

1 APPLICATION DETAILS

Ref: 22/03580/FUL
 Location: 13 Welcomes Road, Kenley, CR8 5HA
 Ward: Kenley
 Description: Demolition of the existing dwelling and erection of a terrace of 3 two storey dwellinghouses with accommodation within the roof with associated landscaping, refuse storage, car and cycle parking
 Drawing Nos: Site Location Plan, 1308/010, 1308/020, 1308/021, 1308/022, 1308/030, 1308/031, 1308/040, 1308/100 Rev E, 1308/101, 1308/103 Rev E, 1308/104 Rev E, 1308/200 Rev E, 1308/201 Rev E, 1308/202 Rev E, 1308/203 Rev E, 1308/300 Rev E, 1308/301 Rev C, 1308/302 Rev C, 1308/303 Rev E, 1308/400 Rev C, 1308/411 Rev C, 1308/412 Rev C, 1308/413 Rev C, 1308/414 Rev C, 1308/500 Rev E, 1308/501 Rev E, 1308/502 Rev E, L.1 Rev B (indicative planting plan)
 Applicant: Mr. Ragan Jain GB Builders Ltd
 Case Officer: Hayley Crabb

	Houses	Total
Existing House (demolished)	1x 3-bedroom house	1
Proposed Houses	3 x 4-bedroom houses	3
Total		3

All units are proposed for private sale

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 2	
Car Parking maximum standard	Proposed
3	5
Cycle Storage minimum	Proposed
2 (per dwelling)	2 (per dwelling)

1.1 This application is being reported to committee because:

- The ward councillor [Cllr Ola Kolade] made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

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 £6000 towards sustainable travel improvements within the Kenley Transport Study area
 - (b) And any other planning obligations considered necessary
- 2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
- 2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings

Pre-commencement

- 3) Construction Logistics Plan (to include a photographic conditions survey of the public highway – Welcomes Road and Kenley Lane)
- 4) Arboricultural condition

Prior to above ground floor slab level

- 5) Materials
- 6) Electric vehicle charging points
- 7) Ecology condition (bio-diversity enhancement strategy)
- 8) SUDs (including an updated drainage plan).
- 9) Accessible Design

Pre-occupation

- 10) Landscaping scheme including replacement trees/boundary treatment/retaining walls/land levels/ramps/gates/lighting
- 11) Access/visibility splays (including maintenance of visibility splays on either side of the vehicular access (with no obstruction over 0.6m in height);
- 12) Cycle and refuse stores

Compliance

- 13) No additional windows in the flank elevations other than as specified/obscure glazed (first floor windows)
- 14) Remove Permitted Development

- 15) Car park layout
- 16) Ecology condition (in accordance with ecological appraisal recommendations)
- 17) In accordance with the Fire Strategy Statement
- 18) Energy efficiency requirements
- 19) Water efficiency requirements
- 20) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

