

**PART 6: Planning Applications for Decision**

**Item 6.5**

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 17/05464/FUL  
 Location: 43 Downsway, South Croydon CR2 0JB  
 Ward: Sanderstead  
 Description: Demolition of existing dwelling and the erection of two storey building with accommodation in roof space and basement, containing 2 x one bedroom, 2 x two bedroom and 3 x three bedroom flats with associated access, 5 parking spaces, cycle storage and refuse store  
 Drawing Nos: BX28-S1-101; BX28-S1-102; BX28-S1-103; BX28-S1-104; BX28-S1-105; BX28-S1-106; BX28-S1-107; BX28-S1-108; BX28-S1-109; BX28-S1-110 and BX28-S1-111;  
 Applicant: Mr Rafael Porzycki (Aventier Ltd)  
 Agent: N/A  
 Case Officer: Robert Naylor

	studio	1 bed	2 bed	3 bed	4 bed
<b>Apartments</b>	0	2	2 (3 person)	3 (4 person)	0

*All units are proposed for private sale*

Number of car parking spaces	Number of cycle parking spaces
5 (including one disabled space)	14

1.1 This application is being reported to committee because the ward councillor Lynne Hale has made a representation in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

**2.0 RECOMMENDATION**

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

**Conditions**

- 1. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. Materials to be submitted
- 3. Details of Refuse/Cycles/Boundary/Electric vehicle charging point to be submitted
- 4. Car parking provided as specified
- 5. No additional windows in the flank elevations
- 6. Hard and soft landscaping to be submitted to incorporate SuDS
- 7. 19% Carbon reduction
- 8. 110litre Water usage

9. Permeable forecourt material
10. Protect Street Tree
11. Visibility Splays
12. Construction Logistics Plan to be submitted
13. In accordance with details of FRA
14. Time limit of 3 years
15. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

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

## **3.0 PROPOSAL AND LOCATION DETAILS**

3.1 The proposal includes the following:

- Demolition of existing detached house
- Erection of a two storey building with accommodation in roofspace and basement
- Provision of 2 x one bedroom flats 2 x two bedroom flats and 3 x three bedroom flats fronting Downsway.
- Provision of 5 off-street spaces with associated access via Downsway.
- Provision associated refuse/cycle stores

### **Site and Surroundings**

3.2 The application site is a large detached bungalow located on the eastern side of Downsway at the junction with Purley Downs Road. The topography of the site slopes down from south to north with the property located below Purley Downs Road. Given the corner location the property benefits from a number of public vantage points and is a located in a prominent position. The PTAL in this area is 1A (poor) and the site is located in an area of flood risk from surface water.

3.3 The surrounding area is mainly residential area and comprises a number of semi-detached and detached properties. There is no distinct style in regard to the surrounding properties although many of the properties do have gabled treatments fronting the road and the majority of these properties appear to be single family dwellinghouses, rather than flatted development.

### **Planning History**

3.4 In terms of recent planning history the following applications are considered relevant:

- Planning permission (Ref: 12/01495/P) was refused in July 2012 for a single storey rear extension as the development would be detrimental to the amenities of the occupiers of adjoining property by reason of its size and siting resulting in loss of light and visual intrusion.

- Planning permission (Ref: 12/02278/P) was approved in October 2012 for a single storey rear extension as the scheme addressed the previous concerns of the Council.

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

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory and Nationally Described Space Standard (NDSS) compliant
- The level of parking and impact upon highway safety and efficiency is considered acceptable and can be controlled through conditions.
- Sustainability aspects can be controlled by conditions

#### **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 10 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, MPs, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 46    Objecting: 46    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:

- Not in keeping with the surrounding area
- Over development
- Over-intensification
- Out of character
- Density is too high
- Negative impact on amenities
- Loss of light
- Loss of trees and vegetation
- Poorly designed
- Inadequate parking spaces
- Increase in traffic
- Impact on road safety
- Loss of privacy/overlooking

- Increase in noise and disruption
- Increase impacts on local infrastructure
- Description of the development is misleading

6.3 Ward Councillor Lynne Hale has made the following objection to the scheme:

- Over-intensification of this corner site
- Out of character with nearby properties
- The proposed increased density exceeds the 150 – 200 hr/ha proposed density matrix in The London Plan
- Loss of green areas such as hedges and loss of grass/vegetation to increased hard standing
- Detrimental to the amenities of the property at 41 Downsway due to its visual dominance and loss of light
- Concerns about the proposed access as has poor visibility

## **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 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

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

### **7.4 Consolidated London Plan 2015**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 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

#### 7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 & SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

#### 7.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design
- UD15 Refuse and recycling storage
- T2 Traffic generation from development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing

#### 7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received

from the Planning Inspector and the Council are consulting on these modification during the period 29th August – 10th October 2017.

