

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 21/05485/RSM  
 Location: 10 Cedar Walk, Kenley, CR8 5JL  
 Ward: Kenley  
 Description: Reserved matters relating to appearance, landscaping, layout and scale (Condition 4) attached to planning permission ref. 20/02410/OUT for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space.  
 Drawing Nos: (P) 001 (Site Location Plan), (P)005 rev.B (Existing and Proposed Site Layout Plan), (P)100 (Existing Plans and Elevations), (P)200 rev.A (Proposed Plans and Elevations No.10), (P) 201 rev.C (Proposed Plans and Elevations House Type 1), (P)202 rev.B (Proposed Plans and Elevations House Type 2 and 3), (P) 203 rev.B (Proposed Plans and Elevations House Type 3), (P) 204 (Proposed Bike and Bin Stores), (P) 205 (Window Details), (P) 206 (Window Elevations), A01 Soft Landscaping Proposal, A01 Hard Landscaping Proposal, Planting Schedule, Tree Specifications, C10901 Rev.A (Car Tracking Layout Sheet 1), C10902 Rev.A (Car Tracking Layout Sheet 2), CCL10901/TPP Rev.1 (Tree Protection Plan), CCL10901/TCP Rev.1 (Tree Constraints Plan), CCL10901/IAP Rev.1 (Impact Assessment Plan), CCL10901 Rev.1 (Arboricultural Method Statement), 10901 Rev.1 (Arboricultural Method Statement), Tree Data Spreadsheet, BS 5837 Arboricultural Report (ref. 010901).  
 Applicant: Level Architecture  
 Agent: Alex Rayner  
 Case Officer: Joe Sales

	1 bed	2 bed	3 bed	4 bed	Total
Market Housing			4		4
Total Proposed			4		4

*All units for private sale*

Number of car parking spaces	Number of cycle parking spaces
8	16

- 1.1 This application is being reported to Planning Committee as the Committee requested that the reserved matters application come before Planning Committee when considering the outline application.

## **2.0 RECOMMENDATION**

- 2.1 That the Planning Committee resolve to GRANT approval for reserved matters relating to appearance, landscaping, layout and scale (Condition 4 attached to planning permission ref. 20/02410/OUT).
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. Approved Drawings
  2. In Accordance with all Landscaping Information
  3. Tree protection measures
  4. Full details and specification of materials
  5. Fire Safety statement
  6. M4(2) Accessible and Adaptable dwellings
  7. Removal of Permitted Development rights for houses
- 2.3 That the Committee confirms that adequate provision has been made by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## **3.0 PROPOSAL AND LOCATION DETAILS**

- 3.1 Outline planning permission ref. 20/02410/OUT was granted on 31.03.2021 for:

*'Outline application for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space.'*

Planning permission 20/02410/OUT was subject to the following conditions:

1. Development begun no later than two years from the final approval of reserved matters;
2. Application for approval of reserved matters to be made within 3 years of date of permission;
3. Development to be carried out in accordance with the approved drawings;
4. Approval of reserved matters (Appearance, Landscaping, Layout and Scale) prior to any development on site.
5. Cycles and refuse storage
6. Demolition/Construction Logistics Plan to be submitted prior to any development on site.
7. SuDs details across the site;
8. Disabled parking bays provision and electric vehicle charging points.
9. Visibility splays as approved;

- 10. Parking as approved.
- 11. Energy efficiency;
- 12. Water efficiency;

3.2 The application is pursuant to Condition 4 of the approved outline permission, which states:

*Prior to commencement of the development, the approval of the Local Planning Authority shall be obtained with respect to the following reserved matters:-*