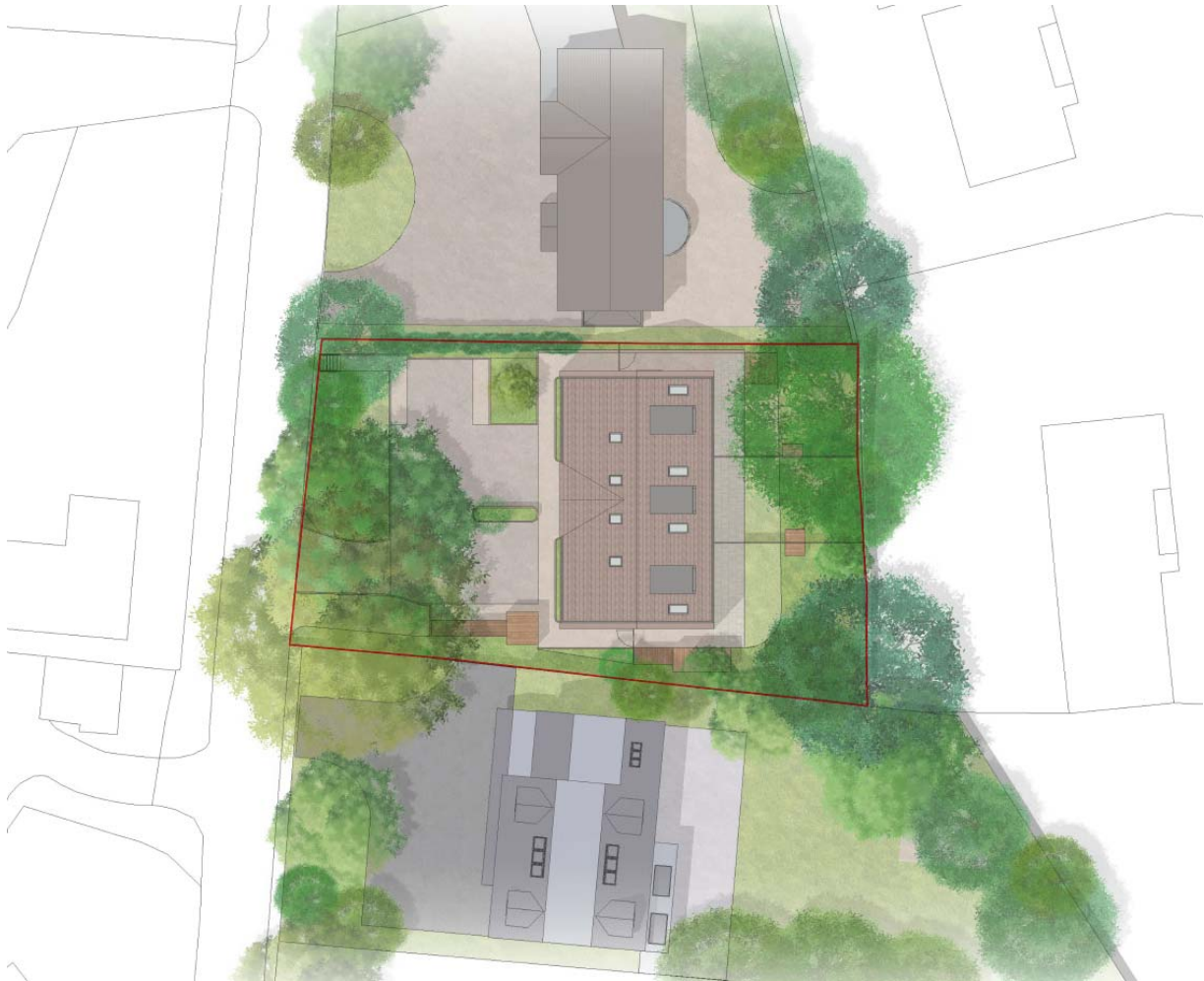
Informatives

- 1) Community Infrastructure Levy
 - 2) S106 agreement
 - 3) Code of practise for Construction Sites
 - 4) Party Wall Act
 - 5) Highways
 - 6) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.4 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.
- 2.5 That, if by deadline date – max 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 The proposal comprises the following:
- Erection of a terrace of 3 two storey houses (with accommodation within the roof space);
 - 3 x 4-bedroom (7 person) houses (including 1 wheelchair adaptable house);
 - Refuse and cycle provision; and
 - 5 parking spaces would be provided (including a blue badge bay)



Propoosed site layout drawing

Site and Surroundings

- 3.3 The application site consists of a detached two storey house with an attached garage.
- 3.4 Welcomes Road consists of predominately detached houses (in an elongated form), whilst there is a varying front building line, no. 13 sits in the middle of two elongated properties with a varying front building line. There are varying land levels on and in the vicinity of the site. The site slopes (down?) from (south to north).



Site Location Plan

Planning Designations and Constraints

3.5 The site is subject to the following formal planning constraints and designations:

- PTAL: 2 - poor accessibility to public transport links
- Croydon Panorama as identified on the Local Plan proposals map
- Tree Preservation Order on the site (TPO 35, 1973)
- The site is identified as at risk of surface water flooding with the potential of flooding to occur at surface and critical drainage area

Planning History

3.6 21/03580/PRE – Re-development of the site.

3.7 Other applications on the site relate to tree works.

11 Welcomes Road, Kenley (most recent)

- 3.8 16/04463/HSE - Alterations and erection of porch and single storey rear extension – Planning Permission granted on 06.12.2016.

17 Welcomes Road, Kenley

- 3.9 16/01792/P - Alterations; Erection of single/two storey front/side/rear extensions and dormer extensions in front and rear roof slopes; alterations to vehicular access – Planning Permission granted on 19.07.2016.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 This is a succinct executive summary to enable members to grasp the main issues quickly. Suggest a bullet point for each of the main planning issues raised by the application under part 8.

- The principle of residential development on the site is acceptable;
- The design and appearance of the development is appropriate for the site;
- The impacts on residential amenities of adjoining occupiers would be within reasonable limits;
- The living standards of future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the London Plan;
- The proposed development would not cause unacceptable harm to the amenities of neighbouring residential occupiers;
- Subject to the imposition of conditions, the proposed development would not have an adverse impact on the operation of the highway;
- Subject to conditions, the proposals would not have an adverse impact on Flooding;
- Trees/landscaping and ecology can be controlled by conditions; and
- Sustainability aspects can be controlled by conditions.

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

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

- 6.1 A total of 14 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: 9 Objecting: 8 Supporting: 1 Comment: 0

- 6.2 The following local groups/societies made representations:

- Welcomes and Uplands Road Association

6.3 The following Councillor made representations:

- Councillor Ola Kolade

It should be noted that amended plans and clarification details have been submitted as part of the application process and are considered accordingly. The “Wheatcroft Principle” has established that anyone affected by substantial changes to an application should be given an opportunity to make representations. In this case, the amendments which include an alternative roof design at rear, alternative parking layout, the removal of an area for bulky waste/collection point, changes to refuse/cycle areas and an updated Arboricultural Report submitted due the changes to the proposed layout. Whilst varying sets of amendments have been submitted, it is considered the changes do not substantially change the nature of the proposal originally consulted upon and therefore considered neighbours would not be disadvantaged in this case from not being consulted on the amended plans/updated arboricultural report.

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

Objection	Officer comment
Overdevelopment/character	
Overdevelopment/character/obtrusive by design/too large for the plot	Addressed in Section 8.9-8.13 of this report
Neighbouring amenity	
Residential amenity/overshadowing/visual intrusion/overbearing impact/loss of privacy/loss of light/light pollution/noise/security risk	Addressed in Section 8.19-8.23 of this report
Tress and ecology	
Impact on trees/impact on shrubs	Addressed in Section 8.24-8.27 of this report. A preliminary landscape plan has been submitted. Suitably worded conditions can be attached in respect of landscaping, trees and protected species
Transport and Highways impacts	
Parking/lack of parking/on-street parking/highway safety/Welcomes Road a pedestrian highway/inadequate turning space on site/waste	Addressed in Section 8.28-8.38 of this report. An updated parking layout has been provided. Suitably worded conditions can be attached in respect of

	parking/access/visibility splays, EVCP, cycle and refuse provision
Flooding/drainage	
Flooding/drainage/sewage	Addressed in Section 8.41-8.45 of this report. SUDs can be secured via condition (including an updated drainage plan).
Other	
Construction/disruption	This is part of the build process. A pre-commencement condition would be attached for a Construction Logistics Plan to be submitted and an informative placed as in respect of the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites" which should be adhered to.

