

**PART 4: Planning Applications for Decision**

**Item 4.1**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 18/04373/FUL  
Location: Land to The Rear Of 310-312A/B Lower Addiscombe Road, CR0 7AF  
Ward: Addiscombe East  
Description: Erection of a two storey two-bedroom house with associated landscaping (fronting Sherwood Road) following demolition of existing garage.  
Drawing Nos: 000, 001, 021, 022, 023, 024, 031 received 03/09/2018, 101 Rev B, 102 Rev B, 103 Rev B, 201 Rev B, 202 Rev B, 203 Rev B, 204 Rev B and 301 Rev B received 01/03/2019  
Applicant: Mr Richard Wood  
Agent: Adventure in Architecture  
Case Officer: Emil Ancewicz

- 1.1 This application is being reported to Planning Sub Committee because the Ward Councillor (Councillor Maddie Henson) made representations in accordance with the Committee Consideration Criteria and objections above the threshold in the Committee Consideration Criteria have been received.
- 1.2 This case was initially referred to the Planning Sub Committee (13<sup>th</sup> December 2018) but was withdrawn from the agenda (prior to the meeting taking place) to enable officers to give further consideration to design issues.

**2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- 1) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) Materials to be submitted with samples
- 3) Construction Logistics Plan to be submitted
- 4) Details to be submitted including boundary treatments, hard landscaping materials, SUDs, cycle storage, waste storage
- 5) Removal of permitted development rights for enlargements and outbuildings
- 6) No additional windows above ground floor
- 7) Side and rear facing windows at first floor to be obscure glazed and non-openable below 1.7 metres above first floor level
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Commencement of development within three years of consent being granted
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

## **Informatives**

- 1) CIL liability
- 2) Code of Practice for Construction Sites
- 3) Part Wall Act 1996
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

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

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 3.1 The proposed development comprises the demolition of existing garage and the erection of a two storey two-bedroom detached house.
- 3.2 The application was scheduled to be determined at the Planning Sub Committee on 13<sup>th</sup> December 2018. However, following further consideration it was concluded that further design work was necessary.
- 3.3 Amendments were received on 1<sup>st</sup> March 2019, amending the design of the proposal. Neighbours were subsequently re-consulted on the revised scheme.

### **Site and Surroundings**

- 3.4 The site comprises a single storey garage fronting onto Sherwood Road that forms part of a two-storey mid terraced property located on the south eastern side of Lower Addiscombe Road, close to its junction with Sherwood Road. The garage is missing its rear wall and appears to be being used for storage purposes.
- 3.5 Sherwood Road is a residential street and the application site is situated at the end of a long terrace of 2-storey houses which have a strong uniformity of character. The L-shaped application site is relatively small with a narrow frontage onto Sherwood Road.
- 3.6 The site is not subject to any designated constraints.

### **Relevant Planning History**

- 3.7 92/2466/P - Erection of single storey building for storage purposes – Permission granted
- 3.8 08/01446/P - Erection of a three-bedroom detached house on land at rear fronting Sherwood Road – Permission refused
- 3.9 09/00139/P - Erection of a two storey three-bedroom detached house with accommodation in roof-space, fronting onto Sherwood Road on grounds of '*Out of character with surroundings*'; '*increase in overlooking*'; '*overshadowing of adjacent gardens*', '*insufficient provision of car parking*'

- 3.10 The subsequent appeal was dismissed. The Planning Inspector concluded that the proposed house would have appeared squeezed onto the plot with a cramped appearance with a vertical appearance and little in keeping with the pattern of development found in the immediate vicinity. She also concluded that the window facing onto the rear gardens of properties fronting onto Lower Addiscombe Road would have led to loss of privacy to those neighbours and that the failure to provide any off-street parking would have led to on street parking pressures in the vicinity.
- 3.11 There is a relevant planning permission in respect of 312 Lower Addiscombe Road (LBC Ref 07/04709/P). This involved the change of use of the ground floor to residential; erection of a porch, rear dormer extension and conversion to form 2x2 bedroom flats – Permission granted. This planning permission included all of the rear garden of 312 Lower Addiscombe Road and the garage building (part of which now comprises the current application site).