- 7.9 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

## **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. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Access and parking
6. Sustainability and environment
7. Trees and landscaping
8. Other matters

### **Principle of Development**

- 8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the borough, which the Local Planning Authority (LPA) is seeking to promote. Furthermore the scheme would provide 3 x three bedroom units, which the borough has an identified shortage of and is seeking to provide.
- 8.3 The site is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

### **Townscape and Visual Impact**

- 8.4 The existing unit does not hold any significant architectural merit and therefore demolition can be supported. Representations have been made in respect to the description of the development and that it should be defined as a four storey development. The proposal would consist of units being located within a basement level and the roofspace, the appearance of the property from the front would be akin to a two storey property, but given that the eaves and ridge heights are similar to the adjoining property at number 41 Downsway.
- 8.5 Furthermore, given that the topography slopes down from south (Purley Downs Road end) to the north which the proposal takes advantage of, the ridge height would be akin to the adjoining property as such not visually intrusive, providing a development that reads more as a large detached house rather than a “block of flats” and as such would not appear out of keeping in the character of the surrounding area.

- 8.6 The design of the building incorporates a traditional styled appearance consisting of two gables to the front elevation and two bay elements in order to appear in keeping with the main streetscene with appropriate materials (plain clay hung tiles, render, white timber framed windows and clay roof tiles which can be secured through a condition) with an adequate balance between brick and glazing and appropriate roof proportions.
- 8.7 The overall height of the proposal would be similar to the adjoining property at number 41 Downsway and would be an acceptable relationship between eaves and ridge heights. As with the surrounding and existing properties, the proposed building would be centrally located within the site setting ensuring that the development does not appear overly cramped in its plot. The appearance of the development from the street scene is therefore acceptable.
- 8.8 The application site has a generous rear garden which is not visible from the public highway or any public vantage points. The rear of the site including the partially subterranean section would have limited visual impact on the character of the locality due the limited public view.
- 8.9 The boundary will continue to be landscaped which would be in keeping with the area. Whilst it is acknowledged that the front of the site would be given over to hard-standing to allow for off street parking for the new dwellings, this is a feature of the surrounding area and there are areas of soft landscaping at the ground floor and along the boundary of the site to soften the appearance. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 8.10 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 1a and as such the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha) and the proposal would be in excess of this range at 258 hr/ha. However, the London Plan further indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad, to enable account to be taken of other factors relevant to optimising potential – such as local context, design and transport capacity. These considerations have been satisfactorily addressed, and the London Plan provides sufficient flexibility for such higher density schemes to be supported. Furthermore, it is significant that the New London Plan (currently out to consultation) removes reference to the density matrix, focussing on intensification of the suburbs as a means to achieve housing numbers.
- 8.11 The scale and massing of the new build will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area, and would result in a high quality design. 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**

- 8.12 Units 4-7 of the proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS). However, units 1-3 which are the three bedroomed units are fractionally under the minimum GIA requirements as set out in

the NDSS by approximately 3sqm. Nevertheless, the internal layouts of the three bedroomed units are on balance acceptable with adequate room sizes and a large open plan living, kitchen and dining area and unit 1 includes the provision of a large 45sqm private amenity space. These still provide good quality accommodation and on balance a refusal on 3sqm is not justified.

- 8.13 With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional unit. Units 1, 4 and 5 have access to private amenity space in excess of minimum standards, whilst the remaining properties have access to the communal gardens at the rear of the site.
- 8.14 In terms of accessibility, level access would be provided to the front door and there is a lift installed in the property for access from the lower ground floor level to the upper floors, ensuring that the proposal is fully accessible. A disabled space is proposed for the parking area.
- 8.15 The development is considered to result in a high quality development offering a variety of housing types including 3 x three bedroom units all with adequate amenities and provides a good standard of accommodation for future occupiers.

### **Residential Amenity for Neighbours**

- 8.16 The properties that have the potential to be most affected are the adjoining property at 41 Downsway and the property at the rear of the site at 125 Purley Downs Road.

