representations:

- Overdevelopment

- This location is inappropriate for incremental intensification
- Poor public transport accessibility
- Loss of a family home
- Proposal is dominant and out of keeping with local character
- The blue badge bay is furthest away from the M4(3) house
- The vehicle swept path analysis is inaccurate
- Inadequate built in storage
- Insufficient refuse storage
- Inability for refuse to be collected from site
- Inadequate access to cycle stores
- Inadequate access for emergency vehicles
- Cumulative impact of development in the immediate surroundings

Officer response: All points are covered in the report below.

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

7.2 Government guidance is contained in the National Planning Policy Framework (**NPPF**) revised in July 2021. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up to date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a sufficient supply of homes;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Making effective use of land;
- Achieving well-designed places.

Development Plan

7.3 The Development Plan comprises the Croydon Local Plan 2018 (**CLP**), the London Plan 2021 (**LP**), and the South London Waste Plan 2022 (**SLWP**).

7.4 A full list of relevant policies and supplementary planning documents/guidance are included in Appendix 1 of this report.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of Development
2. Housing Mix
3. Design and Appearance
4. Housing Quality

5. Impact on Surrounding Neighbours
6. Highways, Parking and Refuse
7. Trees, Landscaping, Biodiversity and Sustainability
8. Flood Risk and Sustainable Drainage
9. Fire Safety
10. Other Matters

Principle of Development

- 8.2 The existing use of the site is residential (C3) and as such the principle of redeveloping the site for residential purposes is acceptable in land use terms. Policy SP2.1 of the CLP applies a presumption in favour of development of new homes and Policy SP2.2 of the CLP states that the Council will seek to deliver 32,890 homes between 2016 and 2036, with 10,060 of said homes being delivered across the borough on windfall sites. The more recent LP contains the most up-to-date housing target for the borough equating to 2,079 new homes per annum between 2019 and 2029 (an increase on the aforementioned target set in the CLP of 1,645 homes per annum). LP policy D3 encourages incremental densification to achieve a change in densities in the most appropriate way and LP policy H2 seeks to increase the contribution of small sites (i.e. those below 0.25 hectares in size) to meeting London's housing needs with the borough having a target for homes on small sites of 641 homes per annum.
- 8.3 LP policy H2 promotes incremental intensification with PTAL 3-6 or within 800m distance of a station or town centre boundary. This site has a PTAL 1a 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.
- 8.4 Given the above, an increase in the number of homes on the application site (which has an area of 0.09 hectares and thus meets the definition of a small site) would contribute towards the above targets. Subject to policy compliance in other respects the principle of some form of intensification for residential use of the existing site is acceptable.

Housing Mix

- 8.5 Policies SP2.7 and DM1.1 of the CLP set a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms and CLP policy DM1.2 seeks to avoid a net loss of 3-bed family-sized homes in order to ensure that the borough's need for family sized units is met and that a choice of homes is available in the borough. The existing dwelling is a 2 bedroom property and thus not protected by the above policies, and the proposed scheme would provide two 3 bedroom homes and two 4 bedroom homes, representing a net increase of 4 family sized homes on the site, so this strategic policy requirement is met.

Design and Appearance

Layout

- 8.6 The proposed layout of the development includes the provision of two pairs of semi-detached properties with front and rear gardens set behind a small parking forecourt area interspersed with soft landscaping. Cycle parking and refuse storage would be located within the curtilage of each dwelling and a communal refuse collection point would be located at the front of the site adjacent to the vehicular and pedestrian access

point into the site which connects onto the end of the existing private driveway (shared by both 25 and 27 Orchard Rise) which leads to the public highway itself.

- 8.7 When assessing the layout of the site consideration needs to be given to policy DM10.1 of the CLP which states that developments should respect the development pattern of the surrounding area. In this instance the existing development pattern of the immediate surroundings of the site is highly varied featuring a mixture of detached and semi-detached properties set in plot sizes of varying scales and positioned in a variety of orientations. The existing 'backland' nature of this site coupled with its immediate neighbour at 25 Orchard Rise further reinforces this varied development pattern.



Figure 3: Proposed site plan

- 8.8 The siting of the proposed dwellings seeks to both make the most efficient use of the site and also respond to the siting and pattern of the existing dwellings on Coverack Close (albeit the proposed dwellings would sit slightly back from the line of these dwellings). The resultant site layout when viewed within its context would result in a development that would respond to and respect the existing development pattern of the surrounding area. The proposed plot sizes of each of the proposed dwellings, whilst smaller than many of the existing plots on Orchard Rise would not be of a size and width that would be discernibly different to those on Coverack Close and would thus not result in a development that would appear unduly cramped when viewed within its context. Whilst the parking forecourt at the front of the site would introduce a reasonable degree of hardstanding, there would be limited visibility of this feature (given the site's location at the end of a private driveway) and it would be bounded by soft landscaping features. Overall, the balance between hardstanding and soft landscaping across the entirety of the site is deemed appropriate and is not considered

to be out of keeping with the surrounding context where fully paved front driveways are not an uncommon feature.

Scale, Height and Massing

- 8.9 Policy DM10.1 of the CLP requires proposals to respect the scale, height and massing of the surrounding area, whilst seeking to achieve a minimum height of 3 storeys.



Figure 4: Proposed street scene

- 8.10 Each pair of semi-detached houses would feature a 2 storey property (with the 2nd storey being accommodated within the roof form) on the 'outer side' of each pair of houses (i.e. the side closest to the site boundary) along with a 3 storey property (with the 3rd storey being accommodation within the roof form) on the 'inner side' of each pair of houses (i.e. adjacent to the corresponding pair of semi-detached houses). See figure 4 above. Within the immediate context of the site existing properties range from single storey bungalows with pitched roofs (primarily situated on Orchard Rise to the south and east of the site) to two storey houses with pitched roofs (primarily situated on Coverack Close, Lyconby Gardens and the northern end of Orchard Rise to the north and west of the site). Given this varied context and the fact that the site sits at a point where the prevailing context transitions between single storey and two storey properties, the scale of the dwellings proposed, which would not be of a dissimilar scale to existing properties to the north and west of the site, is deemed appropriate. Furthermore, the stepping down in height of the pairs of semi-detached properties to each side of the site will ensure that the development also responds to the lower scale of properties to the south and east and results in a development that would thus transition between the heights of surrounding properties. It can therefore be concluded that the proposed development would respect the scale, height and massing of existing buildings found within its immediate context in line with policy DM10.1 of the CLP.

Appearance and Materials

- 8.11 The proposed architectural approach for the development seeks to incorporate a mixture of a traditional building form with contemporary detailing and traditional materials. Such an approach to the appearance of the proposed development in principle is considered to be appropriate as it would both complement and respect the character of the surrounding area whilst at the same time avoid creating a pastiche of surrounding buildings.
- 8.12 In respect of the proposed building form the proposed houses would feature pitched roofs and gabled side elevations which would reflect the form of existing houses found

on both Coverack Close and elsewhere within the immediate context of the site. The resultant design is a well-proportioned and simple building form that would complement the character of the local area.

8.13 Whilst contemporary detailing to the houses has been employed, the features to which such detailing has been applied are typically found within a suburban environment (i.e. front porches and roof dormers) or are elements integral to the houses (i.e. windows and doors). This therefore results in houses which have a familiar suburban appearance albeit with a refined contemporary finish.