6.5 The Welcomes and Uplands Road Association have raised an objection for the following reasons:

- Overdevelopment and massing (no. 52 Welcomes Road raised) (Officer comments: Each application is judged on its own individual merits)
- Unsafe access and poor parking design (Officer comment: An amended parking layout has been provided which is considered satisfactory)
- Unsustainable Construction Method Statement (Officer comment: Whilst concern has been raised regarding delivery times (Deliveries must be scheduled to avoid peak traffic times, 09.30 – 14.30) as well as crossover details, photographic survey, FORs and Utilities, banksmen. It is considered these details can be achieved and therefore this can adequately be dealt with as part of the Construction Logistics Plan which would be secured via a suitably worded pre-commencement condition)
- Cumulative effect of Environment and infrastructure (Officer comment: Whilst it is acknowledged the intensification of sites within the Kenley area, however it is considered each application is judged in line with adopted policy and considered acceptable in terms of impact on the highway network. The scheme would also be CIL liable. Suitable conditions would be imposed where necessary)

6.6 Councillor Ola Kolade has objected and referred the application for the following reasons:

- Development would be out of character within the context of the surrounding area

- The proposal would result in a loss of soft vegetation which will have a detrimental impact on the street scene of Welcomes Road. (Officer comment: The amended proposed site layout includes additional areas of soft landscaping)
- Negative impact on biodiversity and wildlife.
- Highway safety, shortfall of on-site parking, insufficient parking spaces/increase parking stress in the locality.
- Proposal does not provide adequate space for temporary storage/will not ensure safe and easier access by operatives and waste management services.
- Drainage

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
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire Safety
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- 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
- 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
- DM 16 Promoting Healthy Communities
- DM 17 Croydon Panorama
- 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.
- DM40: Kenley and Old Coulsdon

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies several key issues for the delivery of sustainable development, those most relevant to this case are:

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

SPDs and SPGs

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

- London Housing SPG (March 2016)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

- London Housing Design Standards LPG (2023)

7.5 The Suburban Design Guide Supplementary Planning Document was revoked on Monday 25th July 2022 and therefore no longer a material planning consideration. It is acknowledged that pre-application discussions were entered into prior to the removal of the above document. However, advice is provided in line with the guidance in effect at the time of writing and Planning applications are accompanied by a full set of detailed plans and supporting documents which are subject to public notification and consultation, and the Planning Sub-Committee are not bound by the advice in the pre-application response.

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity
5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Fire Safety
8. Other Planning Matters
9. CIL
10. Conclusions

Principle of development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan 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 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small sites housing target of 641 per year.

8.4 Policy H1 (Increasing housing supply) and Policy H2 (Small sites) of the London Plan (2021) state:

- Boroughs should optimise the potential for housing delivery on all sites (H1)
- Councils should pro-actively support small site development to significantly increase the contribution that small sites make towards housing delivery (H2).
- Councils should support housebuilders (H2).

- 8.5 Policy H2 of the London Plan (2021) states that Incremental intensification of existing residential areas within PTALs (Public Transport accessibility level) 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites. Whilst the site is located within PTAL 2 and sits just outside the intensification zone. It should be noted that the site is within short walking distance to Kenley Train Station and bus stops, along with local shops and facilities. It is considered sensitively designed new development can be supported subject to the proposal complying with the relevant planning considerations below.
- 8.6 Policy SP2 of the Croydon Local Plan (2018) sets out how housing will be delivered across the Borough. DM11 recognises the importance of the delivery of new housing and sets out key objectives for development within the borough. Policy SP2.7 of the Croydon Local Plan (2018) sets a strategic target of 30% of all new homes up to 2036 to have three beds or more. Also, Policy DM1.2 of the Croydon Local Plan (2018) seeks to prevent the loss of small family homes by restricting the net loss of three bed units and the loss of units that have a floor area of less than 130sq.m.
- 8.7 The proposal includes the demolition of the existing 3 bedroom house and garage (which at 172.5sqm is in excess of 130sq.m) and erection of 3 x 4 bedroom houses. Whilst the proposal would result in the loss of a 3-bedroom house, it is not protected given the existing house is in excess of 130sq.m. 3 new family homes would be provided with a GIA of 136.5sq.m (for two of the proposed dwellings) and 146.5sq.m (for one of the proposed dwellings), it is considered the proposed development would accord with this strategic target.
- 8.8 The existing use of the site is residential (C3) and as such the principle of redeveloping the site for residential purposes is acceptable in land use terms. Given the above the principle of new homes on the site is acceptable subject to further consideration below.

