

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 20/03800/FUL
 Location: 1 The Lees Croydon CR0 8AR
 Ward: Shirley South
 Description: Erection of two storey detached dwelling house on land to the rear of No. 1 The Lees, including new vehicular access and crossover from Bennetts Way, off-street parking, landscaping and all associated site works.

Drawing Nos: C_TL_1_010_Rev2, C_TL_1_011_Rev2 and C_TL_1_101_Rev2 (received 24/08/2020)
 And;
 C_TL_1_012_Rev3 and C_TL_1_201_Rev3 (received 24/11/2020)

Applicant: Mr Patrick Quinlan
 Case Officer: R McMinn

	2-bed	3-bed	3-bed +	Total
Existing				0
Proposed	0	1	0	1

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
1 parking spaces	3 cycle parking spaces

1.1 This application is being reported to Planning Committee because local Ward Councillor, Jason Cummings, has objected and referred it to Committee.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to **GRANT** planning permission.
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issue a Grant of planning permission subject to the following conditions and informatives:

- 1. Development to be implemented within three years.

2. In accordance with the approved plans.
3. Submission of details of soft and hard landscaping, including new/replacement tree planting and biodiversity enhancements, and boundary treatments for approval.
4. Following details to be submitted to the Council for approval and provided prior to first occupation of dwellings: refuse storage enclosure appearance, cycle storage enclosure appearance, security lighting, finished floor levels, electric vehicle charging point.
5. Submission of Construction Logistics Plan to Council for approval.
6. Parking layout and visibility spays to be provided prior to first occupation of new dwellings.
7. Submission of SUDs details to Council for approval.
8. Development to meet 19% carbon emission reduction target and 110 litre per person/day water use target.
9. Materials to accord with submission details
10. Windows to be erected at first floor or above in southern and eastern flank elevation/roof slope to be obscure accordingly.
11. Compliance with M4(2) accessibility standard.
12. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

- 1) Community Infrastructure Levy
- 2) Code of Practice for Construction Sites
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3.0 PROPOSAL AND LOCATION DETAILS

- 3.1 The proposal is an application for full planning permission for the erection of a two storey detached dwelling house on land to the rear of No. 1 The Lees, including new vehicular access and crossover from Bennetts Way, off-street parking, landscaping and all associated site works. The existing house and it's garden would be retained.

Site and Surroundings

- 3.2 The application site lies on the south side of Bennetts Way, is to the rear of 1 The Lees, which is on the south eastern side of the junction. 1 The Lees is a two storey semi-detached dwelling with a garden to the rear including some mature trees. The surrounding area is residential in character and comprises of similarly designed semi-detached properties. There is generally setbacks from side boundaries or sometimes garages to the side with first floors set back significantly from the side. There are no constraints affecting the application site as identified by the Croydon Local Plan.



Relevant Planning History

1 The Lees

- 3.3 20/02306/FUL – Withdrawn - Erection of two storey detached dwelling house on land to the rear of No. 1 The Lees, including new vehicular access and crossover from Bennetts Way, off-street parking, landscaping and all associated site works

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of a residential development is acceptable given the national and local need for housing and the residential character of the area.
- The proposal is a family dwelling.
- The design and appearance of the development is appropriate. Whilst acknowledged that there would be additional mass, the massing and height of the development would be in context with the surrounding built environment.
- The living conditions of adjacent occupiers would be protected from undue harm.
- The living standards of future occupiers are satisfactory (in terms of overall residential quality) and would comply with the Nationally Described Space Standard (NDSS).
- The level of parking and impact upon highway safety and on street parking would be acceptable.

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 The application has been publicised by way of 8 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 15 Objecting: 14 Supporting: 1

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

Summary of objections	Response
<i>Principle of development</i>	
Overdevelopment	Addressed in the report at paragraphs 8.1 – 8.4
<i>Design</i>	
Out of character	Addressed in the report at paragraphs 8.9 – 8.14
Visual impact on the street scene (not in keeping)	Addressed in the report at paragraphs 8.9 – 8.14
<i>Accommodation</i>	
Quality of accommodation for future occupants	Addressed in the report at paragraphs 8.15 – 8.18
<i>Amenities</i>	
Adverse impact neighbouring amenities	Addressed in the report at paragraphs 8.19 – 8.23
Disturbance (noise, pollution etc.)	Addressed in the report at paragraphs 8.19 – 8.23
<i>Traffic & Parking</i>	
Negative impact on parking, access and traffic in the area	Addressed in the report at paragraphs 8.24 – 8.27
<i>Other matters</i>	
Impact on flooding	Addressed in the report at paragraphs 8.29
Impact on ecology	Addressed in the report at paragraphs 8.30
Impact on trees	Addressed in the report at paragraphs 8.30
Impact on property value	Officer comment: This is not a material planning consideration

