

Planning Sub-Committee Agenda



To: Councillor Michael Neal (Chair)
Councillor Clive Fraser (Vice-Chair)
Councillors Ian Parker, Lara Fish, Sean Fitzsimons and Humayun Kabir

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 21 March 2024** at the rise of Planning Committee but not earlier than **7.15 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

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

Tariq Aniemeka-Bailey
020 8726 6000 x64109
tariq.aniemeka-bailey@croydon.gov.uk
www.croydon.gov.uk/meetings
Wednesday, 13 March 2024

Members of the public are welcome to attend this meeting

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

To register a request to speak, please either e-mail Democratic.Services@croydon.gov.uk or phone the number above by 4pm on the Tuesday before the meeting.

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

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

AGENDA – PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee

2. Minutes of the previous meeting (Pages 5 - 8)

To approve the minutes of the meeting held on Thursday, 7 March 2024 as an accurate record.

3. Disclosure of Interest

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

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Planning applications for decision (Pages 9 - 12)

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

5.1 23/02364/FUL - Land At The Rear Of 394-398 Coulsdon Road, Coulsdon, CR5 1EF (Pages 13 - 34)

Construction of a three-bedroom detached dwelling in the rear gardens of nos. 394 and 398 Coulsdon Road with access from Lacey Avenue and provision for parking, cycle storage and refuse storage.

Ward: Old Coulsdon

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, 7 March 2024 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);

Councillors Leila Ben-Hassel, Ian Parker, Lara Fish, Sean Fitzsimons and Humayun Kabir

Apologies: Councillor Clive Fraser

PART A

23/24 **Disclosure of Interest**

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

24/24 **Urgent Business (if any)**

There was none.

25/24 **Planning applications for decision**

26/24 **23/03910/HSE - 30a Gibson's Hill, Norbury, SW16 3JP**

Erection of single storey rear extension, alterations to the main roof, installation of roof windows and associated alterations (retrospective).

Ward: Norbury Park

The officer presented details of the planning application and in response to members' questions explained that:

- The original planning permission for the dwelling and garage included the access road, so there was extant planning permission for the use of the access road and the land at the front of the site for vehicles.
- As the application solely related to alterations to the dwelling, it would be unreasonable to add a condition for the implementation of a bollard to ensure that the development would be car free.
- The access road was 3.2 metres wide, but the use of the access road had been compromised by the existing foliage which had narrowed the

pathway; however, the foliage could be cut back to ensure that the access road remained 3.2 metres wide.

- The access road was 33 metres in length. The area in front of the dwelling was 6.9 metres wide and 28 metres in length. The area to the southeast of the site (the side elevation of the dwelling) was 6 metres wide and just over 11 metres deep so there was enough space for vehicles to turn, however, only a small vehicle could gain access due to the narrow width of the access road.
- The current application dealt solely with the land on the southwest of the site, the land to the northeast of the site had been sold off to a third party. The garage lay outside of the area which was being considered in the application. There had been an application in 1989 for a side extension to the main dwelling which had been approved and implemented. Officers did not have any further details between 1989 and the present day on how the site had been used.
- As the site had been granted consent for vehicles to use the access road in 1957, it would be unreasonable for officers to try and prevent this.
- There was a plan to use the access road for refuse storage on bin collection days. The refuse would be removed from the access road and taken back to the main dwelling once the collection had taken place.

Paul Wright spoke in objection to the application, Zaheer Varyawa and Razin Omar spoke in support of the meeting. After the speakers had finished, the sub-committee began the deliberation, during which they raised the following points:

- The development was not unduly visible from the road.
- The increase in height of the proposed development was minimal.
- There were concerns regarding the access road, however, following advice from officers it was understood that this could not be considered as a reason for refusal.
- There were concerns that there were no lights proposed for the access road.
- There were no proposals on how the foliage would be managed along the access road.
- The proposal to leave the refuse bins in the middle of the access road for collection was not considered practical.
- The lack of clarity around the removal of trees from the site was considered to be an issue.

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

The motion to grant the application was taken to a vote and carried with five Members voting in favour and one Member voting against.

The Committee **RESOLVED** to **GRANT** the application for the development at 30a Gibson's Hill, Norbury, SW16 3JP.

27/24 **Other planning matters**

28/24 **Weekly Planning Decisions**

The report was received for information.

The meeting ended at 7.14 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.