Figure 5: Proposed material palette

8.14 The proposed material palette predominantly consists of a multi-stock red brick with grey clay roof tiles, materials that are commonly found within the local area. The roof dormers, front porches and projecting window pods would be finished in a gold aluminium finish, alongside the window frames, with the front doors being timber. Whilst it is recognised that the use of gold aluminium is not a material commonly found within the local area, its use is intended to subtly respond to the use of lighter tones of brickwork that are found within the surrounding context of the site. Furthermore, its use across the proposed houses is limited to small, detailed areas and it is deemed that its application enhances the overall appearance of the proposed dwellings, is integral to the overall design aesthetic of the development, and aides in incorporating visual interest to them. As such in this instance this use of material is deemed appropriate. A condition requiring the submission of samples and the specification of the final materials, alongside detailed drawings of reveal depths and key junctions/features (such as the roof dormers, front porches and projecting window pods) has been recommended.

Housing Quality

8.15 As outlined by Figure 6 below all 4 of the proposed houses would exceed the internal floor area and private amenity space standards set out by both the Nationally Described Space Standards (NDSS) and Table 6.2 in the CLP.

| 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/4p | 96 | 84 | 64 | 7 | 2.5 | 2.5 |
| 2 | 4b/6p | 108 | 106 | 50 | 9 | 5.5 | 3 |
| 3 | 4b/6p | 108 | 106 | 57 | 9 | 5.5 | 3 |
| 4 | 3b/4p | 96 | 84 | 64 | 7 | 2.5 | 2.5 |

Figure 6: Scheme considered against London Plan Policy D6 and Table 3.1

- 8.16 Internally all of the proposed bedrooms would exceed the required areas and room widths set out by the NDSS and all of the proposed units would feature built in storage in line with the requirements of the NDSS. Internal floor to ceiling heights would also exceed the NDSS requirements and comply with the higher LP standards set out in policy D6. All of the proposed dwellings would also be dual aspect and would therefore have access to good light, outlook and ventilation.
- 8.17 In order to protect neighbouring amenity it is noted that the double bedrooms to both houses 1 and 4 would feature 'oriel' style windows. This would direct outlook into the site itself as opposed to across neighbouring sites with the front windowpanes to these windows featuring a decorative metal screening (further details of which would be secured via condition) to obscure these views. Whilst it is recognised that this feature would limit outlook from these rooms, these rooms would still be afforded outlook from the side panes of these windows as well as rooflights which would also serve these rooms. The obscured windowpanes would also still allow light in alongside the clear windowpanes meaning that these rooms would also benefit from good levels of light. Overall, it is considered that the proposed dwellings would offer future occupiers a good standard of accommodation that would ensure compliance with the NDSS as well as relevant CLP and LP policies.
- 8.18 In terms of accessibility, step free access would be provided across the site and the main entrances to all of the houses would have mobility flush thresholds. Step free access is also provided to the rear gardens of all houses, all featuring a ground floor W.C. One of the dwellings (House 4) has also been designed to be a wheelchair adaptable/accessible dwelling and incorporates a wheelchair accessible W.C. at ground floor level, space for wheelchair storage and has the ability to incorporate a through lift should one be required in the future. This dwelling would also benefit from the provision of a blue badge space directly in front of it. The incorporation of the above measures would therefore allow for one of the proposed dwellings to be capable of according with Part M4(3) of the Building Regulations, with all remaining properties being capable of according with Part M4(2) of the Building Regulations. A condition requiring compliance with the aforementioned standards is thus recommended, with details finalised through the Building Regulations regime.

Impact on Surrounding Neighbours

- 8.19 There are a number of properties that surround the site which include 25 Orchard Rise to the south-west, 29-37 Orchard Rise to the east and 8 Coverack Close to the west. To the north the site is bounded by a communal parking area, beyond which sit 43-45 Orchard Rise. The aforementioned properties are illustrated in Figure 7 below.

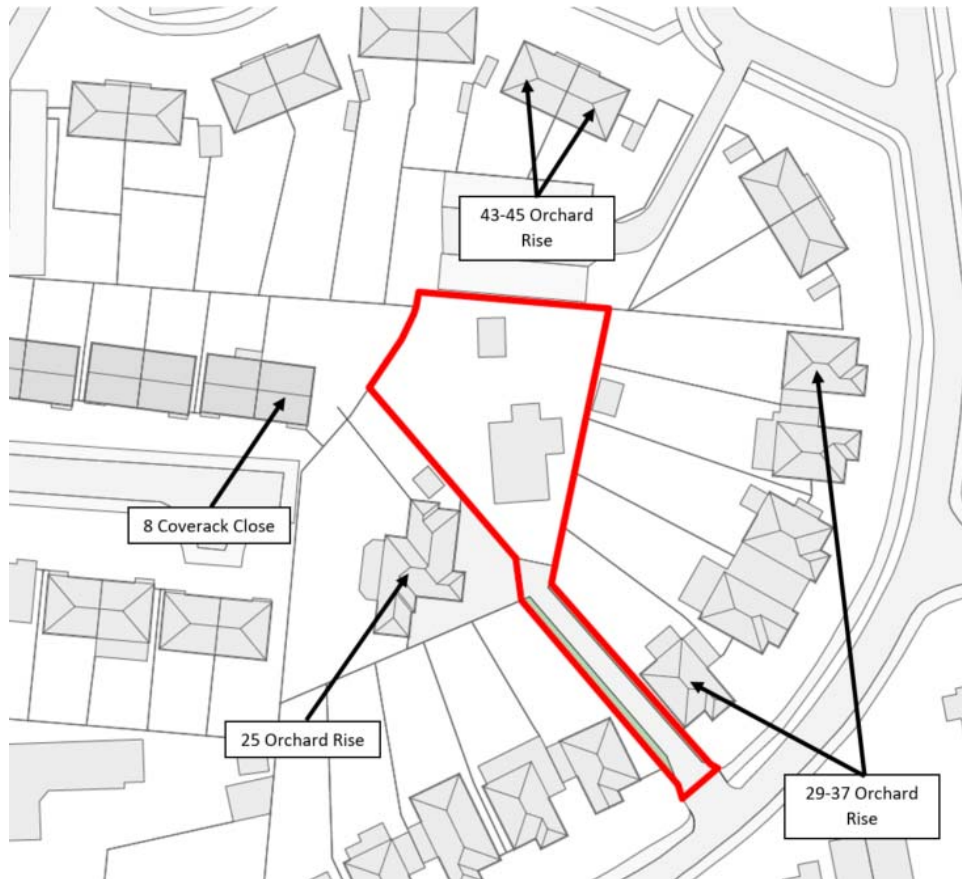


Figure 7: Surrounding neighbours

25 Orchard Rise

8.20 25 Orchard Rise sits to the south-west side of the application site and is a large single storey bungalow that shares the private access road with the application site. The boundary of this property runs at a 45 degree angle to the positioning of the proposed dwellings which would be sited in a north/south orientation as opposed to the east/west orientation of No.25. All of the proposed houses would sit to the north of No.25, with house 1 being sited partly behind the rear building line of No.25, house 2 sitting directly to the side of No.25 and houses 3 and 4 sitting forward of the front building line of No.25. None of the proposed properties would breach a 45 degree line taken from the nearest affected habitable rooms of No.25. Given the fact that No.25 does not have any side facing windows on its north elevation (facing the application site) coupled with the positioning of houses 2, 3 and 4 officers are content that these properties would not result in any material amenity implications for No.25. Whilst house 1 would be sited 15m away from No.25 at its closest point, given its siting which results in its front elevation looking towards the rear garden of No.25, measures have been put in place to ensure that the amenity of the first 10m of the rear garden of No.25 is suitably protected (in line with policy DM10.6 of the CLP). These measures include the provision of an 'oriel' style window at 1st floor level which would limit outlook towards the rear garden of No.25 through the use of decorative metal screening (further details of which would be secured via condition) and directing outlook eastwards into the site, as well as positioning the roof light on the front elevation higher up on the roof slope (above eye line) to prevent direct overlooking of the rear garden of No.25 and instead direct outlook towards the sky. These measures would ensure that the rear garden of No.25 would not suffer from undue overlooking and would therefore suitably protect the amenity of this property.