- *Appearance*
- *Landscaping*
- *Scale*
- *Layout*

*This should include but not be limited to:*

*a) Samples of the external facing materials*

*b) Detailed drawings (Scale 1:10 or 1:20) showing:*

*-key junctions and openings;*

*-window reveal, window types.*

*c) Detailed Landscaping:*

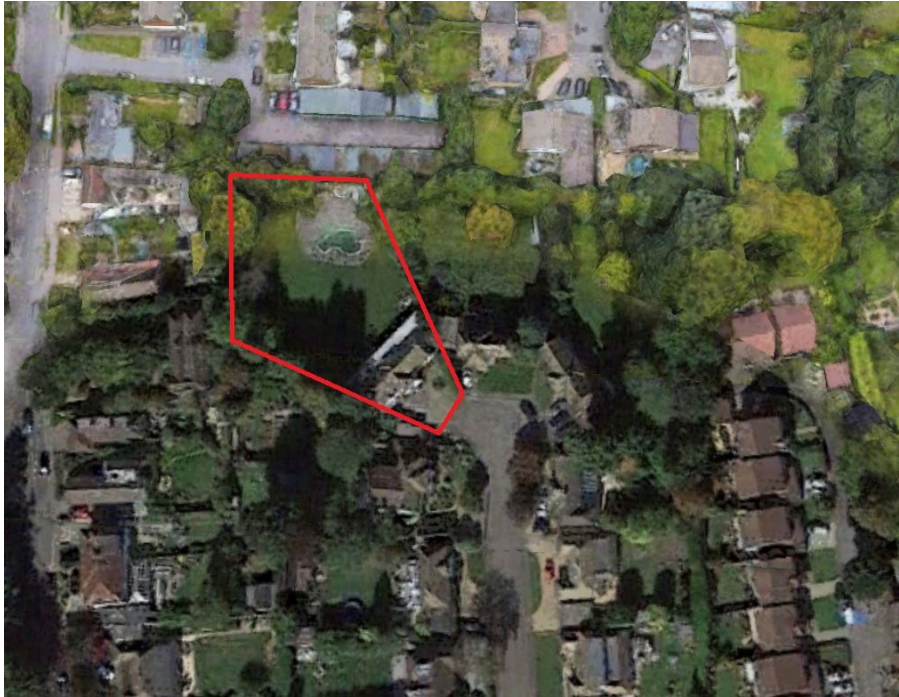
- *Hard landscaping materials (including samples as appropriate);*
- *Soft landscaping details, including existing planting to be retained, the species, size and density of proposed new planting, as well as the dimensions of new trees;*
- *Boundary treatments and boundaries between vehicle and pedestrian areas on site;*
- *Lighting.*

*Reason: These matters were not submitted for consideration as part of the application.*

3.3 Planning permission has therefore been granted for 4 houses on the site, and the current application is to approve the appearance, landscaping, scale, and layout only.

### **Site and Surroundings**

The application site is located on the north-west side of Cedar Walk in Kenley and the surrounding area is characterised by detached dwellings and bungalows on large plots. The surrounding area contains a variety of style of dwellings though there are number of properties similar in appearance to the host property. The application site consists of a two storey detached dwelling (to be retained) with a gable ended roof on one side and hipped on the other. The site has no land use designations. In terms of flooding, the site is not located with an Environment Agency flood zone, though it is at risk of surface water flood, albeit low. There are no Tree Protection Orders (TPO) on the site, and the Public Transport Accessibility Level (PTAL) is 0. The site is located in an Archaeological Priority Area.



*Figure 2: Aerial view of the site's location.*

### **Planning History of the Site**

- 3.4 20/02410/OUT- Outline application for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space. (Permission Granted with Legal Agreement 31/03/2021).
- 3.5 22/00135/DISC-Discharge of Conditions 5 (Cycle and Refuse), 6 (Demolition/Constructions Logistics Plan), 7 (SUDS) and 8 (Disabled Parking and ECVPs) attached to outline planning permission ref. 20/02410/OUT for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space. (Pending Decision)

### **Recent Nearby Planning History**

- 3.6 Two planning applications on Cedar Walk were recently refused by officers, and for context, the sub-committee's attention is drawn to the following decisions:
- 3.7 22/03107/FUL (9 Cedar Walk) Proposed demolition of rear extension, detached garage and outbuildings to the host dwelling allowing access to the rear and the construction of 2 new dwellings with associated private amenity, refuse, bicycle storage and car parking spaces. Refused due to (1) Character; (2) Neighbour Amenity; (3) Pedestrian access and car parking; (4) Insufficient ecology information.
- 3.8 22/03040/FUL (8 Cedar Walk) Subdivision of the site and erection of four dwellinghouses with associated parking and landscaping facilitated by the partial

demolition of the existing building. Refused due to (1) Character; (2) Poorly designed access; (3) Insufficient ecology information.

#### 4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- This application is a reserved matters application to consider the siting, appearance, layout, landscaping and scale. The amount of development, and access, have already been approved and are not within the scope of this application.
- The layout of development would be in the keeping with the urban pattern of the surrounding area and that proposed within the original outline application.
- The scale of the development is sympathetic to the surrounding context.
- The appearance of the development would be appropriate in terms of respecting the character of the existing area and the visual amenities of the street scene.
- The submitted landscaped strategy is robust and will ensure the development is positive by respecting the verdant setting whilst providing ecological and sustainable benefits.

#### 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 letters of notification to neighbouring properties in the vicinity of the application site.