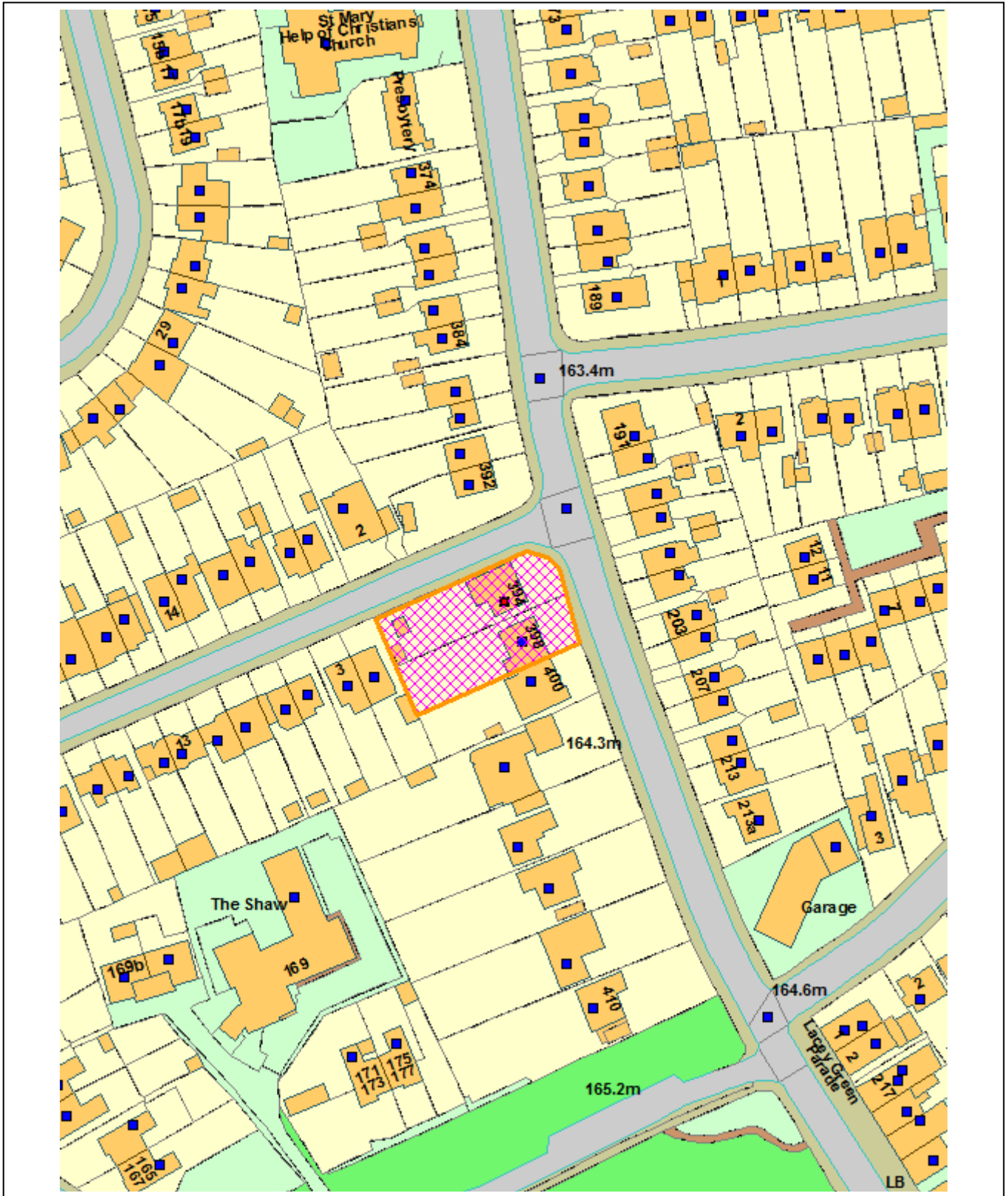
8. BACKGROUND DOCUMENTS

- 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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1 APPLICATION DETAILS

Ref: 23/02364/FUL
 Location: Land At The Rear Of 394-398 Coulsdon Road, Coulsdon, CR5 1EF
 Ward: Old Coulsdon
 Description: Construction of a three-bedroom detached dwelling in the rear gardens of nos. 394 and 398 Coulsdon Road with access from Lacey Avenue and provision for parking, cycle storage and refuse storage.
 Drawing Nos: 1099/05 Rev B; 1099/01 Rev G; 1099/02 Rev L; 1099/03 Rev G; 1099/04 Rev F; 1099/06 Rev E; 1099/07 Rev D; 1099/08 Rev A Highways Technical Note by Motion dated 07/12/2023; Fire Strategy Statement ref 1099 Rev A; Sunlight Study 1099/09 Rev A; Part M4(2) Compliance statement Rev 0; Arboricultural Report by dpa arboricultural consultants dated August 2022
 Applicant: Mr Richard Barnes, Caitling Consultants Ltd
 Agent: Mr Simon Boobyer, The Brunton Boobyer Partnership
 Case Officer: Thomas Tinel

Housing Mix					
	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (5 person)	TOTAL
Proposed (market housing)				1	1

Number of car parking spaces	Number of cycle parking spaces
1	4

1.1 This application is being reported to committee because:

- The number of objections received exceeded the threshold required for consideration by the Planning Committee.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission subject to the completion of a S.106 agreement to secure the following heads of terms:

- (a) A financial contribution of £1,500 towards sustainable travel improvements and associated monitoring fee

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) Development to be carried out in accordance with the approved drawings

Pre-commencement

- 3) Submission of Construction Logistics Plan including footway survey
- 4) Submission of full drainage strategy and layout, including details of SUDs measures

Prior to above ground floor slab level

- 5) Submission of detailed design; including materials, details and key junctions including window reveals
- 6) Submission of hard and soft landscaping scheme, retaining walls, boundary treatments, maintenance plan
- 7) Biodiversity enhancement strategy
- 8) Details of vehicular and pedestrian visibility splays

Pre-occupation

- 9) Details of bin store and cycle store

Compliance

- 10) Creation of parking space as approved and retention in perpetuity
- 11) Development to be carried out in accordance with the approved arboricultural report and tree protection plan
- 12) Development to be carried out in accordance with accessible homes requirements M4(2)
- 13) Compliance with water efficiency requirements
- 14) Removal of permitted development rights for extensions (Classes A, B, C, D, and E only)
- 15) Obscured-glazing to first floor side facing windows
- 16) Compliance with Fire Safety Strategy
- 17) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Contact waste team prior to occupation
- 4) Highways informative in relation to S278 and S38 works required
- 5) Boilers
- 6) Construction logistics informative (in relation to condition 3)
- 2) Compliance with Building regulations/Fire regulations
- 3) Thames Water informative
- 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.

2.4 That, if by 3 months, the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 Full planning permission is sought for the subdivision of the rear gardens of 394 and 398 Coulsdon Road, and demolition of the existing detached garage and garden structures at no.394 to facilitate the construction of a two storey detached dwelling.
- 3.2 The new property would utilise the existing crossover at the back of 394 Coulsdon Road and shared with 1 Lacey Avenue. A refuse store and cycle store would be provided in the front garden of the property. The donor house, 394 Coulsdon would have no permitted on-site car parking space following the development and would need to rely on on-street parking. There would be no changes to the parking arrangements of 398 Coulsdon Road.
- 3.3 During the course of the application, an amended location plan has been submitted showing an amended red line boundary to match the site address and other plans submitted. A parking stress survey and some specific clarification details have also been submitted. This included confirmation of site boundary ownership details and submission of a plan demonstrating that appropriate visibility splays could be achieved. These matters did not alter the nature of the proposal as originally consulted upon and therefore re-consultation was not undertaken.