Design and impact on character of the area

- 8.9 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 of also require development to be of a high quality which respects and enhances local character. 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 and Policy DM17 requires development to avoid detrimental impact on the quality of the view. Policies D2, D3, D4 and D5 of the London Plan (2021) are also of relevance.
- 8.10 The site is located within a Croydon Panorama as identified on the Local Plan policies map. The properties near the site are elongated with wide frontages, as is the existing house and set at varying land levels. It is proposed to demolish the existing house and erect a terrace of 3 two storey houses with accommodation

within the roof which would also be elongated in form. The development would incorporate a central gable feature and would be similar in height to no. 17's roof (highest point). The development would have a staggered footprint and set away from each side boundary providing adequate gaps between the houses (at least 1.9m to the boundary with no.11, and 3.1m to the boundary with no.17, both of which are also set further away from the respective boundaries). It should also be noted that no. 11 has a front gable feature and no. 17 have front and rear dormer extensions and gable ends. See existing and proposed street scene below.



Existing Street Elevation (West)
1 : 200



Proposed Street Elevation (West)
1 : 200

8.11 The proposed materials would consist of red brick (with mixed tones), red roof tiles and black aluminium windows. A suitably worded condition would be attached in respect of materials to ensure a high-quality development is brought forward. Illustrative CGIs below.



Proposed 3D Scene Front



Proposed 3D Scene Rear

Illustrative CGIs

8.12 Whilst there would be changes to the forecourt/landscaping, it is considered the amended proposal would sufficiently integrate into its surroundings and would have a similar massing and rhythm with its neighbours. It is therefore considered the proposed development, by reason of its proposed scale, siting, design, bulk, form and massing would respect the established built form of the area/local context and would sufficiently maintain the local character of the Welcomes Road streetscene and views.

The site is currently screened by several trees, and these would be retained such that the new development would be substantially screened from the street. The proposed driveway would echo the location of the existing driveway to minimise disturbing the existing landscaping. The amended scheme also incorporates additional areas of soft landscaping to ensure the development does not appear overly engineered and thus maintain local character. Whilst an indicative planting plan has been submitted, it is recommended for a suitably worded condition to be attached in respect of landscaping.

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1	4b/7p	136.5	121	41.2	10	Yes	3
2	4b/7p	146.5	121	32.9	10	Yes	3
3	4b/7p	136.5	121	44.9	10	Yes	3

8.13 In the light of the above, officers are of the opinion that the proposed development would not result in the overdevelopment of the site and would comply with the objectives of the above policies in terms of visual amenity/character of the area which would not unduly impact upon the Croydon Panorama in this instance.

Quality of residential accommodation

8.14 The proposed houses are designed in line with the standards set out in the Nationally Described Space Standards (NDSS) and the London Plan Housing SPG, particularly with regard to minimum floor space standards (including minimum sizes and widths for rooms/storage).

8.15 It is proposed to provide 3 x 4-bedroom (7 person) units over 3 floors. The Technical Housing Standards require a 4-bedroom (7 persons) unit over 3 floors to have a minimum gross internal floor area (GIA) of 121m² with 3m² built in storage. Each house would exceed the required space standards and would provide an adequate

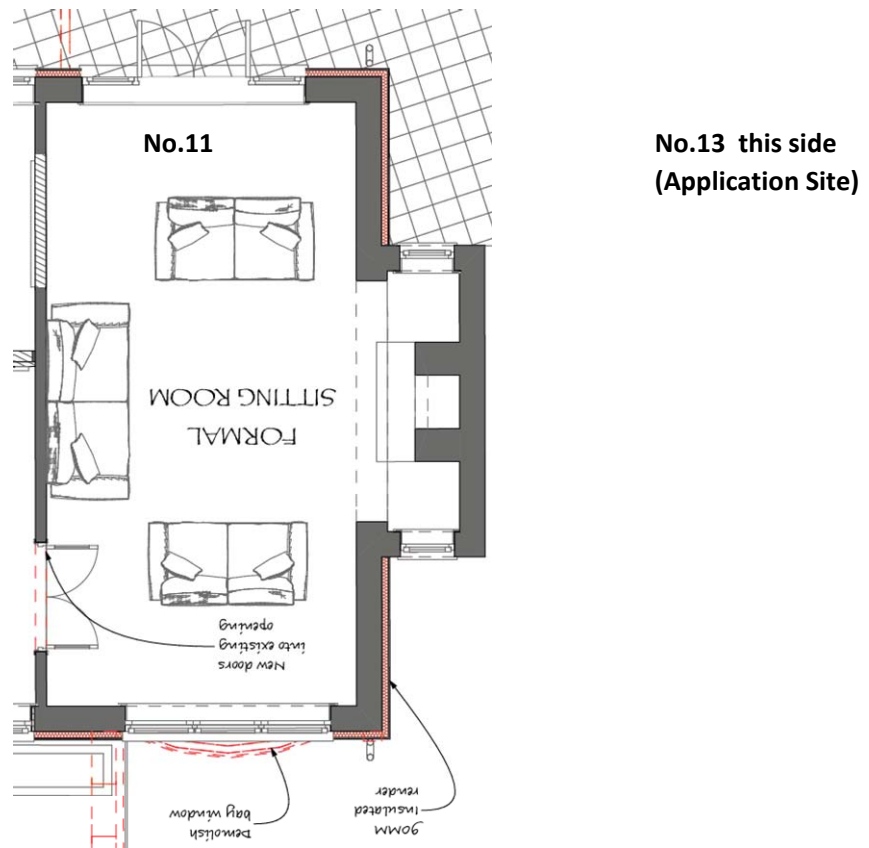
level of accommodation for future occupiers with sufficient light and outlook provided.