No of individual responses: Objecting: 7 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:

Objection	Officer comment
<b>Character and Appearance</b>	
Not in keeping with the area.	See paragraph 8.3-8.17
Overdevelopment	
Bin stores poorly sited	
<b>Trees/Landscaping/Ecology</b>	
Loss of existing mature trees.	See paragraph 8.18-8.24
Impact on wildlife	

<b>Impact on Neighbouring Occupiers</b>	
Loss of light	See paragraph 8.3-8.17
Overlooking	
<b>Highway Safety, Access and Parking</b>	
Highways and parking stress.	This application only refers to the layout, appearance and landscaping and this element of development is already consented outline planning permission.  The original outline planning permission included several conditions which related to the mitigation of construction activities, and refuse collection.
Additional traffic.	
Construction noise and disturbance.	
Refuse collection.	
Servicing of site.	
<b>Flooding</b>	
Impact to drainage	See paragraph 8.20
<b>Other Matters</b>	
Proposal would add stress to the surrounding services	The proposed development would also relieve the pressure for new housing within the borough. The application is subject to the community infrastructure levy charge which would contribute toward improving local services.

## **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 London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012).

7.2 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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport;
- Achieving Well Designed Places;

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

7.4 London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage

7.5 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
- Applicable Place-Specific Policies

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG (March 2016)
- 2019)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)

- The Nationally Described Space Standards (October 2015)

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

- 8.1 Outline planning permission (20/02410/OUT) has already been granted for the redevelopment of the site to provide 4 houses. As such, whilst concerns by residents have been raised about the principle development, this is established and the purpose of this application is to deal with the reserved matters; layout, scale, appearance and landscaping.
- 8.2 The reserved matters condition requires the following information within each matter addressed through its wording which reads as follows:
- a) Samples of the external facing materials
- b) Detailed drawings (Scale 1:10 or 1:20) showing:
- Key junctions and openings;
  - Window reveal, window types.
- c) Detailed Landscaping:
- Hard landscaping materials (including samples as appropriate);
  - Soft landscaping details, including existing planting to be retained, the species, size and density of proposed new planting, as well as the dimensions of new trees;
  - Boundary treatments and boundaries between vehicle and pedestrian areas on site;
  - Lighting.

Reason: These matters were not submitted for consideration as part of the application.

### **Layout and scale**

- 8.3 Within the officer's report for the original outline permission it was stated that the indicative site layout plan would comfortably sit within the site whilst providing suitable separation distances to adjoining boundaries and adequate separation from the host property. It also states that the siting of the proposed development would appear to be screened from the wider street scene by the existing built form which surrounds the site, and it was therefore concluded that the development of new dwellings could be accommodated to the rear of the site without harming the visual amenities of the street scene or the character of the wider area.
- 8.4 London Plan Policy D3 states that developments should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Local Plan Policy DM10.1 states that developments should respect the layout, siting and development pattern of the surrounding area.



- 8.5 With regards to the submission of the reserved matters application, the proposed layout plan is similar to that which was submitted as part of the outline planning application. The siting of the buildings would provide a break to provide some relief within the built form and the overall massing of development. This is considered to be consistent with the development pattern of the surrounding area which is characterised by single and two storey detached and semi-detached dwellings which offer separation distances between the built form and the plots which contribute towards the suburban setting of the area. The access route would effectively extend the culs-de-sac, with houses facing the access, which is characteristic of the area. Policy DM10 (design) also requires consideration of cumulative impacts; 2 planning applications at 8 and 9 Cedar Walk were recently determined by officers, but as those applications were both refused, the design of the proposal can be considered within its existing (rather than an emerging) context.
- 8.6 The proposed development would be two stories in height which is lower in height when compared to the indicative elevations submitted within the outline permission. The reduction of the height of the dwellings, which are now two storey and are of a lower height than the existing dwelling, are considered to result in a subservient development that would comply with Local Plan Policy DM10. DM10 states that in the case of developments within the grounds of an existing building which is retained, development shall be subservient to that building. The proposals are therefore considered to be consistent with this policy requirement. If the houses were to be substantially extended in the future, they may no longer comply with this requirement, therefore an additional planning condition is recommended removing permitted development rights. This means that future householders would require planning permission to enlarge or substantially alter the houses.
- 8.7 Local Plan 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 a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure.
- 8.8 With regards to the impact on the adjoining occupiers, the indicative plan which was assessed as part of the original outline application identified that there would be minimal harm to the outlook and the amenity of the adjoining occupiers as a result of the proposed siting of the proposed dwellings. The submitted plans are similar to that assessed under the outline application and the plans demonstrate that unit 1, which would be located in the closest proximity to neighbouring properties on Hayes Lane, would be sited approximately 24m from the rear elevation of No. 135, 13.4m from the rear of No.137/139, and 7m from the rear of No. 141. Unit 4 would be sited approximately 11.2m from the rear of the host property and the garages that adjoin the site to the north. Officers maintain the view the proposed arrangement would not result in harm to the outlook and the amenity of the neighbouring properties and given that the proposed heights of the dwelling have now been reduced in height, the relationship between the development site and the neighbouring properties has improved.
- 8.9 No side facing windows are proposed as part of the proposed dwellings, and the positioning of the fenestration would not cause a loss of privacy to neighbouring