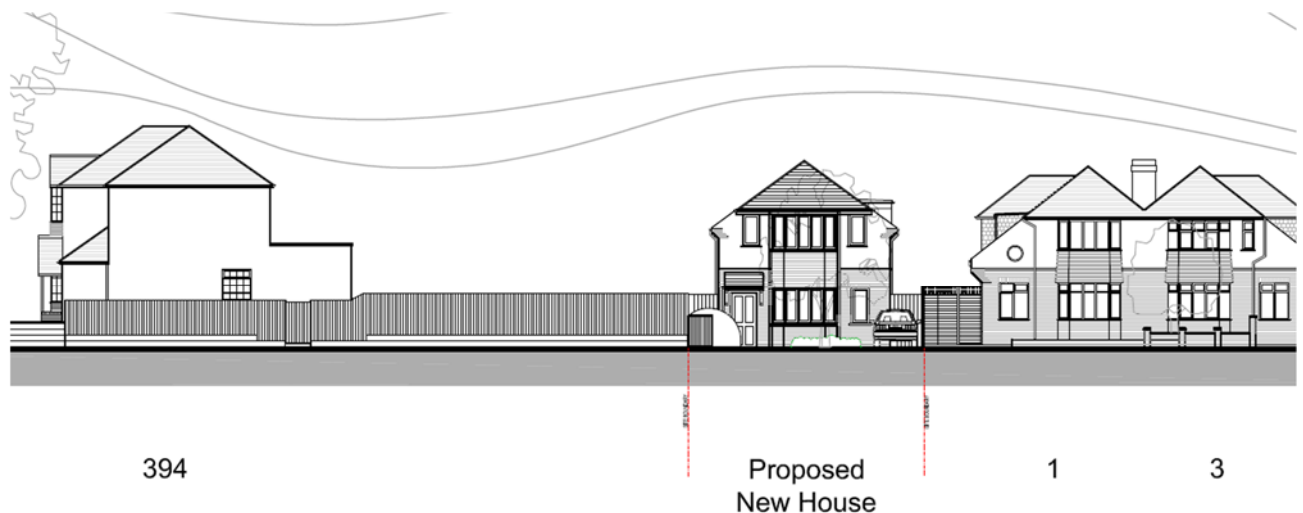


Figure 1: Proposed development (Lacey Avenue streetscene)

Site and Surroundings

- 3.4 The site comprises the rear portion of the existing gardens of two family homes on Coulsdon Road (no.394 and 398). The site is currently occupied by a single storey garage, timber garden building and lawn and shrubs and trees. To the south west of the site, No.1 Lacey Avenue is a semi-detached two storey property which sits close to the boundary with the site. To the south east, the site abuts the rear garden of no.400 Coulsdon Road.

- 3.5 The site has a PTAL rating of 2 indicating a poor accessibility to public transport. The parts of Lacey Avenue and Coulsdon Road immediately adjacent to the site are identified as being at low risk of surface water flooding (1/1000yrs). The site is located in an archaeological priority area. There are no other policy or land use designations.

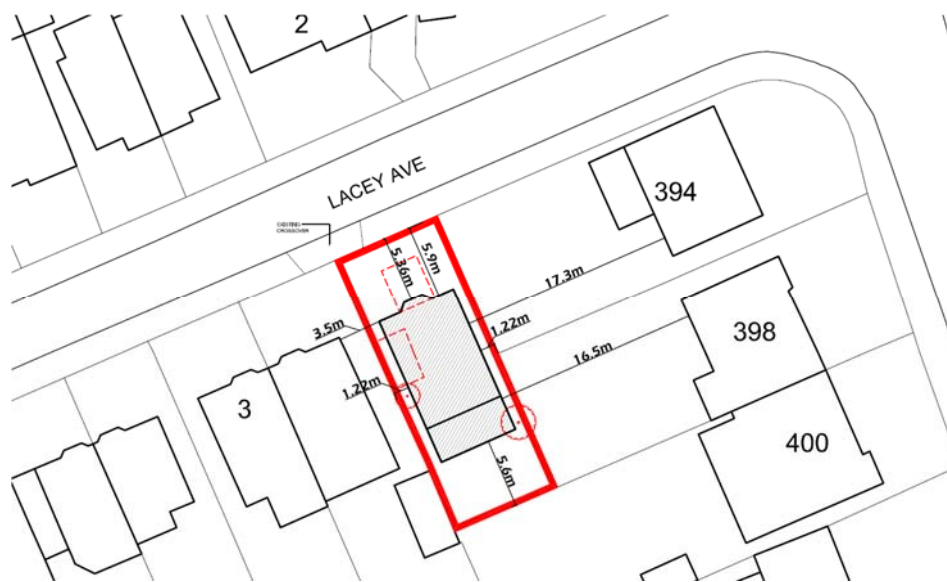


Figure 2: Block Plan of the application site

Planning History

- 3.6 The following planning decisions are relevant to the application:

22/03509/FUL - Erection of a two-storey detached dwelling plus attic level accommodation in the rear gardens of nos. 394 and 398 Coulsdon Road (accessible from Lacey Avenue) and provision for parking, cycle storage and refuse storage

Refused on 10/02/23 on the following grounds:

1) *By reason of its scale, massing and design, the proposal would be out of keeping with the character and appearance of the street scene contrary to DM10 and SP4 of the Croydon Local Plan (2018) and D3 and D4 of the London Plan (2021).*

2) *By reason of its siting, massing and design, the proposed development would be detrimental to the amenities of the occupiers of neighbouring properties by way of loss of privacy, light and overbearing impact. The proposal therefore fails to accord with the requirements of Policy D3 of the London Plan (2021) and Policies SP4.2 and DM10.6 of the Croydon Local Plan (2018).*

3) *By reason of the poor layout of the car parking and vehicle crossover design and inadequate information on the plans with regard to pedestrian sightlines, the proposal has not demonstrated that it would not result in unacceptable impacts on highway and pedestrian safety. It is also not*

demonstrated that the proposal would not result in additional parking stress due to loss of onstreet parking. The proposal would thereby conflict with Paragraphs 110 and 111 of the NPPF (2021), Policy D3, T5, T6, T6.1 of the London Plan (2021) and Policies SP8.6, DM10.8, DM13, DM29 and DM30 of the Croydon Local Plan (2018).