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of residential development on the site is acceptable given the established residential character of the area
- The scale and design of the development is appropriate
- There would be no significant harm to neighbours' living conditions
- The living standards of future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the London Plan
- The impact upon highway safety and efficiency is acceptable
- Sustainability aspects of the development can be controlled by planning condition

#### **5 CONSULTATION RESPONSE**

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

#### **6 LOCAL REPRESENTATION**

- 6.1 23 letters were sent to adjoining occupiers and following amendments to the scheme, the application, neighbours were re-notified. The total number of representations received from neighbours and local groups in response to notification and publicity of the application are as follows:

No of individual responses: 35      Objecting: 35      Supporting: 0      Comment: 0

- 6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report, as per the below table:

<b>Substance:</b>	<b>Section addressing the comment:</b>
Out of character with the appearance or architectural rhythm of the area	See paragraphs 8.5 – 8.10
Overdevelopment of the site	See paragraph 8.11
The submitted Daylight & Sunlight Assessment lacks detail	The level of detail is adequate to the small scale of proposed development
Intrusion to the sense of openness of the area	See paragraph 8.4
Insufficient provision of car parking; loss of a	See paragraph 8.24

garage	
Inconvenience and noise during the construction process along with highway safety considerations	This can be addressed through general construction logistics and restrictions on hours of construction – this should not be a significant issue given that the construction process would only result in a short-term inconvenience
Impact on neighbours' living conditions – loss of privacy, daylight, sunlight and overbearing presence on the boundary	See paragraphs 8.13 – 8.20
Impact on future occupiers' living conditions – poor outlook, insufficient floorspace provision	See paragraphs 8.22 – 8.23
Insufficient external amenity space would remain for 314 Lower Addiscombe Road	See paragraph 8.21
The proposed development does not comply with Policies 5.10 (C), 6.13, 7.4, 7.6, 7.15 of London Plan; and, Policies DM11.6 and DM31 of Croydon Local Plan.	<p>London Plan Policies:</p> <p>5.10 (C): This policy is more applicable to larger schemes. Given the small scale of the development and constraints of the site, it is considered that there is no scope to provide any additional green infrastructure.</p> <p>6.13: See paragraph 8.24</p> <p>7.4: See paragraphs 8.5 – 8.10</p> <p>7.6: See paragraphs 8.5 – 8.10</p> <p>7.15: This policy covers a wide range of aspects. Yet, the objection letter does not clearly refer to any of those. The use of the proposed building would be in line with the residential character of the area and further, any noise resulting from the construction process would only result in a short-term inconvenience.</p> <p>Croydon Local Plan Policies:</p> <p>DM10.6: See paragraphs 8.13 – 8.20</p> <p>DM31: This policy is not applicable to the proposed development.</p>

6.3 The following matters were raised in representations which are not material to the determination of the application:

- Incorrect supporting documentation failing to correctly reference previous refused applications on subject site [OFFICER COMMENT: The Design & Access Statement submitted on 14/09/2018 as well as subsequent versions of the document acknowledge both previously refused applications. Nevertheless, a Design & Access Statement only constitutes a supplementary document and officers do not hold an obligation to control its content]
- Inaccurate drawings [OFFICER COMMENT: The submitted set of drawings is considered to be of sufficient accuracy for the purpose of determining this planning application];
- Devaluation to neighbouring properties [OFFICER COMMENT: This is not a material planning consideration];
- The proposal would block access to rear gardens of adjacent houses and would present a constraint to any future maintenance works of neighbouring properties [OFFICER COMMENT: This is not a material planning consideration and would be a separate civil matter];

- The address and ownership details stated on the application form are incorrect [OFFICER COMMENT: The Council received a written confirmation from the agent confirming that the information is accurate and correct.];
- Precedent for similar development is the area [OFFICER COMMENT: This is not a material planning consideration given that any planning application would be considered on its own merits];

## **7 RELEVANT PLANNING POLICIES AND GUIDANCE**

- 7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.
- 7.2 Government Guidance is contained in the revised National Planning Policy Framework (NPPF), issued in February 2019. 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, including requiring good design that takes the opportunities available for improving the character and quality of an area and the way it functions.
- The main policy considerations raised by the application that the Committee are required to consider are:

### Consolidated London Plan 2011 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.2 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality

### Croydon Local Plan 2018 (CLP):

- SP2 Homes
- SP6.3 Sustainable Design and Construction
- DM1 Housing choice for sustainable communities
- DM10 Design and character
- DM13 Refuse and recycling

- DM23 Development and construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Sub Committee is required to consider are:

1. Principle of development
2. Townscape and visual impact
3. Impact on neighbours' amenities
4. Residential amenity of future occupiers
5. Highways and transport
6. Environment and sustainability

### **Principle of Development**

8.2 The principle of development is acceptable. The development would provide an additional home in an established residential area. The other material considerations are discussed below.