- 8.16 The London Housing SPG states that a minimum of 5 m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. Policy DM10.4 requires proposals for new residential development to provide private amenity space that is of high quality design and enhances and respects the local character; provides functional private amenity space.
- 8.17 In terms of outdoor amenity space provision, each house would have a garden which exceeds the required standard. Officers are of the opinion that the proposed development would offer future occupiers a good standard of amenity, including the provision of private outdoor amenity space, and thus accords with relevant policy.
- 8.18 With regard to accessibility, unit 2 would be wheelchair accessible. The Design and Access Statement states unit 2 would be M4(3) compliant and units 1 and 3 M4(2) compliant. Step-free access would be provided from the parking area to the ground floor accommodation and the gardens at rear. This is considered acceptable, and conditions have been recommended requiring all homes to comply with M4(2) or greater standards, and to be built in accordance with the submitted drawings.

Impact on neighbouring residential amenity

- 8.19 Policy D3 (Optimising density through the design-led approach) 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.
- 8.20 The most impacted by the development would be no. 11 (to the north) and no. 17 Welcomes Road (to the south) and properties to the rear. The proposed building would be higher than no. 11 and project beyond their rear wall. The submitted information shows the proposed house closest to the boundary with no. 11 would be outside the 45-degree line from the main sitting room window, and the submitted sunlight/daylight report demonstrates that the proposed development would not cause significant harm in terms of light. The 45-degree test is a well-established planning tool used in assessing harm. It should be noted that from the planning history in relation to no. 11 Welcomes Road (application 16/04463/HSE) the plan shows an elongated sitting room. This room is served by a large window at the front and patio doors at the rear. The proposed house closest to the boundary with no. 11 would be set approximately 2m from the side boundary (approximately 3.2m from the side wall of the proposed house to the side wall of no. 11). Windows are proposed in the side elevation which would be obscure glazed (upper floors) and part obscure glazed window at ground floor level. It is recommended for a suitably

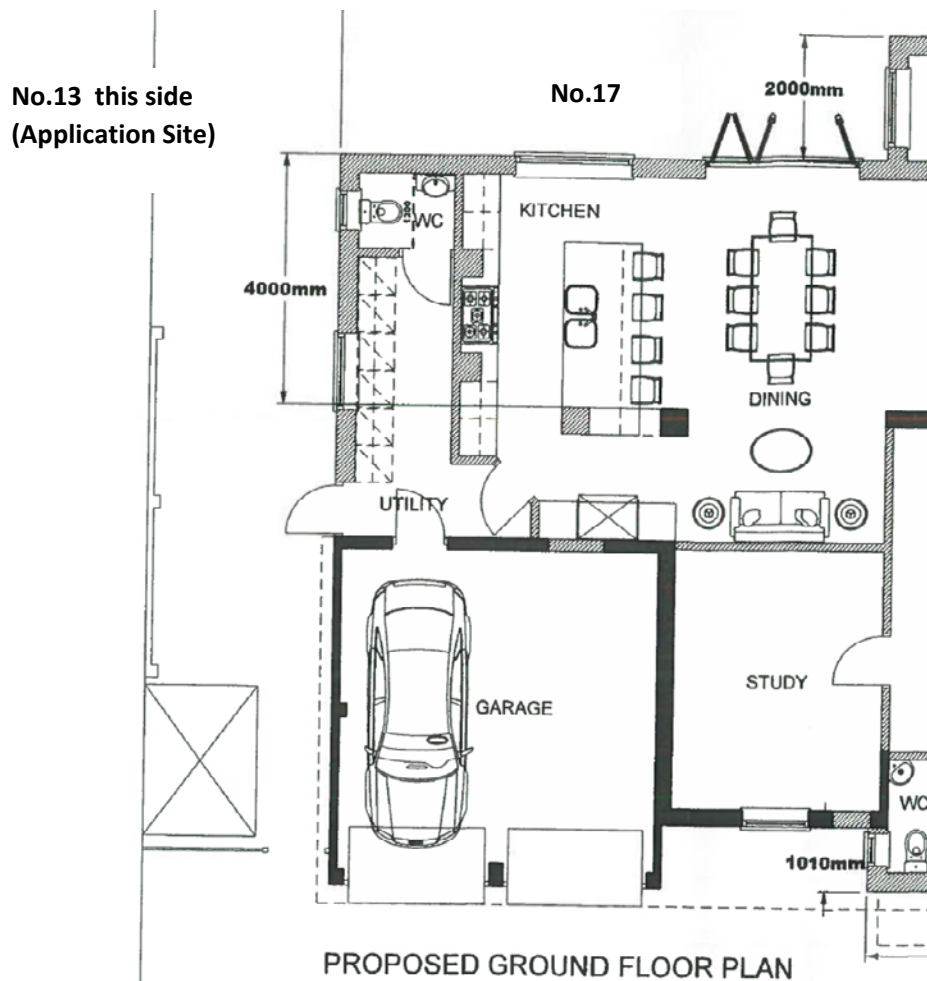
worded condition be attached in respect of the proposed side facing windows to minimise overlooking. There would also be a side entrance door which would face the boundary and would not result in overlooking. The sitting room at no.11 has an inglenook fireplace with 2 small windows, which are not the main sources of light to that room. Whilst the 45-degree line has not been shown from the inglenook windows, the main windows to the room would still benefit from good levels of sunlight and daylight. The proposed development would not have an undue impact on the amenities of no. 11 in terms of loss of light, outlook, loss of privacy, openness, overbearing form or sense of enclosure or any other identifiable harm as to withhold planning permission given the form and siting of the proposed development and relationship with no. 11. Whilst the entrance would be situated on the side, it is considered it would not have a significant impact on the amenities of no. 11 in terms of noise and disturbance as to withhold planning permission.