8 Coverack Close

8.21 8 Coverack Close sits to the west of the application site and at its closest point would be separated by 13.5m from the closest property proposed (house 1). Whilst it is noted that 8 Coverack Close features a 1st floor side facing window it is understood that this does not serve a habitable room. Furthermore, the front building line of house 1 would also be set behind the position of this window and coupled with the distance between this window and the development, as well as the presence of a number of existing trees within the application site which are proposed to be retained, any impact upon outlook from this property would not be adversely affected to a degree that would be materially harmful. House 1 would not feature any side facing windows facing towards 8 Coverack Close and as such there would be no overlooking of their rear garden. As such the proposed development would therefore suitably protect the amenity of this property.

29-37 Orchard Rise

8.22 29-37 Orchard Rise are a set of 5 single storey bungalows that sit to the south-east of the site. At the closest point the rear of these properties would be 27m from the side elevation of the closest property proposed (house 4). Given this distance, coupled with the fact that the side elevation of house 4 facing these properties does not feature any windows the proposed development would suitably protect the amenity of these properties, including that of their rear gardens.

43-45 Orchard Rise (incl. 43a and 45a)

8.23 43-45 Orchard Rise is a building containing 4 maisonettes that sits to the north of the site beyond a communal parking area. At the closest point the rear of these properties would be 34m from the rear elevation of the proposed houses. Given this distance, coupled with the presence of a communal parking area in between, the proposed development would not materially impact upon the amenity of these properties.

Other

8.24 Whilst the existing private driveway would remain largely in its current form (barring some minor widening of the tarmacked portion) it is noted that the proposed development will increase the volume of vehicles using this route which runs adjacent to No's 23 and 29 Orchard Rise. Given however that this arrangement is existing and that there would only be a net uplift of 3 additional properties, any impacts of this increase in use would be limited and not so substantial to materially impact upon the amenity of these properties.

Highways, Parking and Refuse

8.25 The site has a PTAL of 1a representing a poor level of public transport accessibility, sits approximately 2.5km west of West Wickham rail station, and approximately 300m east of the nearest bus stop on Orchard Avenue. Orchard Rise itself is a non-through road, albeit it provides access to a number of other cul-de-sacs, and the site is accessed via a private driveway of approximately 40m in length which is shared with the neighbouring property at No.25 Orchard Rise.

8.26 Vehicle access to the site would utilise the existing private driveway which totals 5.35m in width inclusive of circa 1m wide grass verges on each side (with the tarmacked driveway portion of this being 3.27m in width). The ownership of this driveway is split 50/50 down the centre line of the driveway between the applicant and the owner of No.25 with each respectively having a right of way over the other half of the driveway. As part of the proposals the tarmacked area of the driveway would be widened on its north-east side (the portion within the applicant's ownership) to enable the tarmacked

portion of the driveway to be 3.7m in width which would be adequate to allow emergency vehicles to access the site. In order to demonstrate that the intensification of the use of this private driveway would not adversely impact upon the safe operation of Orchard Rise the applicant has demonstrated that both pedestrian and vehicular sightlines can be achieved.

- 8.27 Table 10.3 of the LP sets out maximum car parking standards for residential developments. This states that in a low PTAL location such as this up to 1.5 spaces should be provided per unit for 3 bed+ properties. In line with the LP the proposed development could therefore provide up to a maximum of 6 spaces. It is important to note however that it is not necessarily desirable to provide car parking up to the maximum standards given the ambitions of both the LP and CLP to reduce reliance on car usage and promote/prioritise sustainable modes of transport.
- 8.28 In this instance the proposed development seeks to provide a total of 5 parking spaces for the 4 houses, with 1 space allocated to each house (including the blue badge space for house 4) and the remaining space being used as a visitor space. Tracking diagrams have been provided to demonstrate that all of these spaces can be entered and exited from.
- 8.29 Based on the aforementioned parking provision, and when viewed against the maximum allowable level of car parking that the development could propose, it is therefore necessary to assess whether the anticipated shortfall (1 space) would unacceptably impact upon parking stress levels in the local area. In order to demonstrate the impacts this would have a parking stress survey in accordance with the established Lambeth Methodology has been submitted. The existing overnight parking stress within 200m of the application site states that out of a capacity of 79 on-street parking spaces available 25 are vacant (representing a stress level of 69%). Based on this it is therefore evident that the anticipated parking overspill that could be generated by the proposed development of 1 vehicle would not increase parking stress levels to an unacceptable level due to the existing levels of capacity. In light of the above the proposed car parking provision and the proposal's impact upon the local highway network would therefore be acceptable.
- 8.30 In respect of cycle parking the proposed development provides a total of 8 cycle parking spaces, 2 per dwelling, which is in line with the requirements set out by Table 10.2 of the LP. Each property would benefit from a secure cycle store within their rear gardens, accessed via side paths, capable of housing 2 bikes each and full details of these stores will be secured via condition.
- 8.31 With respect to refuse arrangements, each property would benefit from a refuse store located within their porch areas which would be of a suitable size to hold the necessary level of refuse receptacles. Whilst further details of these stores would be secured via condition their location within the front porches ensures that they are an integral part of the design of the houses and would therefore not detract from the appearance of the frontage of the site. A separate refuse collection area for residents to move their bins to on collection days has been sited adjacent to the entrance point into the site and will be partially screened by soft landscaping. Given the location of the site at the end of a 40m long private driveway with no space for a refuse truck to turn within the site, it is unfortunately not possible for the Council's refuse operatives to collect refuse from the application site as the walking distance from Orchard Rise would exceed the distance that the Council's refuse operatives can traverse. As such in this specific

instance refuse will instead need to be collected by a private contractor. In order to demonstrate that this solution is workable the applicant has approached a private contractor and has a written agreement from them that they would be content to mimic the Council's refuse collection arrangements and that their operatives would be willing to walk the length of the private driveway from Orchard Rise to collect refuse from the site (given that a refuse truck will be unable to enter the site). On the basis of the above and subject to a condition requiring a copy of the private refuse contract to be submitted to the Council prior to first occupation of the development, as well as details as to how this is articulated to future occupiers, the refuse collection arrangements proposed would satisfy the requirements of policy DM13 of the CLP.

8.32 In addition to the above considerations a condition is also recommended in respect of electric vehicle charging points (EVCP) for the proposed car parking spaces and in respect of construction management a full detailed Construction Logistics Plan would also be required by condition and would need to be submitted for the Council's approval prior to the commencement of development.

Trees, Landscaping, Biodiversity and Sustainability

8.33 There are currently a total of 7 trees on site as identified in the submitted Arboricultural Report. These include 1 Category B tree (sited adjacent to the boundary with No.25 Orchard Rise) and 6 Category C trees located around the edges of the site and are illustrated in Figure 8 below. 3 Oak trees that are subject to a TPO in the adjacent property at No.8 Coverack Close sited close to the site's boundary have consent to be felled, however, to date these works do not appear to have been carried out.