### **Townscape and Visual Impact**

8.3 Following discussion with the applicant, further amendments to the elevational detailing and overall design of this scheme have been made to address previous design concerns. Officers were concerned previously that the overall design approach was not suitably convincing. The previously proposed design, which comprised a red brick base with a zinc effect cladding to first floor and modern mansard roof form has now been replaced by a different building form, featuring grey brick to both ground and first floors and a chamfered zinc roof. The approach now put forward is more honest (in terms of its design philosophy) in terms of its built form. Mass and materiality. It now constitutes a more thoughtful and sensitive response to the character and appearance of the area. The applicant has pursued a simple but refined architectural language to the building, which achieves more cohesion with the surrounding built form though the use of lighter brick tones, the colour of which takes inspiration from the local historic fabric.

8.4 The application site would front onto Sherwood Road to the side of 1 Sherwood Road and to the rear of 310-312A/B Lower Addiscombe Road. The main rear elevation of 310 Lower Addiscombe Road is currently separated by approximately 21.6 metres from the flank wall of 1 Sherwood Road. The proposed building would be situated between these residential properties, reducing the gap to 14.45 metres. Whilst it is acknowledged that the terraces in the vicinity all have gaps between them and the junction of two roads where the rear of one terrace faces the side of another, it is considered that the resultant 14.45 metre gap would still be fit for purpose given that the additional building would not considerably disrupt the sense of openness of this particular location and would be of a relatively low/subordinate scale.



- 8.5 The plot width at the narrowest point is narrower than nearby plots widths. This issue was acknowledged in previously dismissed appeal decision where the Planning Inspector suggested that the house, due to its 'vertical emphasis and fenestration pattern', would have had little in common with the houses in the locality which are more horizontal in form. In this case however, the proposed house would be 2.4 metres lower than the ridge of adjacent terrace which would help to reduced height of the building, thereby offsetting the issues associated with the narrowness of site.
- 8.6 The proposed building would be set forward by 0.3 metre of the main Sherwood Road building line (further set back compared to the scheme the subject of the previously refused application/dismissed appeal). Given the small scale of projection and the fact that existing garage also protrudes forward of the remainder of the terrace, this aspect of the proposal is considered acceptable.
- 8.7 With the adoption of the Croydon Local Plan 2018 and the expectation to deliver additional housing alongside the use of windfall site to assist in the delivery, it is certainly appropriate to re-appraise the previous reasons for refusal and the 2009 appeal decision. Officers have worked hard with the applicant's architectural advisor to arrive at a contemporary design solution which responds positively to the current policy context and the previous appeal decision.
- 8.8 Sherwood Road exhibits a uniform pattern of circa 1920 Edwardian houses. The design of the proposed building is unashamedly contemporary and innovative. Whilst clearly different to the more traditional buildings found in this part of Sherwood Road, this in itself, would not render the scheme harmful. The design of the building would provide an addition to the built character of the road creating visual interest that was certainly not found with the previously refused scheme back in 2009. Furthermore, the proposal would be an improvement in relation to existing arrangements. Currently

there is a dilapidated garage, which is proposed to be replaced by an attractive house, albeit with a simple, but yet innovative design. This would be more inviting and would contribute to the character of the street by providing an active frontage presence.