23/00880/FUL - Construction of a three-bedroom detached dwelling in the rear gardens of nos. 394 and 398 Coulsdon Road with access from Lacey Avenue and provision for parking, cycle storage and refuse storage.

Refused 05/05/23 on the following grounds:

1) By reason of its scale, massing and design, the proposal would be out of keeping with the character and appearance of the street scene contrary to DM10 and SP4 of the Croydon Local Plan (2018) and D3 and D4 of the London Plan (2021).

2) By reason of its siting, massing and design, the proposed development would be detrimental to the amenities of the occupiers of neighbouring properties by way of loss of privacy and overbearing impact. The proposal therefore fails to accord with the requirements of Policy D3 of the London Plan (2021) and Policies SP4.2 and DM10.6 of the Croydon Local Plan (2018).

[OFFICER COMMENT: Significant amendments have been made to the proposed development since the previous refusal of permission. The height and massing of the proposed house has been reduced. The ridge height has been lowered by 800mm, its eaves by 700mm. The width and depth of the house have also been reduced by 220mm. These items will be discussed below in the relevant sections where appropriate]

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 Approval is recommended for the following reasons:

- The principle of residential development within this location is acceptable
- A new family-sized dwellinghouse would be provided
- The design and appearance of the development is appropriate for the site and the surrounding context
- There would be no undue harm to the residential amenities of adjoining occupiers
- The standard of accommodation for the future occupants would be acceptable and compliant with the London Plan and Nationally Described Space Standards
- Subject to the imposition of conditions and S106 financial obligation, the proposed development would not have an adverse impact on the operation of the highway
- There would be no undue harm on neighbouring trees
- Subject to conditions, the proposed would not have an adverse impact on flooding
- Sustainability aspects can be controlled by condition
- Subject to conditions, the proposals would offer sufficient biodiversity enhancement measures and would not have an adverse impact on ecology.

4.2 The following section of this report details the officer's assessment of the application against the material planning considerations and the relevant policies which have contributed to the recommendation that planning permission is granted.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

Historic England (Statutory Consultee)

5.3 It is noted that Historic England (GLAAS) was consulted as part of the previous application 22/03509/FUL and stated that due to the site being less than 0.5ha and within a Tier III Archaeological Priority the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. They concluded that no further assessment or conditions were necessary.

6 LOCAL REPRESENTATION

6.1 A total of 18 neighbouring properties were notified about the application and invited to comment. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 18 Objecting: 15 Supporting: 3 (including 2 from the applicant)

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

Objection	Officer comment
Character and design	
Overdevelopment of a small plot of land	Addressed in paragraphs 8.7 to 8.16
Not in keeping with the area	
Neighbouring amenity	
Overlooking and loss of privacy	Addressed in paragraphs 8.21 to 8.28
Loss of light	
Noise pollution	
Parking and highways	
Insufficient availability of on-street parking spaces in the area	Addressed in paragraphs 8.33 to 8.40
Increase in traffic congestion on road	
Inadequate vehicular access	
Tress and ecology	
Impact on large nearby trees	Addressed in paragraphs 8.29 and 8.30
Other	
Impact on flood risk	Addressed in paragraphs 8.41 to 8.43

6.3 The Old Coulsdon Residents Association have objected to the proposal, for the following reasons:

- Overdevelopment of a small plot
- Overlooking
- Rear garden too small
- Not in keeping with a village location

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
- D7 Accessible housing
- D12 Fire safety
- D14 Noise
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- H1 Increasing housing supply
- H2 Small sites
- SI 2 Minimising greenhouse gas emissions
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

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
- DM30 Car and cycle parking

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 December 2023, 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.

SPDs and SPGs

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

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Housing Design Standards LPG (2023)

8 MATERIAL PLANNING CONSIDERATIONS

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

- A. Principle of development
- B. Design and impact on character of the area
- C. Quality of residential accommodation
- D. Impact on neighbouring residential amenity
- E. Trees, landscaping and biodiversity
- F. Access, parking and highway impacts
- G. Flood risk and energy efficiency
- H. Fire Safety
- I. Conclusions

A. Principle of development

- 8.2 There is significant housing need within the Borough, as well as across London and the south-east more widely. All London Boroughs are required by the London Plan to deliver a number of residential units within a specified plan period. In the case of the London Borough of Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher annual target of 2,079 homes per year.
- 8.3 Policy SP2.2 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 site is located in a residential area and as such the principle of an additional house in this area would contribute to the borough's housing stock and achievement of housing targets set out in London Plan (2021) and Croydon Local Plan (2018). This requirement is also set out into Policies H1 and H2 of the London Plan which encourages Boroughs to optimise the potential for housing delivery on all sites, and advises pro-active support for well-designed new homes on small sites (below 0.25 hectares in size). The development site would fall within the definition of a small site.
- 8.4 Policy SP2.7 of the CLP seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes and that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. The proposed development would provide a new family home which would contribute to this strategic target.
- 8.5 Local Plan Policy DM10.4e states that in the case of development in the grounds of an existing building which is retained, a minimum of 10m and no less than half or 200sqm (whichever is smaller) of the existing garden area should be retained for the host property, after subdivision of the garden. In this case, the site forms the rear portion of the garden for two houses (394 and 398 Coulsdon Road). The existing gardens would both be more than 10m in depth (13-14m to the new boundary) and would retain more than half their original sizes. Thus the development would comply with this policy.
- 8.6 The principle of a new family-sized house in this location is considered to be acceptable, subject to other material considerations.

B. Design and impact on character of the area

- 8.7 London Plan Policy H2 requires boroughs to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites. Policy DM10 of the Croydon Local Plan (2018) requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy DM10 also states that in the case of development within the grounds of an existing building which is retained, the development should be subservient to that building.