occupiers. Therefore, it is considered that the development would result in minimal harm to the outlook and the amenity of the neighbouring properties. This is consistent with Local Plan policy DM10.6 which states that development proposals shall ensure that the amenity of the occupiers of adjoining buildings is protected and that they do not result in direct overlooking at close range of habitable rooms in main rear or private elevations.

- 8.10 The proposed layouts of the dwellings would comprise of 4, 3 bedroom dwellings and these would comply with the London Plan policy D6 in respect of the space standards. The units would comprise of 3 bedroom 5 person units. The units offer good levels of outlook and day light, being dual aspect, and private amenity space is provided for each dwelling that is in excess of the policy requirements set out within Local Plan policy DM10.4. The homes would have step-free access and downstairs WCs. London Plan policy D7 requires 10% of new-build housing to be M4(3) 'wheelchair user dwellings' and the remainder M4(2) 'accessible and adaptable,' and on that basis a planning condition is recommended requiring the development to comply with the M4(2) standard.
- 8.11 With regards to the layout of the existing house, it is considered that the retention of the rear garden ensures the developments compliance with Local Plan policy DM10. The policy states where development is proposed within the existing grounds of a building, the garden area retained should be half of the existing or 200sqm (whichever is smaller) and the site achieves this policy objective by retaining 208 sqm. The proposal and layout of the existing dwelling therefore ensures the protection of the suburban character of the area and the proposed retained layout of the existing dwelling is therefore acceptable.
- 8.12 Overall, it is considered that the details submitted in support of the application would deliver a development that would correspond with the quantum of development that was presented within the outline application whilst also complying with the development plan policies. The proposed layout, height and scale of the development is therefore considered to be acceptable.

### **Appearance**

- 8.13 The proposed development would comprise of a pair of semi-detached dwellings and two single detached dwellings. This typology is considered appropriate in relation to the established character of the area.
- 8.14 The development has adopted a traditional design approach which includes architectural features that are present within and contribute to the character of the existing area. Examples of such features include the proposed gable and hipped roof forms with hanging tiles at first floor level, which complement the existing roof forms of the area. Bay windows are proposed at ground floor level to the front of the dwellings and the fenestration is traditionally laid out across the elevations. A feature found within the existing street scene is the fenestration which is arranged so that the top of the frames at first floor level meet the eaves line of the dwellings. This feature is incorporated into the design as part of the proposed development which respects the existing architectural styles that contribute to the existing character of the area. Based on the above, the proposals are considered to respect the character of the

existing area which would be compliant with Local Plan policy DM10.1 which states that development proposals should respect the appearance of the existing area.

- 8.15 In terms of the proposed materiality of the building, it has been proposed to use traditional materials such as brickwork and roof tiles. The proposed colours are considered to complement the surrounding area and would contribute to the traditional style of architecture. It is proposed to use UPVC rainwater goods, fascias and window frames which are a general feature of the surrounding area and are therefore acceptable in principle. Details of the materials are provided on the submitted elevations and these are considered to result in a development that is of a high quality in design of design but also a development that is sympathetic to the materiality that contributes to the character of the existing area.
- 8.16 The application has provided details of the development and in particular the proposed openings. It is considered that these details would contribute to visual interest across the proposed elevations through the use of such features as 90mm window reveal depths and the recessed front doors. Overall it is considered that the proposed development would comply with Policy DM10.1 which states that proposals should respect the existing materials and built and natural features of the surrounding area.
- 8.17 The appearance of the existing dwelling is considered acceptable as the removal of the garage is not considered to result in a harmful impact to the visual amenities of the street scene as the character of the existing dwelling is retained and the demolition of the garage would not be considered harmful to the character or the appearance of the wider area. This is consistent with the aims and objectives of Local Plan policy DM10.
- 8.18 Overall, the development is considered to be compliant with Local Plan Policy DM10 and London Plan policy D3 as it respects the character of the existing area resulting in minimal harm in this regard as well mitigating any impact to the visual amenities of the street scene due to the subservience of the development in conjunction with its appearance.