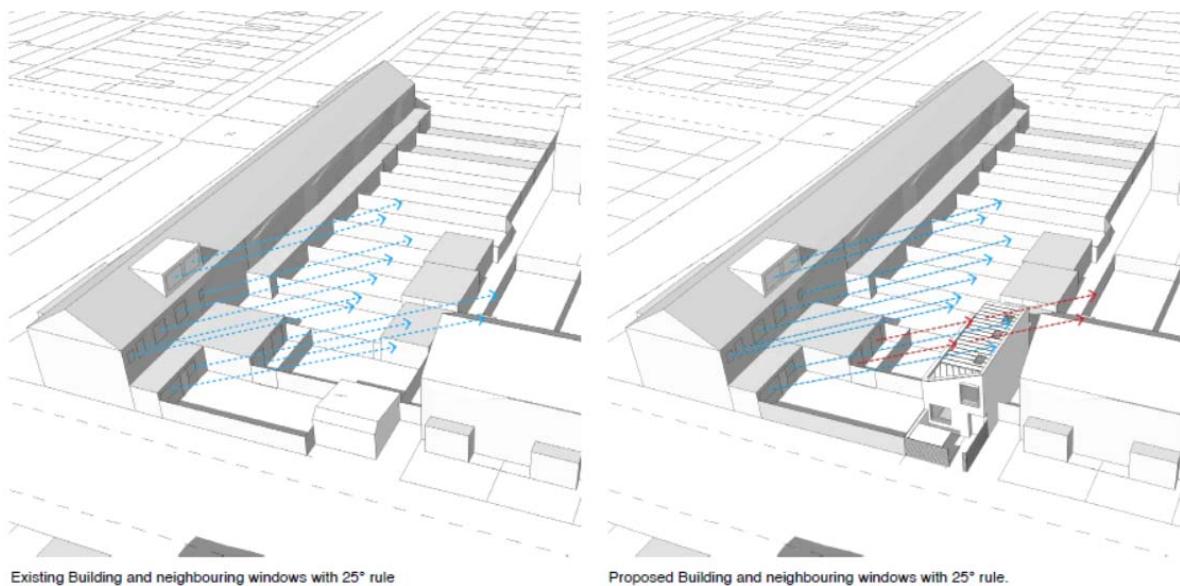
- 8.9 The NPPF is clear that planning policies and decisions should not stifle or discourage innovation, originality or initiative through making unsubstantiated requirements to conform to certain development forms and styles. The development is therefore not considered to harm the character and appearance of the surrounding area and complies with the above policies.
- 8.10 Materials are a key consideration of the proposal and whilst the materials pallet is appropriate, it is recommended that these be submitted for approval.
- 8.11 Whilst residents have argued that existing separation arrangements should be retained, the proposed development would not result in a cramped form of development, given the site location within a dense urban grain and an acceptable impact on neighbouring sites or future occupiers of the site.
- 8.12 Overall, in design terms the proposed scheme is considered to be a significant improvement in relation to previously dismissed appeal. Further, the policy position has changed since 2010 (the date of the previous appeal decision) in terms of the need for housing and a more positive approach to such development.

### **Impact on neighbours' living conditions**

- 8.13 The side wall of the proposed house would be located approximately 14.45 metres away from first floor rear facing windows at 310 and 312A Lower Addiscombe Road and 9.5 metres away from ground floor rear facing windows at 312B Lower Addiscombe Road. The submitted visuals with annotated 25-degree sight lines indicate that only the latter would marginally fail to maintain outlook at 25 degrees. However, given that these windows have some restricted outlook, the resultant



reduction in outlook is considered very limited and would not direct a refusal of planning permission.



8.14 It is considered that the removal of roof mass away from 310 and 312 A/B Lower Addiscombe Road, helps to limit the effect of the proposed massing – being softened when viewed from these neighbouring properties. This would be acceptable when compared with existing arrangement.

8.15 The submitted Daylight & Sunlight Assessment provides some basic visuals, illustrating likely impact of the new built form on neighbours' access to daylight or sunlight. Whilst the study lacks detail, it provides a useful overview of likely impacts on neighbours' living conditions. It indicates that most affected ground floor windows at 312B Lower Addiscombe Road would be only affected windows, suffering a small reduction in sunlight during winter months. Overall, there is no evidence to indicate that the development would harm neighbours' amenities through loss of sunlight.



8.16 The proposed building would be built up to the rear boundary with 310 Lower Addiscombe Road and would adjoin an outbuilding situated within the rear garden of 314 Lower Addiscombe Road. Whilst there would be some loss of daylight and outlook, the adjacent gardens would continue to provide high levels of amenity to neighbouring occupiers.

8.17 The building would be set off approximately 5.8 metres from the boundary with existing rear garden at 312B Lower Addiscombe Road. Whilst the garden to this neighbouring property is only 3.5 metres deep (as a consequent of the extent of a

ground floor extension) the separation distance of 5.5 metres would be suitably adequate to limit loss of light to this garden.