- 8.8 Policy SP4.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 also require development to be of a high quality which respects and enhances local character. Policies D2, D3, D4 and D5 of the London Plan (2021) are also of relevance.

Background

- 8.9 This application is the third submission for the construction of a proposed dwelling on site. The first proposal (ref 22/03509/FUL) was for a two storey detached house with accommodation within the roof space, with a gabled roof with a mansard-type rear dormer. While the building was proposed to be built in line with the prevailing building line of Lacey Avenue, the house was taller than both the adjacent properties on Lacey Avenue and the host properties on Coulsdon Road, resulting in a building that failed to be subservient to the host building. The proposed building was also considered at odds with the prevailing character of the area, resulting in an incongruous addition to the street scene.



Figure 3: Streetscene elevation of dwelling proposed under ref 22/03509/FUL

- 8.10 The first resubmission (ref 23/00880/FUL) proposed a revised design with a retained traditional two storey front gable projection. The design of the roof was amended in an attempt to address the previously raised concerns, proposing a hipped roof instead of the gabled roof with mansard-style rear dormer of the previous proposal. The ridge of the roof was also lowered by 0.5m from 8.4m to 7.9m. While these changes did reduce the visual prominence of the dwelling, particularly at roof level and enhance its relationship with neighbouring properties, the dwelling remained taller than the adjoining properties on Lacey Avenue. The width, depth and overall footprint of the building was also not reduced and the dwelling retained an overly large single storey rear projection. Overall, it was considered that this revised design did not sufficiently address the previous reason for refusal. The proportions of the property would still sit awkwardly in the streetscene and appear overly large for the plot.

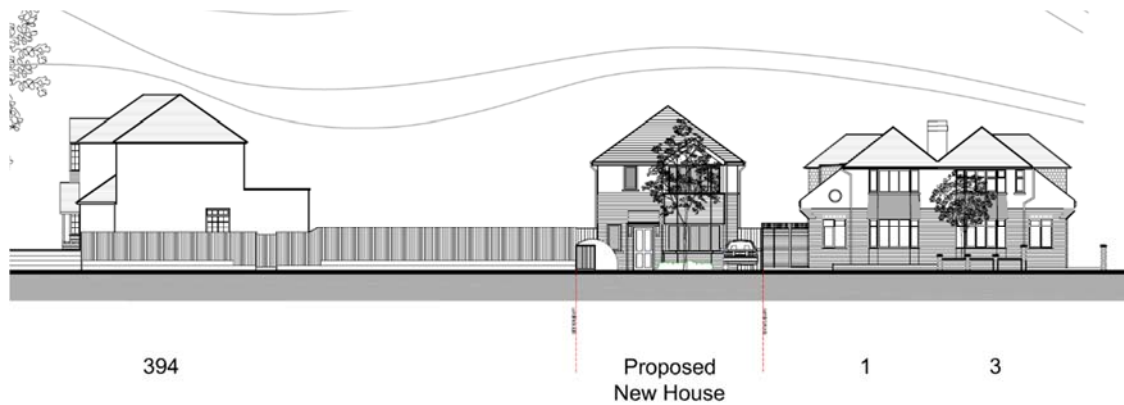


Figure 4: Streetscene elevation of the dwelling proposed under ref 23/00880/FUL

Height and massing

- 8.11 The current application proposes a revised reduced design for the proposed dwelling. The dwelling would measure 7.1m in height at the ridge, 6.5m in width and 9.5m in depth for the main body of the building with a 2.9m deep single storey rear projection. The ridge of the roof of the building has been lowered by 800mm, and the eaves by 700mm. This ensures that the proposed building would sit much lower than the donor properties and would follow the roof line of the neighbouring properties on this side of Lacey Avenue.
- 8.12 The width of the building has also been reduced slightly by 220mm and its depth at ground floor level was reduced by 220mm. It is also noted that the height of the single storey rear projection has been reduced by 570mm to 2.9m.
- 8.13 The proposed dwelling is considered to sit more comfortably on the site compared to the previous proposals, and to integrate better in the street scene. Overall, it is considered that the height, scale, and siting of the proposed development would optimise the site for redevelopment in line with London Plan policies D3 and H2 as well as Local Plan Policy DM10. The development has been sensitively designed to ensure, that the proposal is sympathetic and responds to the suburban character of the surrounding area therefore resulting in compliance with the above policies.
- 8.14 Given that the dwellings would use most of the developable area of the site, and that enlargement at roof level or ground level could be harmful to local amenity, removal of permitted development (Classes A-E) is recommended by a condition.

Detailed design

- 8.15 The design principles of the dwellings have been drawn from the contextual character analysis which identifies that hipped roofs with low eaves levels, and front bay windows are key features of the surrounding dwellings. The proposed dwelling would have a traditional appearance with a hipped roof with one small side dormer, and front bay windows which add visual interest and contribute to integrating the building in the streetscene. In terms of materials, the dwelling would be finished with facing brick work at ground floor level and light coloured render at first floor. The use of these materials is considered acceptable given the prominence of this within the surrounding area (including on the donor property), and the combination of white

render, red brick and tiles can be seen on a number of properties in the vicinity of the site. The reduction of the height of the rear projection and increase in the height of the rendered first floor to the rear would create a less bulky appearance when viewed from the rear compared to the previous proposal.

- 8.16 In terms of the proposed materials and final detailing, a condition is recommended requiring details to be submitted to the LPA for approval prior to the commencement of above ground works.
- 8.17 Overall, it is considered that the proposed subdivision of the plot would optimise the use of the site in line with London Plan policies D3 and H2 as well as Local Plan Policy DM10. The height, scale, and siting of the dwelling would now be appropriate and would respond successfully to the suburban character of the surrounding area. The architectural style would reflect its context and the dwelling would make a positive contribution to the streetscene. The proposals are therefore considered to result in a development that complies with the relevant policies.