Sitting room at no. 11, showing front and rear openings (which pass the 45-degree test) and the inglenook fireplace windows. Image taken from public register for application 16/04463/HSE.

8.21 The proposed development would be roughly level with the height of no. 17 (highest point) and would be set approximately 3.2m from the side boundary at its closest point. The building would be outside the 45 degree line from the nearest habitable room windows and the sunlight/daylight report demonstrates that the proposed development would not cause significant harm in terms of light. Windows are proposed in the side elevation which would be obscure glazed (upper floors) and

door and part obscure glazed window at ground floor level. From the planning history 16/01792/P, the plans show a side facing garage door and two windows serving a utility room/wc; these are not habitable rooms and therefore not afforded the same protection as a living space or bedroom may be. This property would also have a side entrance. Weighing all residential amenity grounds, it is considered the proposed development would not have an undue impact on the amenities of no. 17 in terms of loss of light, outlook, loss of privacy, openness, overbearing form or sense of enclosure or any other identifiable harm as to withhold planning permission given the form and siting of the proposed development and relationship with no. 17.



2016 proposed ground floor plan room at no.17, showing side elevation openings. Image taken from public register for application 16/01792/P.

Whilst the entrances of 2 of the homes would be situated on the side elevations, the amount of activity associated with these entrances would be commensurate with their use as homes and would therefore not cause undue disturbance. The entrances are at ground level, meaning that those entering and exiting the building will be prevented from directly overlooking the adjacent homes by the boundary treatments. The proposal would not have a significant impact on the amenities of nos. 11 and 17 in terms of noise and disturbance as to withhold planning permission.

It is recommended for a suitably worded condition be attached in respect of the proposed side facing windows to minimise overlooking using obscured glazing.

8.22 No. 24 and 26 Kenley Lane adjoin the rear boundary. There is significant tree cover between the proposed development and rear of no. 24 and 26. There would be a separation distance of approximately 24m, which exceeds the 18-21m distance suggested in the Local Plan and Housing SPG. There is a Tree Preservation Order on the site which protects trees within the site. The submitted Arboricultural Report shows the trees adjacent to the rear boundary as retained all bar one tree. Given the distance between the proposed development and the properties to the rear and the trees which provide screening between plots, it is considered the proposed development would not have an undue impact on the amenities of these occupiers as to withhold planning permission in this instance.

8.23 The London Housing Design LPG advocates clearly defined entrances to buildings. This needs to be balanced with the need to respect the local character. The proposed homes would have clearly laid out, landscaped and lit entrance paths; and the building would be designed with a single entrance on the front (and the others on the sides) to provide an appearance similar to one large house, in keeping with its neighbours. With regards to security risk, whilst the houses proposed adjacent to no. 11 and 17 would each have a side entrance, these would be private spaces with external lighting, and it is considered the proposed development would not have a significant impact on the amenities or safety of these occupiers as to withhold planning permission. As such, the proposal accords with aforementioned policies.

Trees, landscaping and biodiversity

8.24 Paragraph 8.7.1 of the London Plan 2021 states “Trees and woodlands play an important role within the urban environment. They help to trap air pollutants, add to amenity, provide shading, absorb rainwater and filter noise. They also provide extensive areas of habitat for wildlife, especially mature trees. Policy G7 of the London Plan (2021) states that development proposals should ensure that, wherever possible, existing trees of value are retained. Policy DM10.8 of the Croydon Local Plan (2018) states in exceptional circumstances where the loss of mature trees is outweighed by the benefits of a development, those trees lost shall be replaced with new semi-mature trees of a commensurate species, scale and form. Policy DM28 of the Croydon Local Plan (2018) states the Council will seek to protect and enhance the boroughs woodlands, trees and hedgerows by not permitting development that could result in the future avoidable loss or excessive pruning of preserved trees or trees that make a contribution to the character of the area, adding that a condition require replacement of removed trees will be imposed and those replacement trees should meet the requirement of Policy DM10.8.

8.25 There is a Tree Preservation Order on the site (TPO 35, 1973) which is an area order. An updated Arboricultural Tree Report has been submitted (Rev B). It is

proposed to remove 8 trees (2 category “B” trees and 6 category “C” trees). An updated proposed site plan (Rev E) has been submitted and proposed Tree Layout plan (Rev E) showing 6 replacement trees are proposed. It should also be noted that the updated proposed site plan also shows additional areas for soft landscaping. Whilst this would result in a net reduction of 2 category C trees, the site is saturated with tree planting, meaning that there would be little scope or benefit to additional tree planting. Replacement trees are also proposed which would be secured via a suitably worded condition as part of an overall landscaping scheme for the site, including suitable levels of maturity to allow the new trees to thrive and achieve an appropriate visual impact. Whilst the submitted ground protection and protective fencing is acceptable in principle, details need to be provided in respect of service runs. It is therefore recommended for an updated Arboricultural Report/Tree Protection plan to be submitted via a suitably worded condition which should include details of the proposed service runs (not trenched through the root protection area of the trees) which would also include the requirement for arboricultural supervision of the service runs by a competently qualified tree consultant.

- 8.26 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).