6.3 Councillor Jason Cummings (Ward Councillor) referred the application to committee and objected on the following grounds:

Loss of light

Loss of privacy

Out of keeping with the character of the area

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. The Council's adopted Development Plan consists of the Consolidated London Plan 2016, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

Emerging New London Plan

7.2 Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan has been responded to by the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

7.3 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

7.4 It is important to note that in the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.

7.5 For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.

7.6 Policy 3.3 of the London Plan 2016 recognises the pressing need for more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes which meet their requirements for different sizes and types of dwellings in the highest quality environments. The impact of the draft London Plan is set out in paragraph 7.2 to 7.4 above.

7.7 Government Guidance is contained in the 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, those most relevant to this case are:

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

7.8 The main policy considerations raised by the application that the Committee are required to consider are:

7.9 Consolidated London Plan 2016

- 3.1 Ensuring equal life chances for all
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Childrens/young peoples play & informal recreation areas
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character

- 7.6 Architecture
- 7.8 Heritage
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Woodlands and trees

7.10 Croydon Local Plan 2018

- SP1 The Places of Croydon
- DM35 Addiscombe
- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP4 Urban design and local character
- DM10 Design and character
- DM13 Refuse and recycling
- DM18 Heritage Assets and Conservation
- SP6 Environment and climate change
- SP6.3 Sustainable design and construction
- DM23 Development and construction
- DM25 Sustainable drainage systems and reducing floor risk
- DM27 Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

7.11 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Croydon Suburban Design Guide Supplementary Planning Document April 2019 (SDG)

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Housing and housing mix
3. Townscape and visual impact
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Parking and highway safety
7. Refuse storage
8. Flood risk
9. Trees, landscaping and biodiversity
10. Other planning matters

Principle of Development

- 8.2 This application must be considered against a backdrop of significant housing need, not only across Croydon, but also across London and the south-east. 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). This requirement is set out in policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three relatively equal sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites. The draft London Plan, which is moving towards adoption (although in the process of being amended) proposes increased targets which need to be planned for across the Borough. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes.
- 8.3 The Croydon Suburban Design Guide (2019) sets out how suburban re-development can be achieved to high quality outcomes and thinking creatively about how housing can be provided on windfall sites. As is demonstrated above, the challenging targets will not be met without important windfall sites coming forward, in addition to the large developments within Central Croydon and on allocated sites.
- 8.4 The application is for a residential development providing an additional 3 bedroom home within the borough, which the Council is seeking to provide. The site is located within an existing residential area with over 200m² of the original garden space being retained and as such providing that the proposal accords with all other relevant material planning considerations, the principle of development is supported.

Housing and Housing Mix

- 8.5 Policy DM1.2 of the CLP states that '*The Council will permit the redevelopment of the residential units where it does not result in the net loss of 3 bedroom homes (as originally built) or the loss of homes smaller than 130m²*'.
- 8.6 The proposal would not remove the existing family home and the proposed dwelling is acceptable in principle subject to meeting other relevant policies of the London Plan and the CLP.

- 8.7 Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes. It sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
- 8.8 The proposal would contribute to the borough's family housing stock and would be in line with the principles of the NPPF in delivering a wide choice of quality homes and London Plan Policies 3.8 housing choice, 3.9 mixed and balanced communities.

Townscape and Visual Impact

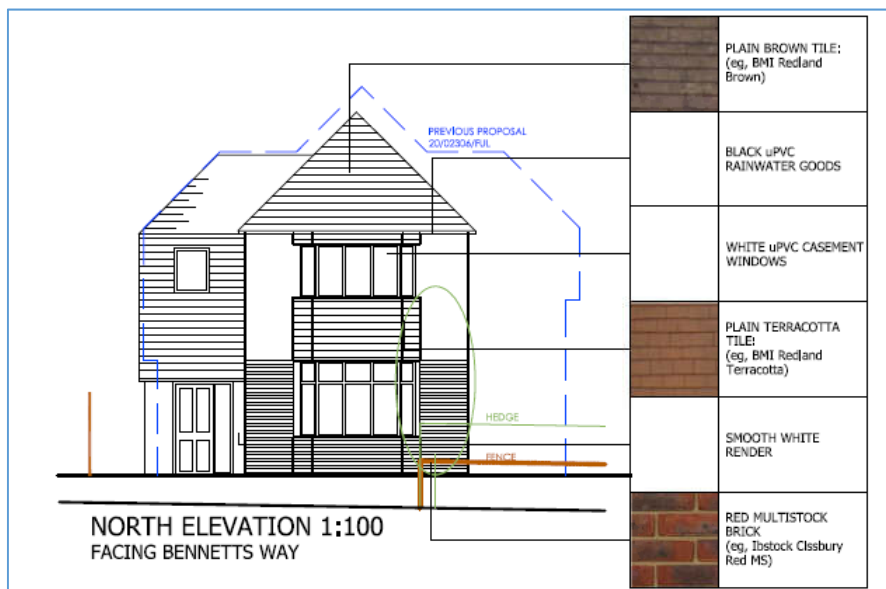
- 8.9 Policy SP4.1 and DM10 of the Croydon Local Plan 2018 which requires all development to be of a high quality, which respects and enhances Croydon's varied local character. Croydon's Suburban Design Guide (SDG) on 'Residential Extensions and Alterations' is also of relevance. As well as this The London Plan (Consolidated with amendments since 2011) Policies 7.4 Local Character and 7.6 Architecture are also of relevance.