C. Quality of residential accommodation

- 8.18 The proposed house is required to be designed in line with the standards set out in the Nationally Described Space Standards (NDSS) and the London Plan Housing SPG, particularly regarding minimum floor space standards (including minimum sizes and widths for rooms/storage). The London Housing SPG requires a minimum of 5sqm of private outdoor space for 1-2 person dwellings, with an extra 1sqm for each additional occupant.
- 8.19 The table below sets out the relevant figures with a comparison to these minimum standards:

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)
3b/5p	121	84	48	8	2.7	2.5

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

- 8.20 The development would provide a 3 bedroom (5 person) family home which would exceed minimum standards for a property of this type over 2 floors, with adequate floor to ceiling height as demonstrated on the plans. The garden space (roughly 48sqm) would exceed the London Plan standards and would also provide sufficient space for garden and children’s playspace. Whilst the depth of the garden would be minimal, it is considered to achieve acceptable amenity space in line with policy requirements.
- 8.21 London Plan Policy D7 states that new development must ensure that 10% of new dwellings within a scheme (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’. Policy SP2.8 of the Croydon Local Plan (2018) states that the Council would ensure that new homes in Croydon meet the needs of residents over a lifetime. The planning statement suggests that the new dwelling has been designed to meet the requirements for M(4) of the building

regulations for accessible properties. No details have been submitted to demonstrate this, however, the property has been designed with level access and a ground floor bathroom and it is likely that it could accommodate a stair lift or similar. Given the small scale of development, this is considered acceptable.

D. Impact on neighbouring residential amenity

- 8.22 Policy D3 of the London Plan states developments should secure safe and inclusive environments, secure outlook, privacy and amenity, provide green space and achieve outdoor /indoor environments that are inviting for people to use. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 8.23 The properties most affected by the proposal are the donor properties, 394 and 398 Coulsdon Road, and the neighbouring properties, 1 Lacey Avenue and 400 Coulsdon Road. The impact on these properties is discussed below in turn, along with consideration for 2 Lacey Avenue, 392 Coulsdon Road and 195-203 Coulsdon Road in the wider vicinity.

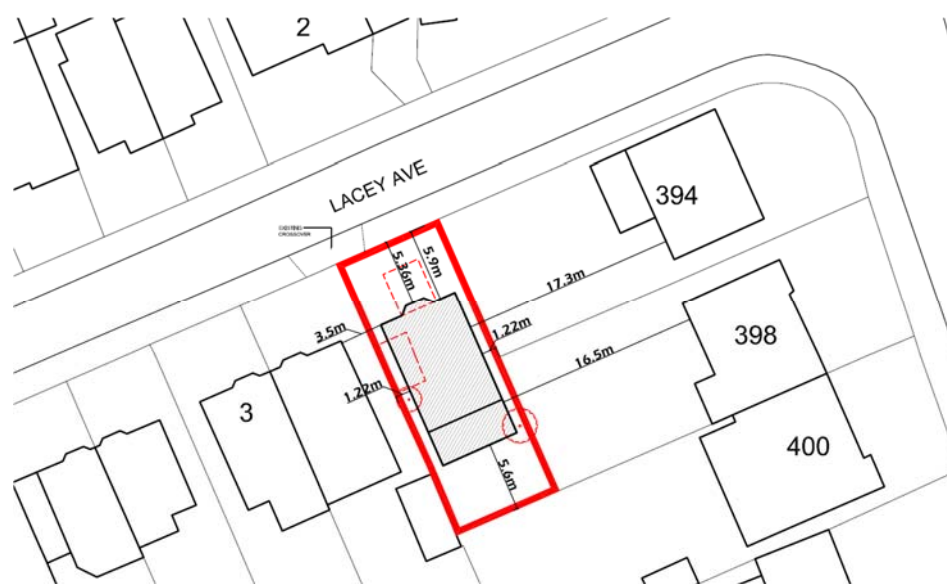


Figure 5: Proposed Block Plan showing neighbouring properties

394 & 398 Coulsdon Road

- 8.24 The new property would be located between 14-16m from the rear windows of these properties. London Plan guidance suggests that window to window distances should be approximately 18m. Two windows are proposed in the side elevation facing these neighbours, serving the staircase and bathroom and are proposed to be obscure-glazed. As such the proposal would cause no harmful overlooking. Given the position and orientation of the sites, it is not considered that the development would result in loss of daylight/sunlight.
- 8.25 The previous schemes were refused due to the overbearing impact and loss of outlook for these properties, caused by the design and massing of the proposed

building. This application proposes a revised reduced design for the proposed building. Most notably, the ridge of the roof of the building has been lowered by 800mm, and the eaves by 700mm. The width of the building has also been reduced slightly by 220mm resulting in a slight 110mm increase in the separation distance with these properties. These amendments result in a less bulky building and a much more comfortable relationship between the proposed building and these neighbouring properties. Overall it is not considered there would be a significant impact through loss of outlook or visual intrusion on 394 and 398 Coulsdon Road.

400 Coulsdon Road

- 8.26 The proposed dwelling would be positioned 5.6m from its rear boundary which abuts the rear garden of 400 Coulsdon Road. The first floor element would be 8.5m from the rear boundary. The proposal would overlook the end of the rear garden of No.400 from windows at first floor. Local Plan Policy DM19.6(c) states that development should not result in direct overlooking of private outdoor space within 10m perpendicular to the rear elevation of a dwelling. The proposed new dwelling is over 13m from the rear elevation of No.400 and as such it is not considered that direct or harmful overlooking will occur.
- 8.27 Whilst some visual intrusion would occur, the reduced bulk and massing would prevent the development from causing any undue harm to outlook from No.400. Given the position and orientation of the sites, it is not considered that the development would result in loss of daylight/sunlight.