Figure 8: Tree protection plan (N.B. the parking layout has since been amended)

- 8.34 The proposed development seeks to retain all 7 of the existing trees on site and none of the proposed buildings are proposed to be constructed within the Root Protection Area (RPAs) of any of these trees. However, both houses 1 and 4 are located close to the RPAs and as work will be required to take place within these areas and in close proximity to these trees a detailed tree protection plan, including suitable measures to ensure the trees are adequately protected during the construction process, has been provided (see Figure 8). The Council's tree officer has reviewed the aforementioned Arboricultural Report and tree protection plan and has raised no objections subject to a condition requiring the development to be carried out in accordance with said documents. On this basis the proposal would therefore comply with policy DM28 of the CLP and policy G7 of the LP.
- 8.35 In respect of landscaping, whilst large portions of the site will feature soft landscaping in the form of new trees (with 23 new trees proposed in the landscaping scheme submitted), planting and lawns, with full details of said soft landscaping to be conditioned, hard landscaping in the form of permeable paving and permeable resin bound gravel is also proposed to the front of the site. The proposed landscaping is considered to be acceptable and incorporates an appropriate balance between hard and soft landscaping to ensure that the site is not dominated by hard landscaping features and reflective of the general character of the local area. Further details of the proposed landscaping (including samples where appropriate) alongside details of maintenance measures and external lighting and boundary treatments proposed will be secured via condition.
- 8.36 An ecology report, alongside a bat survey, has been submitted in support of the application to identify what habitats are present on site and look for any evidence of, or potential for, protected/notable species. Said report and survey did not identify any protected species on site and it was also concluded that the existing dwelling did not provide bats with any significant roosting opportunities. Based on the above the Council's ecology consultants have confirmed that the proposed development would not represent a conservation concern from an ecology perspective. Furthermore in order to ensure that the proposed development does not have an adverse impact upon the biodiversity value of the site and instead results in a biodiversity net gain (in accordance with policy G6 of the LP and policy DM27 of the CLP) a series of mitigation and enhancement measures, including the provision of biodiversity rich planting, the installation of bird boxes and the creation of both routes and housing for hedgehogs have been recommended by the Council's ecology consultants. A condition requiring the submission of a construction environmental management plan as well as conditions requiring further details of the proposed ecological enhancements as well as a wildlife sensitive lighting design scheme in accordance with the recommendations of the submitted ecology report were also recommended by the Council's ecology consultants. All of the aforementioned conditions have therefore also been recommended by officers.
- 8.37 Both CLP policy SP6 and policy SI 2 of the LP require new development to minimise carbon dioxide emissions and seek high standards of design and construction in terms of sustainability. The proposed development has been designed to minimise overheating, improve water efficiency and take all reasonable steps to reduce carbon dioxide and other greenhouse gas emissions. This includes the proposed dwellings having a highly efficient building fabric to minimise energy loss, along with good levels of insulation and installing an energy efficient heating system. In order to ensure that

these high standards are met a condition requiring the development to meet both a CO2 reduction target (above building regulation requirements) as well as a water use target is recommended.

Flood Risk and Sustainable Drainage

8.38 Both CLP policy DM25 and policy SI 13 of the LP outline that SUDS should be provided in all new developments and ensure that surface runoff is managed as close to source as possible. SUDS should accord with the LP 'Drainage Hierarchy' and seek to achieve better than greenfield runoff rates. The applicant has submitted a Flood Risk Assessment which also includes details of proposed SUDS measures. The site is located in Flood Zone 1 and according to the Environment Agency has a very low probability of fluvial flooding. Furthermore, the site also sits in a location which is at a very low risk of surface water flooding. In order to mitigate against any possible increase in surface water flooding within the local area the proposed development incorporates permeable finishes to the hardstanding areas and also incorporates an underground soakaway below the car parking area. Subject to a pre-commencement condition requiring the final detailed design of the SUDS proposals to be submitted to the Council for approval the proposal is deemed acceptable in flooding terms.

Fire Safety

8.39 In line with policy D12 of the LP all development proposals must achieve the highest standards of fire safety and ensure that they identify suitable outdoor space for fire appliances and assembly points; incorporate appropriate fire safety features; minimise the risk of fire spread; provide suitable and convenient means of escape (incl. a robust strategy for evacuation); and provide suitable access and equipment for firefighting. The applicant has submitted a Fire Strategy Statement with the application which is considered to sufficiently address the requisite fire safety measures/procedures and a condition requiring the development to be carried out in accordance with said statement is recommended.

Other Matters

8.40 The development will be liable for a Community Infrastructure Levy (CIL) payment. CIL payments are pooled from developments and contribute to delivering infrastructure to support the development of the Borough, such as local schools.

Conclusion

8.41 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).

Appendix 1: Planning Policies and Guidance

The following lists set out the most relevant policies and guidance, although they are not exhaustive and the provisions of the whole Development Plan apply (in addition to further material considerations).

CLP

The Croydon Local Plan was adopted in February 2018 and the most relevant policies to this application are as follows:

- SP2 Homes
- DM1 Housing Choice for Sustainable Communities
- SP4 Urban Design and Local Character
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- SP6 Environment and Climate Change
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- SP7 Green Grid
- DM27 Protecting and Enhancing our Biodiversity
- DM28 Trees
- SP8 Transport and Communication
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and Cycle Parking in New Development
- DM45 Shirley

LP

The London Plan was adopted in March 2021 and the most relevant policies to this application are as follows:

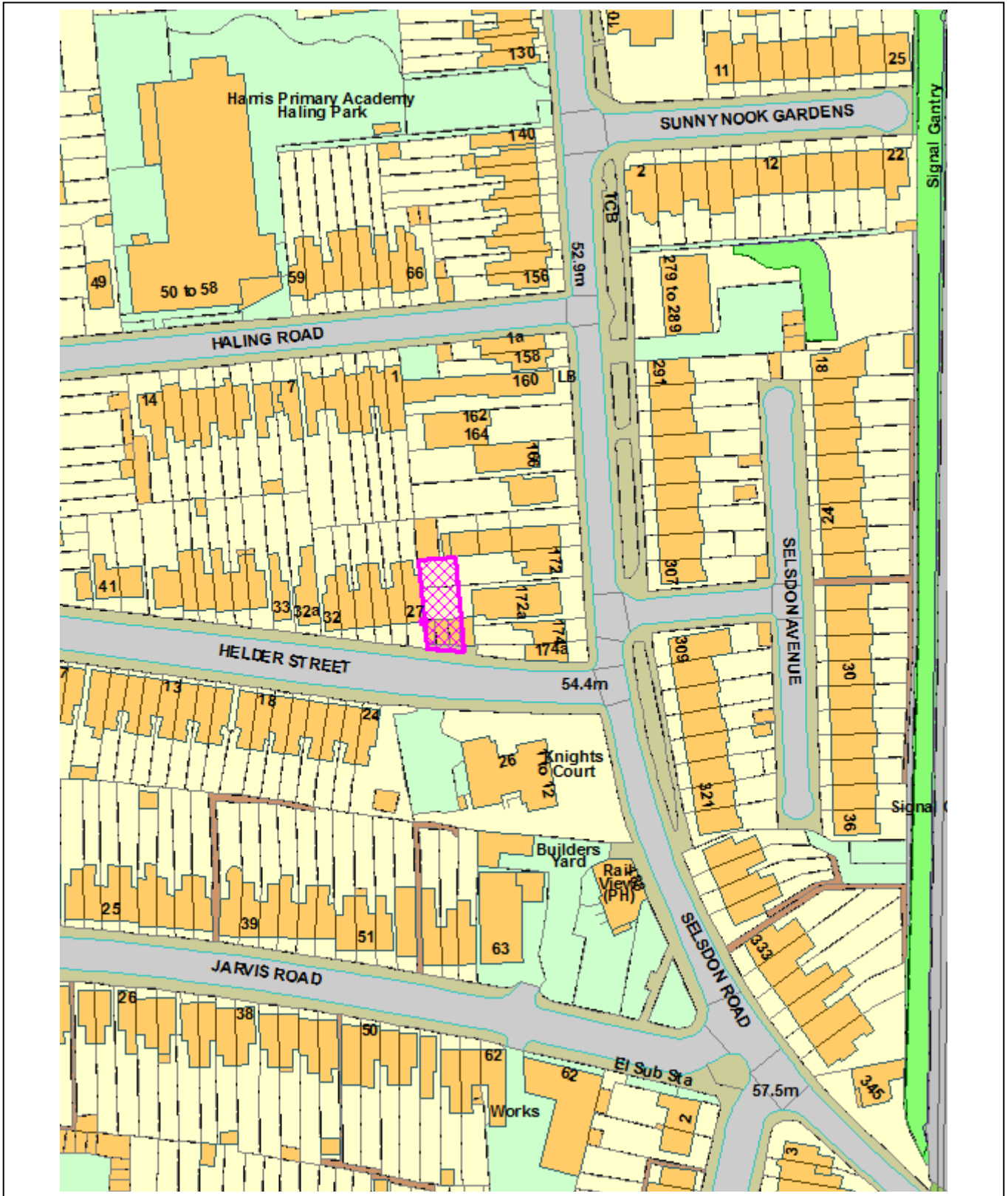
- Policy GG1 Building Strong and Inclusive Communities
- Policy GG2 Making the Best Use of Land
- Policy GG3 Creating a Healthy City
- Policy GG4 Delivering the Homes Londoners Need
- Policy D1 London's Form, Character and Capacity for Growth
- Policy D2 Infrastructure Requirements for Sustainable Densities
- Policy D3 Optimising Site Capacity Through the Design-Led Approach
- Policy D4 Delivering Good Design
- Policy D5 Inclusive Design
- Policy D6 Housing Quality and Standards
- Policy D7 Accessible Housing
- Policy D12 Fire Safety
- Policy H1 Increasing Housing Supply
- Policy H2 Small Sites
- Policy H10 Housing Size Mix
- Policy G1 Green Infrastructure
- Policy G6 Biodiversity and Access to Nature
- Policy G7 Trees and Woodlands