#### *Impact on 41 Downsway*

- 8.17 The front building line of the proposal has been set back behind the existing building line and seeks to replicate the same building line as the adjoining property to provide more consistency with the existing property at 41 Downsway. There is an increase in the depth of the proposal from that which currently exists of approximately 1.3m. Given that the scheme has been set off the boundary by 1.8m and 41 Downsway is approximately 1.0m from the boundary this increase is not excessive. Furthermore the scheme would pass the 45 degree BRE test for loss of light to the rear elevation windows.
- 8.18 The main building will be set off both adjoining properties (1.8m to the north and 2.5m to the south boundary) and the main new bulk of the proposal would be experienced at the rear of the site. There is an adjoining blockwork wall and vegetation along the boundary, which should mitigate any issues of overlooking from the rear ground floor windows as the basement windows will not have any impact.
- 8.19 The flank elevation of 41 Downsway does contain four obscurely glazed windows serving dining and living rooms on ground floor (dual aspect) and front and rear bedrooms on the first floor which again are dual aspect as well as additional side windows and bays to the front and rear. Nevertheless, given the fact that there are no windows on the first floor and the rooflights are high level it is unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. Nevertheless it is considered prudent to condition the application to the proposed fenestration to ensure that any future overlooking is mitigated along the flank elevations.

8.20 Whilst there would be a degree of overlooking as a consequence of the rear fenestration, this is not uncommon in a suburban location. Given the design, layout and separation between the properties the current boundary treatment and provision of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.

#### Impact on 125 Purley Downs Road

8.21 Given the separation between this property and the proposal is in excess of 40m and the significant landscaped boundary located between these properties, this relationship is acceptable.

8.22 Given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site. Subject to conditions the proposed development is not visually intrusive or result in a loss of privacy.

#### **Access and Parking**

8.23 The location has a PTAL level of 1a which indicates poor level of accessibility to public transport links, although the site is within a close walking proximity of bus service route 359 introduced recently and reasonable distance of bus route 403. The introduction of the new bus service could improve the above rating.

8.24 The parking is generally unrestricted in the surrounding roads with spare capacity on street. Five parking spaces are proposed for the residents including a disabled bay, and the scheme will retain the existing access on Downsway for access and egress. Vehicles are able to access and exit the site in forward gear.

8.25 The Strategic Transport team has no objection in principle, despite the proposal not meeting the 1:1 parking ratio, as the scheme would promote sustainable travel in the borough. In compliance with the London Plan, electric vehicle charging points should be installed in the parking area and this can be secured by way of a condition.

8.26 Cycle storage facilities would comply with the London Plan (which would require 14 spaces) as these are secure and undercover. However, consideration should be given to a more conventional layout with cycles attached to stands as it is sometimes difficult for wall stands to be used. There is scope for the space allocated for cycles and bin storage to be used more effectively, as such further details of these can be secured by way of a condition.

8.27 Concerns have also been expressed in regard to the amount and type of excavation required at the site and further details are required as part of a construction method statement. A Demolition/Construction Logistic Plan (including a Construction Management Plan) will be needed before commencement of work and this could be secured through a condition.

#### **Environment and sustainability**

8.28 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

8.29 The site lies within a critical damage flood risk area and is sloping. Given the areas for landscaping there are opportunities for SuDS to be located in the communal areas. Officers are satisfied that these issues can be dealt with by condition. Furthermore a Flood Risk Assessment has been submitted with mitigation measures included and these can be conditioned as part of any approval.

### **Trees and landscaping**

8.30 There are no trees on site subject to a tree preservation order, and the Council's Tree Officer raises no objection to the development subject to a suitably worded condition secured through the landscaping condition. The development would therefore have an acceptable relationship with trees on site and in neighbouring gardens.

8.31 There is a street tree located at the front of the site, and it would be prudent to protect this during the construction phase which can be secured by way of a condition.

8.32 The application site is not near an area of special scientific interest or a site of nature conservation value. From the officer's site visit, there is no evidence to suggest that any protected species are on site and as such further surveys are not deemed necessary.

8.33 With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

### **Other matters**

8.34 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst it is acknowledged that the site could reasonably be accessed from Downsway, it would be prudent to control details of construction through the approval of a Construction Logistics Plan. Overall however, it is not considered that the development would affect highway safety along the access road.

8.35 Representations have raised concerns that local schools and other services will be unable to cope with additional families moving into the area. 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**

8.36 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard given the proposed and conditioned landscape and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.

8.37 All other relevant policies and considerations, including equalities, have been taken into account.