1 Lacey Avenue

- 8.28 Given the alignment of the proposed property adjacent to 1 Lacey Avenue, it is not considered that it would be unduly overbearing upon this property. Two ground floor windows are proposed in the side elevation which would be screened by boundary fencing and at first floor level a bathroom window is proposed which would be obscure glazed. As such the proposal would cause no harmful loss of privacy.
- 8.29 1 Lacey Avenue has several windows in the side elevation facing onto the site as well as its entrance door. The majority of windows appear to be secondary or to non-habitable rooms, however at least one of the upper floor windows appears to be a bedroom, which also has a small secondary window facing Lacey Avenue. The proposed building would be located to the east of 1 Lacey Avenue, and would therefore result in some overshadowing in the early mornings. A sunlight study has been provided, showing that the proposed building would not cause any overshadowing for the vast majority of the day. On balance, the proposed development is not considered to result in any unduly harmful loss of light or overshadowing to 1 Lacey Avenue. Whilst outlook from these side facing windows would be reduced, the windows currently face onto a private garden and are themselves considered to have an unneighbourly relationship with the donor properties. A minimum gap of 3.5m is provided between the houses and the reduced roof height enables some upwards outlook to be retained. Overall, it is not considered that the impact on the amenity of the occupants of 1 Lacey Avenue is so harmful that permission could be refused.

Other neighbouring properties and impacts

- 8.30 Whilst it is acknowledged that the development will be visible from other properties surrounding the site, given the separation distances involved, it is not considered undue harm would result to the occupiers through loss of light, outlook or privacy.
- 8.31 Whilst the proposal would result in an increase in occupants on the site, this would only constitute one additional family and as such it is not considered the proposal would give rise to any undue noise or disturbance. Any additional disturbance from lighting would be minimal and similar to the existing relationships between properties within a residential area such as this.

Conclusion

- 8.32 It is considered that this amended proposal has an appropriate relationship with the surrounding properties and would not now give rise to harm through loss of light, outlook or privacy, subject to conditions. The proposed development is considered acceptable in terms of the impact on neighbouring amenity.

E. Trees, landscaping and biodiversity

Trees and landscaping

- 8.33 London Plan Policy G7 specifies that wherever possible, existing trees of value should be retained. Similarly, Policy DM27 of the Local Plan requires proposals to incorporate biodiversity on development sites, and Policy DM28 specifies that proposals which result in the avoidable loss of retained trees where they contribute to the character of the area will not be acceptable. Local Plan Policy DM10.8 states that a cohesive approach is taken to the design and management of the landscape to ensure proposal incorporate hard and soft landscaping and retain and enhance existing trees and natural vegetation.



Figure 6: Tree survey plan

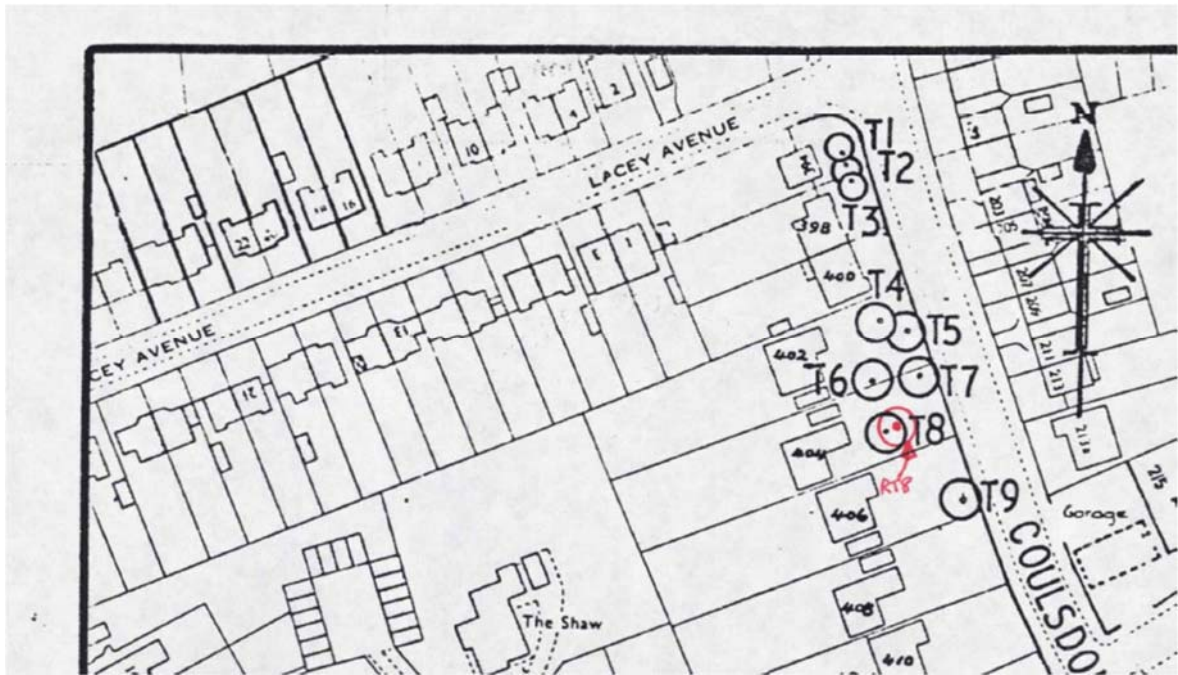


Figure 7: Tree Preservation Order no.6, 1984

- 8.34 There are several trees within the site. There are mature trees within the front gardens of 394-398 Coulsdon Road which are protected by TPO (6, 1984). The development would not affect those trees. It would however result in the loss of two small trees, a Hazel and Apple tree within the rear gardens. An Arboricultural Report has been submitted which suggests that these two trees are C1 category (trees of relatively low quality and/or low landscape value) and the landscaping proposals include the provision of two replacement trees to the rear garden of the property and one in the front garden. Given this, the loss of the two trees is considered acceptable and details of new trees and landscaping will be secured by condition.
- 8.35 The Arboricultural Report also identifies two other trees in close proximity to the site which whilst not affected by the development would require tree and root protection measures during construction. These details including a Tree Protection Plan are provided in the Arboricultural Report and will be secured by condition.