- Policy SI 2 Minimising Greenhouse Gas Emissions
- Policy SI 12 Flood Risk Management
- Policy SI 13 Sustainable Drainage
- Policy T1 Strategic Approach to Transport
- Policy T2 Healthy Streets
- Policy T3 Transport Capacity, Connectivity and Safeguarding
- Policy T4 Assessing and Mitigating Transport Impacts
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T6.1 Residential Parking
- Policy T7 Deliveries, Servicing and Construction

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)

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1 APPLICATION DETAILS

Ref: 22/03921/FUL
 Location: Kickers House, 172A Selsdon Road, South Croydon, CR2 6PJ
 Ward: South Croydon
 Description: Demolition of 3no. garages at the rear of Nos. 172A - 174A (facing onto Helder Street) and erection of one two-storey 4-bed house; including associated works.
 Drawing Nos: P9/001 Rev M, P9/002 Rev M, P9/003 Rev M, P9/004 Rev M, P9/005 Rev M, P9/006 Rev M, P9/007 Rev M, P9/008 Rev M
 Applicant: Sterling Rose Homes Ltd
 Agent: Mr Miheer Mehta of Sterling Rose Homes Ltd
 Case Officer: Georgina Betts

| | 1 bed (2 person) | 2 bed (3 person) | 3 bed (4 person) | 4 bed (6 person) | TOTAL |
|-------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|--------------|
| Proposed (market housing) | | | | 1 | 1 |

| Vehicle and Cycle Parking (London Plan Standards) | |
|--|-----------------|
| PTAL: 4 | |
| Car Parking maximum standard | Proposed |
| Up to 0.5 - 0.75 spaces per dwelling | 1 |
| Long Stay Cycle Storage minimum | Proposed |
| 2 | 2 |
| Short Stay Cycle Storage minimum | Proposed |
| 0 | 0 |

1.1 This application is being reported to committee because:

- The ward councillor (Cllr Maria Gatland) 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) Sustainable urban drainage details
- 5) Landscaping and hard standing (to incorporate biodiversity enhancements and front boundary treatments)
- 6) Details of external materials to be submitted to and approved

Compliance

- 7) Carbon dioxide reduction
- 8) Water usage
- 9) In accordance with the Fire Strategy Statement
- 10) The dwelling shall achieve M4(2)
- 11) No enlargement of the proposed dwelling under permitted development
- 12) 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 proposal is for demolition of 3no. garages at the rear of Nos. 172A - 174A (facing onto Helder Street) and erection of one two-storey 4-bed house, including associated works.



Figure 1: proposed front elevation from Helder Street

Amendments

- 3.2 Amended plans were received during the course of the application which has seen the repositioning of the dwelling, detaching it from 27 Helder Street. In addition, amendments have been made to the design of the dwelling and the layout of the front garden area. Third parties have been reconsulted regarding the amended plans given the extent of the changes.

Site and Surroundings

- 3.3 The application site lies on the north side of Helder Street and is currently occupied by three detached disused garages, previously forming part of Kickers House, 172A Selsdon Road. The surrounding area is residential in character comprising predominantly of Victoria residential properties with some noticeable later infill developments and flatted developments nearby.

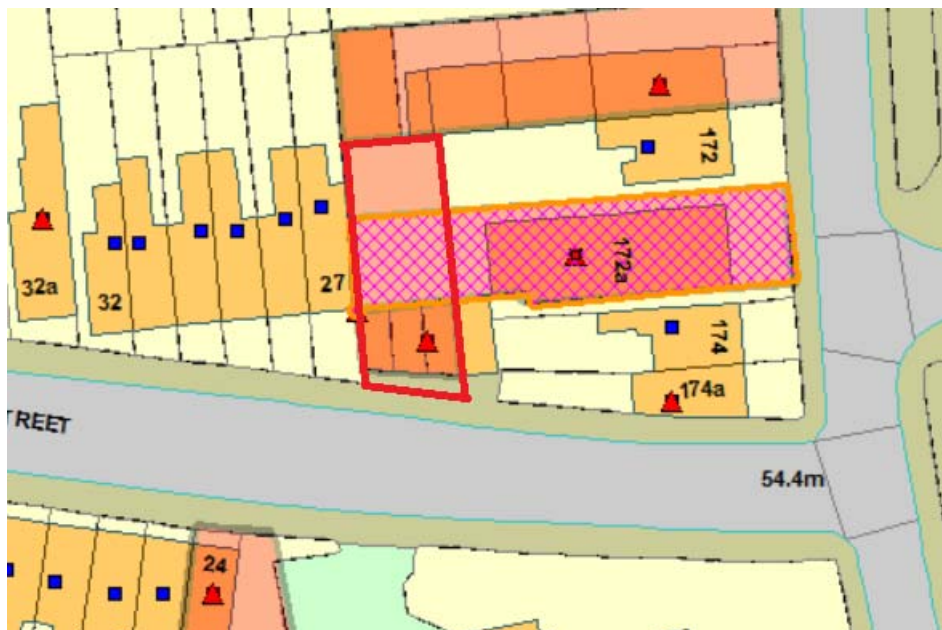


Figure 2: Site Location Plan

Planning Designations and Constraints

- 3.4 The site is at risk of surface water flooding and lies within an archaeological priority zone.