- 8.18 Two ground floor and one roof windows would be inserted in the north-western elevation of the building (facing onto 310-312A/B Lower Addiscombe Road). The views between ground floor windows would be mostly obscured by the presence of fencing, whilst the distance to first or second floor windows would account to 14.45 metres, which is considered sufficient to prevent excessive overlooking between subject site and 310-312A/B Lower Addiscombe Road. The proposed roof-light (which would light the stair case enclosure) is proposed to be obscure glazed. The policy position has evolved substantially since 2010 (the date of the previous appeal decision) with a 14-metre window to window separation being more acceptable in this dense urban situation.
- 8.19 In terms of overlooking into the garden of 314 Lower Addiscombe Road, it is considered that a strong perception of overlooking already exists in the immediate area. The garden associated with 314 Lower Addiscombe Road can already be viewed from a number of rear-facing windows of properties on Lower Addiscombe Road. Thus, it is considered that one additional first floor window would not substantially alter existing conditions and, in any case, the applicant has proposed the use of obscured glazing to this north east facing first floor window (facing out over the adjoining outbuilding and the ends of other gardens attached to Lower Addiscombe Road properties). It is therefore considered that the proposed development would not unacceptably affect neighbours' living conditions in terms of privacy – especially in view of the suggested planning condition requiring use of obscure glazing (up to 1.7 metres above first floor level).
- 8.20 As the proposed building would not project beyond the rear wall of the adjoining property on Sherwood Road, the development is not considered to affect the privacy, outlook or light enjoyed by the occupiers of 1 Sherwood Road.
- 8.21 The proposed subdivision of the plot would allow less than half of the plot to be retained for the host property, but it would not reduce the extent of existing private garden area currently available for the occupiers of 312B Lower Addiscombe Road. The 2007 approved plans (referring back to paragraph 3.11 above - LBC Ref 07/04709/P) indicated that the entire plot was to be dedicated as private amenity space for the ground floor flat. However, aerial photographs indicate that a fence splitting the garden in two has been in existence since at least 2010, with the remaining part of the garden remaining unused. Thus, the presence of the fence created an established arrangement in the form of a smaller garden which would now be immune from planning enforcement. Therefore, the proposed development would not reduce the extent of external amenity space available for 312B Lower Addiscombe Road and an exception to policy can be justified in the particular instance.

### **Residential Amenity of Future Occupiers**

- 8.22 The proposed two-bedroom dwelling would meet the minimum floorspace requirements of the Nationally Described Space Standards for units of this type. The internal rooms are considered to be of acceptable size, with adequate light and outlook provided.

- 8.23 A 35 square metre private garden for the dwelling would be provided to the side, well in excess of Croydon Local Plan requirement. The development would therefore be acceptable in terms of living conditions for future occupiers.

### **Highways, Parking and Waste Matters**

- 8.24 The site is located within a PTAL accessibility rating of 4. Given the good PTAL rating and low level of occupancy it is thought that car-free development would be acceptable in this instance. The existing garage at subject site is dilapidated and unused and thus, it is considered that the loss of a garage would not exacerbate existing parking situation. The 2007 planning permission did not require the retention of the garage and/or any off street car parking space. Again, the policy position has evolved since 2009 and the proposal has reduced in scale significantly compared to the 2009 refused scheme. Therefore, given the scale of development proposed, the lack of on-site car parking is considered acceptable and should not materially reduce highway safety and/or on street car parking capacity.
- 8.25 Two cycle parking spaces and a refuse storage area would be provided for the house (tucked in behind the proposed boundary fence). Further details of the store will be secured by a planning condition to ensure that it is provided in a visually acceptable manner.
- 8.26 Overall, it is not considered the development would significantly alter the safety and efficiency of the surrounding highways network.

### **Environment and Sustainability**

- 8.27 Planning condition is proposed to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

### **Other planning issues**

- 8.28 Whilst the development is of a relatively small scale, it is considered prudent to control construction activity through the use of a Construction Logistics Plan which will be required by way of a planning condition.
- 8.29 The Community Infrastructure Levy would offset any additional pressures put on local infrastructure of services.

### **Conclusions**

- 8.30 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.
- 8.31 All other relevant policies and considerations, including equalities, have been taken into account.