Biodiversity

- 8.36 Policy G6 of the London Plan (2021) states development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. This is reiterated in Policy DM27 of the Croydon Local Plan 2018 (Protecting and enhancing our biodiversity).
- 8.37 A report has been submitted with the application which suggests that the planning agents have undertaken a walk over of the site which did not identify any burrows, dens, nests or other signs that any animals are or have been living on the site. It also confirms that the two small trees that will be removed have been routinely crown reduced and are too low to the ground to provide safe nesting sites. Whilst a full ecology appraisal has not been undertaken, it is considered that given the size of the

site and limited vegetation and well-kept nature of the gardens, the development is unlikely to result in harm to any protected species or habitats.

- 8.38 Despite the small size of the proposed garden, it is considered that there is potential to secure a gain in biodiversity through good quality landscaping and interventions. Biodiversity enhancement measures will be secured by condition.

F. Access, parking and highway impacts

- 8.39 Paragraph 110 of the NPPF (2021) states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy T4(F) of the London Plan states that development proposals should not increase road danger. Policy T5 sets out cycle parking standards and Policy T6 car parking standards for proposed development. Policies SP8.17, DM29 and DM30 of the Croydon Local Plan (2018) provide further guidance with respect to parking within new developments and state that development should not adversely impact upon the safety of the highway network.

Car parking

- 8.40 London Plan Policy T6.1 allows up to 1.5 parking spaces per unit in a location of this PTAL (PTAL 2). One car parking space is proposed to the front of the site for the proposed dwelling. This would accord with the maximum standards and is considered acceptable. The car parking space would also utilise the existing vehicle crossover, which is shared with the neighbouring property. Vehicle tracking diagrams have been provided to demonstrate that the parking space can be accessed. Vehicular visibility splays can be achieved either side of the new crossover, with a condition recommended to ensure these are retained with low level planting on the frontage (i.e. not exceeding 0.6m in height within the splay). A pedestrian visibility splay can be provided on the eastern side of the existing crossover (to be secured by condition) but cannot be provided on the western side, due to the siting of the boundary fence shared with 1 Lacey Avenue. Given this is the same as the existing situation, this is unlikely to cause conflict with any vehicles or pedestrians in comparison to the existing situation and as such is acceptable.
- 8.41 394 Coulsdon Road utilises hardstanding at the site frontage for vehicular parking, however the vehicular access to this front garden appears to be unauthorised as the occupants are crossing the highway using a pedestrian crossing point instead of a vehicular crossover. The proposed development through the loss of the rear garage and parking space at the back of the garden would therefore result in a loss of permitted on-site car parking for 394 Coulsdon Road, forcing the occupants to park on the street. Following consultation with the Transport Planning officer, a parking stress survey was requested to demonstrate that this would not give rise to harmful levels of parking stress on the street. The submitted parking stress survey found that there existing parking stress levels in the area are 60% with 28 spaces available. There is therefore adequate space to accommodate the one extra vehicle that could result from the proposal development.
- 8.42 A financial contribution of £1,500 will be secured via S106 agreement to contribute towards sustainable transport initiatives in the local area in line with Local Plan policies SP8.12 and SP8.13.

Cycle parking

- 8.43 Policy DM30 and London Plan Policy T5 would require provision of a total of 2 cycle parking spaces for the proposed dwelling. A cycle store for 4 bikes is shown of the submitted plans, within the front garden of the new dwelling, which is considered acceptable. A condition is recommended requiring details of how cycle storage will be provided, including how cycles for families and those with accessibility requirements will be accommodated and to ensure an appropriate appearance in the streetscene.

Refuse

- 8.44 The scheme proposes the provision of a bin store which would be located in front of the site along the property boundary. The refuse store would be appropriately located for collection purposes and would be of sufficient size. The refuse store is shown as a timber structure with front opening doors which is appropriate and a common feature within suburban areas. Full details of the design of the store will be secured by condition. The proposed dwelling has a front garden and driveway which could be used for temporary bulky goods storage before their collection.

Construction Logistics

- 8.45 A condition is recommended to require the submission of a Construction Logistics Plan (CLP) and a condition survey of the surrounding footways and carriageway, prior to commencement of works on site, and for an informative to be added to the decision bringing the applicants attention to the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites."

G. Flood risk and energy efficiency

- 8.46 Policy SI 12 and Policy SI 13 of the London Plan 2021 seeks that development proposals must comply with the flood risk assessment and management requirements NPPF and utilise sustainable urban drainage systems (SUDS). The London Plan (2021) seeks that current and expected flood risk from all sources should be managed in a sustainable way and that surface water management issues should be identified, and measures implemented to aim to reduce these risks. Policies SP6.4 and DM25 seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS).
- 8.47 The site is located within an area with low risk of surface water flooding and limited potential for groundwater flooding. It is however acknowledged that concerns have been raised by neighbours regarding flooding issues in the area which could be exacerbated by the development. Considering the small scale of the proposal, it is considered that the site would be capable of delivering a SUDS scheme that would be capable of discharging surface water run off in a sustainable way and line with London Plan Policy SI13 and Local Plan Policy DM25. It is considered that a detailed SUDS scheme can adequately be secured via condition.
- 8.48 In order to ensure that the proposed development will be constructed to high standards of sustainable design in accordance with Local Plan Policy SP6, an

informative will be attached requiring details of external energy generation plant needed to achieve the carbon savings set out in the Building Regulations Part L (2021), and meet a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G.

H. Fire safety

- 8.49 Policy D12 of the London Plan requires the highest standards of fire safety to be achieved and a fire safety strategy should demonstrate how the policy is met. A Fire Statement and a plan have been submitted as part of this application, showing the proposed escape routes and position of fire appliances on Lacey Avenue. This is considered to satisfactorily address fire risk. The proposed development therefore accords with London Plan Policy D12(A).

I. Conclusions

- 8.50 The provision of new dwellings in the Borough is encouraged by the Council's Local Plan policies, national guidance in the NPPF and regional policies of the London Plan. The proposed new home would add to the supply of family sized housing in the area, whilst respecting the local character. It would not result in unacceptable impacts in terms of highways, amenity, or environmental impacts, and would result in a sustainable form of development.
- 8.51 Subject to the completion of a legal agreement and the appropriate conditions, the development is considered to be acceptable.
- 8.52 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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