Planning History

- 3.5 There are a number of planning decisions relevant to the application that have been submitted across the frontage building at 172a Selsdon Road and the land the rear including the garages.

Application site

- 3.6 22/02158/FUL – Refused – 08.08.2022 (currently at appeal)
Demolition of 3no. garages at the rear of Nos. 172A - 174A (facing on Helder Street) and erection of one two-storey 4-bed house; including associated works. Reason for refusal

1. The proposed development, by reason of the roof form and height, which would fail to respond to the roof forms present of adjacent properties in the street, would result in an incongruous addition to the street, and adversely impact upon the overall character of the street. As such, the proposal would be contrary to policy D3 of the London Plan (2021) and policies SP4, DM10.1 and DM10.7 of the Croydon Local Plan (2018).
2. The proposed development, by reason of its excessive level of on-site parking in a well-connected location, would unacceptably promote private car use over sustainable transport modes and would thus be contrary to policies T2, T6 and T6.1 of the London Plan (2021) and policy DM30 of the Croydon Local Plan (2018).

3.7 21/05838/FUL – Refused – 09.02.2022

Demolition of 3no. garages at the rear of Nos. 172A - 174A (facing on Helder Street) and erection of two storey building consisting of 2no. flats (1xstudio; 1x1bedroom); including associated works. This was refused on five grounds in relation to 1) lack of family units 2) character of the area 3) impact on neighbouring amenity 4) lack of playspace 5) lack of car parking and cycle/refuse stores.

Building at 172a Selsdon Road

3.8 21/05085/FUL – Approved – 01.07.2022

Alterations, erection of an additional storey to provide 1 flat and associated refuse and cycle storage.

3.9 21/06100/DISC – Approved – 28.02.2022

Discharge of condition 3 (Refuse and Cycle Parking) for attached to permission 21/05000/GPDO for Change of use from Class E to Class C3 to provide 4 self-contained flats under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.10 21/05000/GPDO – Prior Approval Approved – 08.12.2021

Change of use from Class E to Class C3 to provide 4 self-contained flats under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.11 19/03893/GPDO – Prior Approval Approved – 31.10.2019

Change of use of ground and first floors (Use Class B1 - office) to residential use (Use Class C3 - dwelling), to comprise of 3 residential units with associated parking, cycling and refuse storage facilities.

3.12 01/01092/P – Approved – 20.06.2001

Use of part of ground floor for purposes within class B1 (business).

3.13 88/01476/P - Approved – 29.06.1988

Use of ground floor premises for retail purposes within use class a1.

3.14 84/02714/P - Approved – 15.03.1985

Erection of two storey front extension to provide garage/store with offices over.

Building at 172a Selsdon Road and application site

3.15 20/04331/OUT – Refused – 23.12.2020

Demolition of existing buildings and erection of 2 new part 2 storey, part 3 storey buildings containing 1 x 3 bed, 3 x 2 bed and 2 x 1 bed apartments with a disabled parking space accessed off of Helder Street. Reasons for Refusal:

1. *The proposed development, by reason of its layout would result in an excessive form of development that would appear dominant and disproportionate, disrupting the established building lines of Helder Street and Selsdon Road. The development would therefore appear incongruous, visually intrusive and overbearing to the detriment of the form, proportion and appearance of the site and the surrounding neighbouring properties and the wider appearance of the area. As such, the proposal would be contrary to Policies 7.4, and 7.6 of the London Plan (2016), Policies D1 and D2 of the Draft London Plan, Policies SP4 and DM10 of the Croydon Local Plan (2018) and the Croydon Suburban Design Guide (2019).*
2. *The development would fail to contribute to meeting the strategic target of 30% of all new homes to have three or more bedrooms, contrary to Policy SP2.7 of the Croydon Local Plan (2018).*
3. *The proposed development, by reason of its parking arrangement and lack of visibility and sub-standard cycle and refuse storage would result in a detrimental impact to highway safety and would be contrary to policies DM29, DM30 of the Croydon Local Plan (2018).*
4. *The proposal would result in loss of privacy to neighbouring 172 and 172 by reason of overlooking caused by limited distanced between balconies and habitable windows facing the rear elevations of these neighbours. The proposed development would also result in a loss of light and outlook to the rear elevations of these neighbours which could be contrary to Policy DM10.6 of the Croydon Local Plan (2018) and Croydon's Suburban Design Guide (2019).*
5. *The proposed development by reason of its site layout would give rise to a poor standard of accommodation. By reason of the limited spatial separation between the proposed blocks, the development would result in overlooking of habitable spaces. The development also fails to provide an accessible, onsite communal amenity space to serve the development. This would be contrary to Policies DM10.5 and DM10.6 of the Croydon Local Plan (2018).*

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the residential development is acceptable given the residential character of the surrounding area and the need for housing nationally and locally;
- The unit is a 4-bedroom family dwelling which is acceptable;
- The quality of accommodation is acceptable for future residents;
- The design and appearance of the development is of an acceptable quality, and it is not considered that it would harm the character of the surrounding area;
- The proposal would not create undue harm to the amenity of the majority of nearby residential properties and their occupiers, although harm is identified to 172A Selsdon Road but considered overall, in the planning balance, acceptable;
- The level of parking and impact upon highway safety and efficiency would be acceptable;

- Impacts upon biodiversity are acceptable;
- All remaining sustainability aspects can be controlled by conditions.

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

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 A total of 31 neighbouring properties were notified about the application and invited to comment.

6.2 A re-consultation on revised plans took place between 25/01/2023 and 8/02/2023.

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

No of individual responses: 24 Objecting: 22 Supporting: 1 Neutral: 1

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

| Objection | Officer comment |
|---|---|
| Character and design | |
| <ul style="list-style-type: none"> • Not in keeping • Out of character • Over development • Loss of green space/loss of permeable surfacing | <i>Covered within paragraphs 8.5 to 8.13</i> |
| Neighbouring amenity | |
| <ul style="list-style-type: none"> • Noise and general disturbance • Pressure on localised parking availability • Overlooking and loss of privacy • Loss of light | <i>Covered within paragraphs 8.24 to 8.30</i> |
| Transport and Highways impacts | |
| <ul style="list-style-type: none"> • Highway safety concerns given the position of the site on a busy road | <i>Covered within paragraphs 8.33 to 8.38</i> |
| Not material matters | |
| <ul style="list-style-type: none"> • Devalue existing properties | This is not a material planning consideration |

6.5 Councillor Maria Gatland made the following representations:

- Overdevelopment
- Visually intrusive dominating the garden of 172 Selsdon road
- Out of character
- Harm to the residential amenities of 27 Helder Street

Officer response: All points are covered in the report below.

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:

- 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. 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 London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small sites housing target of 641 per year.

8.4 CLP Policy SP2 explains that developments should ensure land is used efficiently. London Plan policy H1 states that boroughs should optimise housing delivery on sites of PTAL 3-6 or within 800m of a train station or town centre boundary. The site has a PTAL of 4 and is a 580m walk from South Croydon Train Station. It is therefore suitable

for residential intensification in policy terms, subject to compliance with other material planning considerations.

- 8.5 CLP policy SP2.7 sets a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to ensure that the borough's need for family sized units is met. The proposal is for a 4-bedroom house which meets the target.
- 8.6 The proposed development would include the demolition of the existing garages and the erection of a four-bedroom family dwelling and would contribute to the Councils identified housing need.
- 8.7 The three garages are in a poor state of repair, with the roofs having been removed, so are not fit for purpose. Therefore, the principle of their loss is accepted.
- 8.8 Given that the proposal would not result in the loss of valued garages and would contribute to the Councils housing stock the principle of the development can be supported.