### **Landscaping**

- 8.19 The application has provided documentation in support of the landscaping details which seeks to address the sections set out within the relevant condition.
- 8.20 A hard landscaping proposal has been submitted for assessment along with details of the proposed materials. Overall, it is considered that the use of materials such as the two tone brick pavers would provide a high quality finish to the surface of the hardstanding. The use of the two tone surfaces would also provide a distinction between the pedestrian and vehicular areas which was a requirement of the condition. This arrangement is considered to result in a development that allows vehicles and pedestrians to negotiate around the site safely through the designation of the areas which is achieved through the use of two different materials.

- 8.21 Smooth concrete pavers are proposed for the patios of the rear gardens of the development and gravel will be located down the sides of the properties that are located in close proximity to the site boundary. The gardens will be subdivided through the use of close boarded fences around the perimeter of the site. This arrangement and proposal is considered to be appropriate given the domestic and suburban context of the area which utilise similar boundary treatments. The proposals are therefore considered to be respectful of the surrounding area.
- 8.22 Lighting is proposed across the site and will comprise of LED driveway lights which are to be inset into the driveway and between the access gates of the properties. These would also be located along the access road and pedestrian route which is considered to provide sufficient lighting to the future occupiers of the development. The lighting is considered to be discreet due to its location whilst also providing a suitable level of lighting to future occupiers of the development to navigate the site safely in darker conditions.
- 8.23 The soft landscaping proposals show that 16 trees are to be removed across the site. The specimens to be removed are not protected. Officers at the council have reviewed the supporting information relating to trees and it is considered that the proposals would result in minimal harm to the existing trees and the protection methods outlined within the tree protection plan should be secured by a compliance condition.
- 8.24 22 new trees will be planted in place of the 16 which are to be removed. The outline permission suggested that landscaping should be incorporated along the boundary that runs to the south of the site. This has now been incorporated into the soft landscaping proposals. Overall, the proposed level of planting is considered sufficient to mitigate the loss of the existing trees. The council's tree officer raised no objections to the proposed removal of the trees and confirmed that the replanting proposals would sufficiently mitigate the loss of the existing. Overall, the size, number, proposed species and density of the new planting, in conjunction with retained trees are considered to result in a proposal that would mature into a high quality landscaping scheme, ensuring that the development is sufficiently softened whilst integrating into the suburban character of the area resulting in a development that complies with Local Plan Policy DM10 and DM29.
- 8.25 Ecology was considered within the outline application and no significant concerns were raised. It is noted that the existing building is not being demolished.

### **Other matters**

- 8.26 The access and transport aspects of the development were considered at the outline stage and whilst there have been some amendments to the parking layout, these matters remain acceptable. A financial contribution of £6000 towards sustainable transport was secured with the outline consent. The development would therefore adhere with Policies SP8, DM29 and DM30 of the Croydon Local Plan (2018). The requirement for Fire Safety Statements was introduced by the London Plan (2021) after the outline consent was approved by the Council, and therefore no conditions

were imposed securing a Fire Safety statement. Therefore a condition is recommended to require a Fire Safety statement in accordance with London Plan Policy D12.

- 8.27 Adequate refuse storage arrangements are indicated in accordance with policy DM13 of the Croydon Local Plan (2018). The detailed design of the refuse storage area is subject to a condition on the outline permission. The details of cycle storage and refuse storage are already subject to condition 5 of the outline consent.
- 8.28 The site is not located in a flood risk or surface water flood risk area. It should be noted that the outline planning permission was granted with a condition attached requiring the submission of a full drainage strategy that is currently under consideration by the council under application ref. 22/00135/DISC. As this is not a reserved matter this will be assessed and determined by officers within the aforementioned application.

### **Conclusions and Planning Balance**

- 8.29 This application is for reserved matters only, given that outline planning permission was already granted for the development of the site. The submitted plans do not introduce any additional harm compared with the approved scheme, and given that the proposed buildings would be lower in height than those shown indicatively at Outline stage, the impacts would be reduced compared to those suggested at Outline stage.
- 8.30 All material considerations have been taken into account, including responses to the consultation. The conditions recommended and obligations already secured by Section106 have ensured that any impacts of the scheme are mitigated against and it is not considered that there is any material planning considerations in this case that would warrant a refusal of this application. This reserved matters application has been assessed against the relevant development plan policies and other material considerations above and is considered to be acceptable in planning terms. Taking into account 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 policy terms. As such, the proposal would comply with the relevant Policies within the London Plan (2021), Croydon Local Plan (2018) subject to the recommended conditions.

## **6. OTHER MATTERS**

- 6.1 All other planning considerations including equalities have been taken into account.