- 8.10 It is consistent for dwellings fronting Bennetts Way to be of similar design and setbacks from the side boundaries particularly at first floor level while there is some single storey form near to side boundaries. The neighbouring semi-detached dwelling at 66 Bennetts Way is one of the only examples in the area of dwellings in the rear gardens of corner plots. The proposal would subdivide the rear of the donor property at 1 The Lees. The dwelling would be two storey and would be smaller than other dwellings in the street in regards to width and

height. The front building line is considered to be varied on this part of Bennetts Way. It is proposed to have a bay window which would project beyond the building line of 66 Bennetts way by approximately 0.6m which would be appropriate within the streetscene. There would be a staggered setback to the side boundary shared with 66 Bennetts Way of between 3.2m (front part) and 1.2m (rear part) while still being separated by a minimum of 4.2m from the side of 66 Bennetts Way. The proposed dwelling would be 15m to the rear of the host dwelling. It is considered that the proposed dwelling would not disrupt the street scene due to the side setbacks and building line being consistent. The rear of the proposed building would be in close proximity to the rear side boundary. Whilst it is uncharacteristic to have such a relationship, the rear elevation is in a similar location to the neighbouring building and the lack of a rear garden would not be particularly visible from a public area and so the proposal would not have a significant detrimental impact on the streetscene or the character of the area.

- 8.11 The dwellings in the street generally have hipped roofs with front facing catslide roofs on the detached side of the dwellings. The proposal would include a catslide roof on one side (side near to 66 Bennetts Way) to continue this form from the other dwellings in the street. A bay window would be located centrally to the front of the dwelling at ground and first floor level which is a common feature within the street. The proposed dwelling would be clad with brick at ground floor level, hung tiles on the bay window and white render on the upper floor while it would have a tiled roof which is consistent with materials seen in the street. The proposal would have an acceptable appearance with the streetscene.



Proposed front elevation



Proposed streetscene

- 8.12 The proposed closed low open timber fence at the front of the site with hedge behind would be appropriately designed to provide some privacy for the amenity space and keep an open and green appearance within the street.
- 8.13 The impact of the development on the local character is considered to be acceptable as assessed above. The proposal would result in a development that would have an acceptable impact on the appearance of the streetscene and accords with the national and local requirements to intensify the development potential of sites and to optimise the delivery of additional housing in a sustainable manner.
- 8.14 Therefore, having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

Housing Quality for Future Occupiers

- 8.15 The proposed dwelling would comply with the internal dimensions required by the Nationally Described Space Standards (NDSS). Private amenity space would be provided to the side of the dwelling which exceeds the requirement in Policy DM10.4. The private amenity space would be appropriately sized and the hedges would provide privacy and so, whilst it is located to the side not the rear it would be an appropriate useable space.
- 8.16 Policy at DM10.4 of the Croydon Local Plan (2018) requires a minimum length of 10m and no less than half or 200m² (whichever is the smaller) of the existing garden area to be retained for the host dwelling where new residential developments are in the grounds of an existing dwelling that is retained. There is currently approximately 415sqm of amenity space on the site and it is proposed to retain over 200sqm for the host dwelling which meets the requirement
- 8.17 Policy requires that 90% of units meet the “easily accessible and adaptable” standard M4(2) and 10% meet “wheelchair user” M4(3) standard. The proposal can comply with the M4(2) standard which can be secured by condition.

8.18 Overall, the proposed development could provide a pleasant place to live for future occupiers. The proposed provision of soft landscaping to the forecourt would contribute to a pleasant public realm.