Design and impact on character of the area

- 8.9 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.
- 8.10 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.
- 8.11 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.
- 8.12 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.
- 8.13 The application site lies to the northern side of Helder Street and is currently occupied by three disused garages, which appear to have formed part of the demise of the host property at 172a Selsdon Road and have subsequently been subdivided. The proposed dwelling, while technically backland in nature, would front onto Helder Street and as such would integrate into its setting and form part of the street scene of Helder Street. Appearing as a continuation of the existing street scene, the proposals scale, mass and proportionality would be respectful of its Victorian Setting. The amended plans which have been received during the course of this application have sought to provide a separation distance to 27 Helder Street. The separation distance of 1.6 metres would enable access to the rear garden while also providing a sense of permeability between the old and new development. The applicant seeks to provide one off street parking space which would not result in an enlargement to the crossover

given the width of the existing dropped kerb. Planting would be incorporated into the proposal and would provide a visual improvement when viewed from the street scene.

- 8.14 It is noted that the proposed plot would have a marginally reduced depth when compared to its immediate neighbours. However, given the limited visibility of the rear of the site the reduced depth of the plot would not result in significant harm to the character and appearance of the area to warrant a refusal of planning permission.
- 8.15 Turning to activity patterns, the proposed development would appear as a new detached dwelling within an established street scene. The access to the new dwelling would be provided to the southern elevation as per the adjacent properties. Parking would be to the front and would be accessed directly from Helder Street. The activity pattern associated with the proposed 4-bedroom six-person dwelling would be low given its single occupancy and would not be dissimilar in character terms to the nearby residential properties.
- 8.16 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. The proposal as set out in this submission is materially different from that refused planning permission in August 2018. The amendments that were received and reconsulted on in January 2023 included the re-siting of the dwelling 1.2 metres from the boundary with 27 Helder Street and 300mm from the boundary with 172a Selsdon Road. The repositioning of the dwelling ensures that the dwelling appears detached while ensuring that a 1.2 metre side access path is provided to the rear garden. Given the increased separation to the site boundaries the depth of the building has been increased by approximately 1.2 metres Officers are therefore satisfied that the applicant has now overcome the previous refusal reason (as set out above) in this respect.



Figure 3: Front elevation as part application 22/02158/FUL



PROPOSED FRONT ELEVATION

Figure 4: Front elevation as part of this application

8.17 Having regards to 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

8.18 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 | 4b/6p | 109 | 106 | 38.6 | 9 | 1.5 | 1.5 |

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

8.19 As shown on the table above, the proposed dwelling would comply with LP standards on minimum floorspace areas, storage space, and amenity space. The bedrooms 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.

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

Amenity Space

8.21 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.

- 8.22 CLP policy DM10.4d states: All proposals for new residential development will need to provide private amenity space.
- 8.23 The proposed development provides amenity space well in excess of the space standards and is of a size suitable for a two-storey family property.

Accessible Dwellings

- 8.24 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.
- 8.25 The proposed dwelling would have step-free access with a W/C on the ground floor and the private outdoor space connected to the entrance storey. The proposal appears capable of meeting M4(2) and given the scale of development proposed this is considered acceptable, with final details secured at Building Control stage.

Fire Safety

- 8.26 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.
- 8.27 Overall, the standard of accommodation is considered to be acceptable, subject to conditions.

Impact on neighbouring residential amenity

- 8.28 CLP policy DM10.6 states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels. CLP policy DM10.6(c) outlines that proposals for development should not result in direct overlooking of private outdoor space (with the exception of communal open space) within 10m perpendicular to the rear elevation of a dwelling.
- 8.29 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.

27 Helder Street

- 8.30 The proposed dwelling would have an approximate width of 6.8 metres and an approximate depth of 9.4 metres. The proposed dwelling would be sited approximately 1.2 metres from the western boundary with 27 Helder Street and 300mm from the eastern boundary with 174 Selsdon Road. The proposed dwelling would not project beyond the overhang of 27 Helder Street. Given the position of the dwelling and its separation to 27 Helder Street the proposal is not considered to appear visually intrusive or overbearing to No27. No windows are proposed in the western flank elevation of the proposed dwelling and as such the proposal would not result in a loss of privacy to No27.

174 Selsdon Road

8.31 The proposed dwelling would be sited approximately 11.5 metres from the rearmost elevation of 174 Selsdon Road; the dwelling sited adjacent to the detached garage at No174. Given the position of the dwelling and its separation to 174 Selsdon Road the proposal is not considered to appear visually intrusive or overbearing to No174. No windows are proposed in the eastern flank elevation of the proposed dwelling and as such the proposal would not result in a loss of privacy to No174.

172 Selsdon Road

8.32 The proposed dwelling would be sited approximately 12.8 metres from the rear of 172 Selsdon Road while the proposed dwelling would not extend fully across the width of the garden of No172. Given the separation distance and position of the dwelling in relation to No172 the proposal is not considered to appear visually intrusive, nor would the proposal result in a loss of privacy given the lack of windows to the eastern flank wall.

172A Selsdon Road

8.33 The neighbouring development at 172A Selsdon Road has been subject to previous extensions and the conversion from office use to multiple flats. The proposed development would be sited approximately 3.2 metres from rearmost wall of No 172A. The area immediately to the rear of 172A Selsdon Road is used as a small courtyard style garden with outlook from this unit to the west, north and south. This consented plan is shown in Figure 5 below. Figure 6 further demonstrates the impact of the development upon this neighbour. The section shows a small incursion within a 45 degree angle taken from the rear window of No 172A, and while this incursion is minor the proposal would result in a degree of harm to the residential occupiers. However, Officers note that the two rooms that the windows in the western elevation serve also have windows in the north and south.

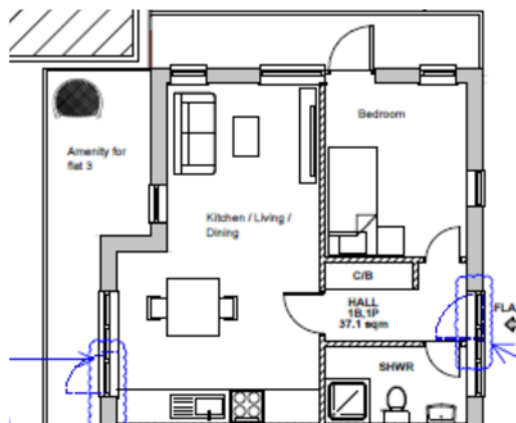
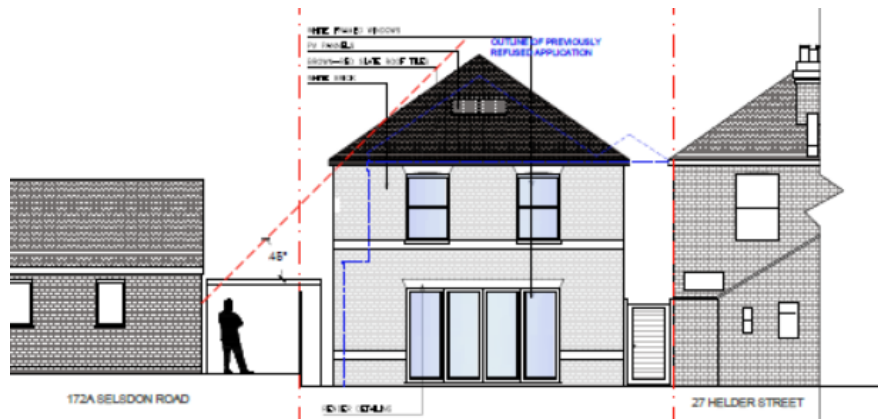


Figure 5: plan of rear ground floor unit in 172A Selsdon Road

Figure 6: Image depicting the relationship between the proposal and 172A Selsdon Road (to the left)



8.34 Officers acknowledge that the proposal would result in a degree of harm to the residential amenities of 172A Selsdon Road. However, during the course of this application amendments have been made to improve the overall design of the building, stepping this away from the neighbouring property at 27 Helder Street which has pushed the built form closer to No172A. The repositioning of the dwelling has ensured that the proposal appears detached, respecting the pattern and rhythm of Helder Street. The harm to the amenities of 172A Selsdon Road is acknowledged but has to be weighed in the planning balance. Design improvements are noted while weight is attached to the provision of much needed family home within a highly sustainable location. In addition, the proposal would result in the redevelopment of brownfield land in which the framework actively encourages.