To enhance biodiversity across the borough and improve access to nature, development proposals should:

- a. Incorporate biodiversity on development sites to enhance local flora and fauna and aid pollination locally;
- b. Incorporate biodiversity within and on buildings in the form of green roofs, green walls or equivalent measures;
- c. Incorporate productive landscapes in the design and layout of buildings and landscaping of all major developments⁹⁰;
- d. Have no adverse impact on land with biodiversity or geo-diversity value as designated on the Policies Map; and
- e. Have no adverse impact on species of animal or plant or their habitat protected under British or European law, highlighted within a local/regional Biodiversity Action Plan, or when the Council is presented with evidence that a protected species would be affected.

- 8.27 Protected species are a material planning consideration. A Bat Scoping Report, Preliminary Ecological Appraisal (The Ecology Co-op, November 2021), Magic Maps (<https://magic.defra.gov.uk>), aerial photographs and other associated documents have been submitted which has been assessed by the Councils’ ecological assessor who has raised no objection subject to securing biodiversity mitigation and enhancement measures. The walkover survey and building inspection for roosting bats were carried out on 13th October 2021, within 2 years of the planning committee meeting date, and identified negligible opportunities for bat roosting within the building, and moderate suitability for bat roosting in the oak tree to the west of the house (which is to be retained). Therefore, the submitted details provide sufficient certainty over the likely impacts of the development. It is recommended for all mitigation and enhancement measures/or works to be carried out in accordance with the Bat Scoping Report and Preliminary Ecological Appraisal (The Ecology Co-op, November 2021) and implemented in full. These comprise

planting of native species and bat roosting opportunities (e.g., wall-mounted bat shelters). It is also recommended for a bio-diversity enhancement strategy to be submitted prior to slab level to allow the details to be assessed. It should be noted since the response from the Council's ecological assessor that an amended proposed site plan has been submitted which shows additional areas of soft landscaping which would enhance biodiversity. It is considered this could adequately be addressed within the proposed bio-diversity enhancement strategy proposed to be secured via condition. It is therefore considered the changes would not likely impact upon protected species or the proposed mitigation proposed and therefore considered acceptable and to be secured via condition.

Access, parking and highway impacts

- 8.28 Policy SP8 of the Croydon Local Plan (2018) concerns traffic generation, sustainable travelling and parking standards. Policy DM29 of the Croydon Local Plan (2018) – Promoting sustainable travel and reducing congestion. (b) Have a positive impact and must not have a detrimental impact on highway safety for pedestrians, cyclists, public transport users and private vehicles. In 10.29 “All development has an impact on traffic movement in the borough. To reduce impact on traffic movement the Council will require new development to promote measures to increase the use of public transport, cycling and walking. Policy DM30 – Promoting sustainable growth and reducing impact of car parking in new development. Policies T4, T5, T6 of the London Plan (2021) are also of relevance.
- 8.29 The site has a PTAL 2 – Poor accessibility to public transport links on a scale of 1-6b where 6b is the highest. The London Plan (2021) require that the maximum parking standards for a PTAL 2-3 in outer London per 3+ bedroom home should be up to 1 space per dwelling. This therefore equates to 3 parking spaces.
- 8.30 See drawing in paragraph 3.1 above which shows the proposed parking layout. 5 parking spaces are proposed (including a disabled parking bay). Whilst this is an overprovision of parking, it is considered in this instance given the siting of the site with no on-street parking or pavement available on Welcomes Road due to the narrowness of the road and the additional spaces could be used for visitors, it is considered the level of parking is appropriate for the development. It should also be noted that a servicing/delivery vehicle would be able to access the site, and sufficiently turn on site and leave in forward gear. The site is also within short walking distance to Kenley Train Station and bus stops, along with local shops and facilities. Therefore, accounting for this and for the number of properties proposed, it is considered 5 parking spaces would not result in severe harm to highway safety and as a result it would not be appropriate to refuse the application on parking grounds.
- 8.31 With regard to the vehicular access, visibility splays have been shown and within the Transport Statement shows swept path details. The spaces fronting the proposed houses would have a 6m area to reverse into to manoeuvre which would allow cars to adequately turn on site and leave in forward gear. The council's transport officer

reviewed the plans and raised concerns about the visibility splays for vehicles existing the site. In terms of the access, the proposed site plan states the proposed planting/existing planting would be pruned below 0.6m in height within the visibility splay areas. The Highway note received 17th March 2023 states, the design features of the Proposed Development, including removal of existing shrubbery and planting around the more mature retained trees will improve the visibility compared to the existing site layout. The note also states that very few residences on Welcomes Road achieve these visibility splays themselves, including the access opposite the proposed site access. Visibility splays of no more than 2.4m by 10.89m are achievable. The highway note states "It is therefore considered that the visibility splays are in fact better than other nearby residences, meaning the risk to road safety is minimal. As a result, the Proposed Development should not be refused as a result of highway safety concerns submitted."

- 8.32 Whilst the proposal would result in the intensification of the access (used by 3 homes rather than 1) and that sightlines have not fully been achieved, it is however considered given the siting of the site, the road speed restriction (20mph) and this being the case for other accesses and works would be carried out in order to improve visibility and given the existing arrangements, it is considered on balance there would not be a significant impact on the highway network as to refuse on highway safety grounds. Ultimately, many sites on Welcomes Road have limited visibility due to the lack of pavement, and the proposed visibility for vehicles exiting the site would be improved compared to the current situation. It is however recommended for a suitably worded condition to be attached for land level/finished floor levels to be secured via a suitably worded condition and a suitably worded condition in respect of the access/visibility splays (including maintenance of visibility splays on either side of the vehicular access (with no planting over 0.6m in height) in order to secure the proposed improvements to vehicle visibility.
- 8.33 Electric vehicle charging points have been shown on the proposed site plan, however it is recommended to secure full details via a suitably worded condition.
- 8.34 A financial contribution is recommended to be secured via legal agreement to contribute Towards the mitigations in the Kenley Transport Strategy and/or improvements to sustainable transport including but not limited to on street car clubs with electric vehicle charging points (ECVPs) as well as general expansion of the EVCP network in the area in line with Local Plan policies SP8.12 and SP8.13. The funding will go towards sustainable transport improvements, which may include items such as traffic orders at around £2500, signing, lining of car club bay, EVCP provision including electrics and getting the car club to come to this location so set up costs for the car club. General expansion of the EVCP network in the area of the application. Funding may also be used for extension and improvements to walking and cycling routes in the area to support and encourage sustainable methods of transport.