Residential Amenity for Neighbours

8.19 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties or have an unacceptable impact on the surrounding area. This can include loss of privacy, daylight, sunlight, outlook or an increased sense of enclosure. It is considered that the position of the site and siting and massing of the proposed building on the site would not have any adverse effect in terms of light, privacy, or outlook on the amenities of residents in adjacent properties. The properties bounding the site are to the east at 66 Bennetts Way, to the south at 3 The Lees and the host dwelling to the west (1 The Lees).

- **66 Bennetts Way**

8.20 The proposed dwelling would be sited approximately 4.2m to the side of the dwelling at 66 Bennetts Way, which has a vehicle access and garage adjacent to the proposed dwelling. There are some windows on the flank wall of 66 Bennetts Way, which face the site, however, given the setback of the proposal from the dwelling and the limited protection given to side facing windows in the Suburban Design Guide there would not be an unreasonable impact on the access to light for these windows. The proposal would extend slightly further to the rear than 66 Bennetts Way but not beyond a 45 degree line measured from the nearest rear facing habitable room window. Therefore, this complies with the SDG and no adverse loss of privacy, light, or outlook would result from the proposed extensions.

- **3 The Lees**

8.21 From the rear of 3 The Lees the outlook would include the two storey dwellings that are located on Bennetts Way including 66 Bennetts Way. The proposed dwelling would be located approximately 15m from the rear of the dwelling at 3 The Lees and on an angle. The proposed roof of the dwelling would slope down towards the boundary shared with 3 The Lees to a wall that is 3.45m high. Much of the dwelling would still be visible from 3 The Lees, however, the built form is appropriately reduced towards the side boundary and would not have a significant impact on the outlook and amenity of this neighbour. 1 window would be located in the roof facing this site, however, it would be obscure to provide privacy. There would not be any unreasonable amenity impact.

- **1 The Lees**

8.22 The SDG specifies that new dwellings to the rear of host dwellings should be a minimum of 15m away to prevent any unreasonable overlooking which the

proposal complies with. There is one first floor window that looks towards the host dwelling, however, given the separation distance there is not any unreasonable overlooking that would occur. There would remain a quality private amenity space for 1 The Lees and there would be an appropriate boundary treatment of a 1.8m high close board fence.

- **Other Amenity Issues**

- 8.23 In terms of noise and general disturbance it is considered that there would be noise and general disturbance result from demolition and construction works. However, a condition is recommended to ensure that a construction logistics plan is submitted for approval to manage and minimise disturbance. The development would result in noise levels from the dwellings proposed that is consistent with surrounding residential noise given the minor nature of the development.

Parking and Highway Safety

- 8.24 The site has Transport for London Ptal rating of 2 which indicates low level of accessibility to public transport links. Vehicular access to the site will be from a new vehicle access to Bennetts Way. A total of 1 car parking space will be provided in front of the dwelling which is considered to be an acceptable provision. A site visit confirmed that there is capacity for on street parking in the area and the addition of a dropped kerb would not have an unreasonable impact on this capacity.
- 8.25 Cycle storage provision within an enclosed structure is also provided for the dwelling and there appears to be sufficient area for the store to be located. Further details can be secured via condition to ensure the cycle storage is appropriately accessible and sized.
- 8.26 In terms of road safety further details can be secured via condition to ensure sightlines and visibility splays are appropriate.
- 8.27 Full details of a construction logistics plan can be secured by condition to ensure that the demolition and construction works would be undertaken in a considerate manner.

Refuse Storage

- 8.28 The refuse storage would be sited to the east side of the site. While officers are satisfied the area could provide an acceptable bin volume. Details of the waste storage structure can be secured via condition.

Flood Risk

- 8.29 The site is within an area with a medium risk of surface water flooding. A Sustainable Urban Drainage strategy (SUDs) can be secured by condition.

Trees, Landscaping and Biodiversity

- 8.30 Some low mature trees are proposed to be removed, while some small trees between the host dwelling and the proposed dwelling would be retained on the site. The trees are considered to have low biodiversity or amenity value. A private garden to the side of the proposed dwelling would be provided and there would be an opportunity to provide additional trees and planting on the site. Further details of the hard and soft landscaping can be secured via condition. Full details of tree planting and other planting could be secured as part of the recommended landscaping condition.

Other Matters

- 8.31 The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Conclusions

- 8.32 Given the significant need for housing within the Borough, the principle of this residential development is considered acceptable within this area. The proposed design would respect the character and appearance of the residential area and would represent a sensitive and sustainable redevelopment of the site. Whilst it is acknowledged that this would provide mass to the rear of neighbouring dwellings, the proposal would be in context with the transition of the surrounding environment. The proposal would have no significantly harmful impact on the amenities of the adjacent properties. Officers are satisfied that the scheme is worthy of planning permission.
- 8.33 All other relevant policies and considerations, including equalities, have been taken into account.