8.35 A degree of harm to the residential amenities of 172A Selsdon Road would occur as a result of this development. However, when weighing this impact in the overall planning balance Officers are of the view that the benefits would outweigh this harm when taking the policies of the development plan as a whole.

Trees, landscaping and biodiversity

8.36 LP Policy G7 and CLP policy DM10.8 and DM28 seek to retain existing trees and vegetation. CLP policy DM10.8 requires proposals to incorporate hard and soft landscaping.

8.37 The site current contains three garages and is a derelict in nature with no on-site vegetation. The proposed development would not result in the loss of any protected trees or valued landscape features.

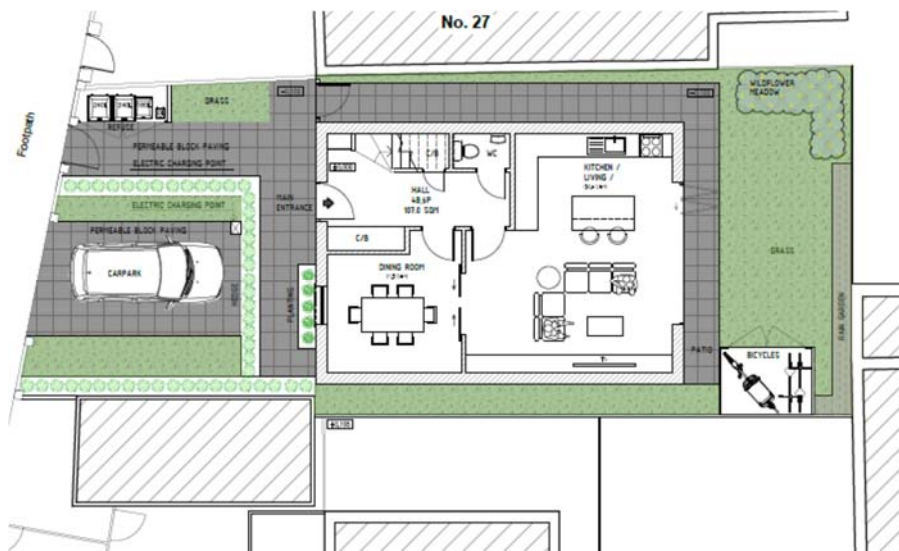


Figure 7: site layout plan

8.38 The above image shows the proposed ground floor arrangement and where there is space for soft landscaping. Final 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, given the current garages on site. 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

- 8.39 LP Policy T6.1 suggests a provision of up to 0.75 spaces per dwelling for developments within PTAL 4. CLP Policy DM30 and LP policy T5 (and Table 10.2) requires the provision of a total of 1.5no. cycle parking spaces for the development proposed in this application. The proposal complies with the maximum parking standards in the London Plan while the proposal is capable of providing cycle parking at a greater ratio to that set out in Policy T5 of the London Plan.
- 8.40 The current garages on site are in a poor condition and not fit for purpose, so would not result in any cars being displaced from them onto the street.
- 8.41 The application site lies within an established residential area and while parking appears congested (based on site visit observations and representations from third parties) and restricted on Helder Street and Selsdon Road, Helder Street itself is not subject to a controlled parking zone and is one way, with traffic going westwards. The proposal incorporates one off street parking space and would not reduce on street parking provision given the extent of the existing dropped kerb, which would be reduced down in depth through highway agreement. Given the sites PTAL rating of 4, where the London Plan sets a maximum parking standard at 0.5-0.75, the proposal would meet the maximum parking standards providing 1 onsite parking bay. Vehicular manoeuvres would be reduced to one parking bay, as opposed to the existing three garages, this reduction would reduce potential conflict between road users and improve highway safety.
- 8.42 Cycle parking would be provided within the rear garden area within a dedicated store and would be accessed via a 1.2 metre path to the west, the location and access to such a store is therefore considered acceptable.
- 8.43 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 boundary and such is capable of being presented on collection days within a 20 metre drag distance. Whilst being presented on the frontage is not an ideal situation, weight has to be given to the fact the scheme is for one house (so not larger bins as required for flatted development) and the road contains terraced properties with small front gardens, generally low walls and bins located within them. The elevations indicate a 1m high front boundary that would help screen the bins from the road; final details are proposed to be secured via condition. The location of the refuse store is therefore considered acceptable. However, Officers recommend that further details are secured via condition to ensure that the store is constructed using appropriate materials and that landscaping is incorporated to help soften the appearance of the structure from within the street scene.
- 8.44 Given the close proximity of the site to a Primary School and the busy nature of the area it is recommended that a condition is attached to require the submission of a Construction Logistics Plan (CLP). The CLP shall include a survey of the surrounding footways and carriageway prior to commencement of works on site to ensure that any damage to the highway as a result of the building works would be repaired at the cost of the developer.
- 8.45 Overall, in terms of transport matters, the proposal is considered acceptable.

Flood risk and energy efficiency

- 8.46 The site is at risk of surface water flooding but is not located within Flood Zones 1, 2 and 3; it is therefore noted that the proposal has the potential to contribute to surface water run-off. In accordance with LP Policies SI 12 and SI 13 and CLP Policy DM25 it is reasonable that the proposed development seeks to reduce the cause and effect of surface water flooding through the incorporation of Sustainable Drainage Systems (SuDS) as part of the wider landscape strategy. The submitted flood risk assessment identifies SuDS options, primarily permeable paving, soft landscaping and draining at reduced run-off rates. Subject to the incorporation of an appropriately worded condition the proposal would accord with the aforementioned policies.
- 8.47 CLP policy SP6 requires development proposals to both achieve the national technical standard for energy efficiency in new homes.
- 8.48 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

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

Conclusions

- 8.50 The proposed development would contribute to the Boroughs identified need for family dwellinghouses. Such an approach would seek to make better use of brownfield 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 appropriate to the character and appearance of the area while the separation to the site boundaries would ensure that the proposal would not appear cramped within its plot. Parking would be provided within the front garden area 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 future occupiers. It has been identified that harm to the residential amenities of 172a Selsdon Road would arise as a result of the development, but such harm is outweighed by wider public benefits while being considered by Officers to be at the lower end of such a scale. Acceptable levels of car and cycle parking would be provided and have been found to be in accordance with the London Plan 2021. In addition, no further dropped kerbs would be required and the proposal would seek to utilise the existing vehicular access onto Helder Street, the proposal would not pose a risk to highway safety. All other matters are capable of being secured through condition. Where sustainable development is proposed the framework it is clear that planning permission should be granted without delay. Officers are therefore satisfied that the proposal is acceptable having regards to the development plan as a whole.
- 8.51 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this

against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).

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