- 8.35 The Councils highway and Environmental Health Teams have assessed the initial Construction Logistics Plan (CLP). Concern has been raised regarding delivery times (Deliveries must be scheduled to avoid peak traffic times, 09.30 – 14.30) as well as crossover details, photographic survey, FORs and Utilities, banksmen. It is considered that all these details fall within the scope of a Construction Logistics Plan and can be achieved and therefore this can adequately be dealt with as part of a pre-commencement condition for the CLP. Environmental Health matters would be placed as an informative.
- 8.36 Each house would have a cycle store with space for two bikes. Unit 1 and 3 would have a cycle store in their garden and unit 2 a cycle store at the front. The side accesses would be 1.2m wide. Elevational details have been provided which are considered acceptable and therefore it is recommended for the submitted details to be conditioned.
- 8.37 Policy DM13 of the Croydon Local Plan (2018) states refuse/recycling should be sensitively integrated within the building, ensure facilities are well screened, provide adequate space for temporary storage of waste (including bulky waste) materials generated by the development and provide layouts that ensure facilities are safe, conveniently located and easily accessible by occupants, operatives and their vehicles.
- 8.38 A dedicated refuse store would be provided for units 1 and 2 at front adjacent to no. 17 and a refuse store (for 3 wheelie bins) provided in the garden of unit 3. Whilst the refuse proposed for unit 3 is more than 20 metres from the highway, bins will be brought from designated storage areas to the front of the Application Site on bin collection day. In terms of the size of the communal store and internal layout these details would be secured via a suitably worded condition to ensure a suitable store would be provided. In terms of the area for bulky waste. Whilst a dedicated hardstanding area for bulky waste has now been omitted from the proposal, it is however considered the additional soft landscaping at the front would ensure the scheme would have less of an over engineered appearance whilst enhancing biodiversity and still allowing some space for bulky waste to be left when awaiting collection. It is considered given the infrequency of this area being used for bulky waste and that this could adequately be accommodated on site when required.

Fire safety

- 8.39 Policy D5 of the London Plan (2021) seeks for inclusive design and Policy D12 of the London Plan (2021) states in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety.
- 8.40 The details within the Fire Safety Strategy submitted by the Applicant's authorised agent (within the Design and Access Statement) have been considered. Given the location of the site within a narrow section of Welcomes Road, a fire appliance would likely obstruct the road if required. There is space for siting a fire appliance within

the parking area if required; this would result in the need for a fire appliance to reverse out of the site, although this would only be the case in an emergency and is no worse than the current situation. It is considered given the infrequent requirement for this and it would not be that dissimilar to the existing arrangement in the event of a fire. The fire strategy also provides sufficient details regarding spread of fire and evacuation. It is considered the details sufficiently address the requisite fire safety measures/procedures. Subject to the imposition of an appropriately worded condition the proposed development would comply with Policy D12.

Other Planning matters

Flood risk and energy efficiency

- 8.41 Policy SI 12 and Policy SI 13 of the London Plan (2021) state 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) states that current and expected flood risk from all sources should be managed in a sustainable way and that particular surface water management issues should be identified, and measures implemented to aim to reduce these risks. Policies SP6.4 and DM25 of the Croydon Local Plan (2018) seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS).
- 8.42 The site is identified as at risk of surface water flooding with the potential of flooding to occur at surface and critical drainage area.
- 8.43 A drainage Strategy has been submitted which includes permeable paving and a soakaway. Concern has been raised in respect of flooding/drainage and a drain not shown. The report concludes that surface water system will discharge into the ground via infiltration. The foul water will discharge into the existing public sewer and that “the report has demonstrated that the proposed drainage measures ensure that no property will be at risk of flooding if the development proceeds and that suitable means of surface water and foul drainage can be achieved for the proposed development”. It is recommended for full details to be secured via a suitably worded condition including an updated drainage layout. It should however be noted that in respect of sewage and the drain network that there is a requirement on utility services to make necessary provisions outside the planning process.
- 8.44 The Design and Access Statement states an air source heat pump would be provided for each dwelling. It is considered suitably worded conditions would be attached for details of external energy generation measures and a condition to ensure that the mains water consumption would meet a target of 110 litres or less per head per day.
- 8.45 It is recommended for a condition to be attached for a Construction Logistic Plan to be submitted including a photographic conditions survey (as a pre-commencement

condition) and for an informative to be placed on the decision in respect of works being carried out in line with the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites".

CIL

8.46 The development would be CIL liable. The levy amount has been calculated to ensure that the development contributes to meeting the need for physical and social infrastructure, including educational and healthcare facilities.

Conclusions

8.47 The provision of 3 residential family houses within 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 homes 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.

8.48 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 considered. 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).