

1.0 SUMMARY OF APPLICATION DETAILS

Ref:	17/05189/FUL
Location:	23 Park Road, Kenley, CR8 5AS.
Ward:	Kenley
Description:	Demolition of the existing buildings, erection of a two-storey replacement building to provide 7 self-contained (C3) residential flats with associated car parking, cycle parking, bin store and landscaping.
Drawing Nos:	13-P-1 Rev A, P-2, P-3 Rev A, P-4, P-5, P-6, P-7, P-8, P-9 and P-11 Rev B.
Applicant:	Sterling Rose
Agent:	Sterling Rose
Case Officer:	Barry Valentine

- 1.1 This application is being reported to committee because the Chair of the Planning Committee (Cllr Paul Scott) and the Ward Councillor (Cllr Steve O'Connell) made representations in accordance with the Committee Considerations Criteria and requested Planning Committee consideration.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
1. In accordance with the approved plans.
 2. Development to be implemented within three years.
 3. Samples and details (as appropriate) of materials including window frames.
 4. Details on landscaping including replacement trees, play-space, accessibility, inclusiveness, biodiversity mitigation measures and boundary treatments (including retaining walls).
 5. Development to be carried out in accordance with Arb Method Statement and Tree Protection Plan.
 6. The development to be carried out in accordance with Flood Risk Assessment and installation of permeable paving and rainwater harvesting.
 7. Refuse store to be provided prior to use.
 8. Further details of cycle parking (elevation and one additional cycle parking space).
 9. Units at ground and first floor level to meet M4 (2) accessibility standard.
 10. Water use target.
 11. Carbon Dioxide 19% reduction beyond 2013 Building Regulations.
 12. Installation of one electric vehicles charging point.

13. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

1. Community Infrastructure Levy.
 2. Code of Practice regarding small construction sites.
 3. Highway works to be made at developer's expense.
 4. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.
- 2.3 That the Planning 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

Proposal

- 3.1 Demolition of the existing building and associated structures, erection of a two-storey building to provide seven self-contained (C3) residential flats with associated car parking (6 on site spaces), cycle parking, bin store and landscaping.

Site and Surroundings

- 3.2 The application site is a detached bungalow located on the south-eastern side of Park Road, opposite the junction with Foxley Road. The bungalow is located within a generous sized garden and is set into the site, approximately 30m away from the road. The property is understood to be in use as a single dwelling house (C3). Land levels vary significantly across the site, with the land sloping from front (north) up to the rear of the site (south).
- 3.3 The surrounding area is predominately residential and suburban in character and there is no set property style or type. Properties generally range between one and two storeys in height, although there are some isolated examples of three storey high buildings. The bungalow to the south-west generally sits on a higher land level (compared to the application property)
- 3.4 There are no direct policy constraints identified in the Croydon Local Plan (2018).
- 3.5 The site is located in Flood Risk Zone 1 (low) and is modelled as being at risk from surface water flooding between 1 in 100 and 1 in 1000 year basis. The site is deemed to be at moderate risk from ground water flooding.
- 3.6 The site has a Public Transport Accessibility Level (PTAL) of 2 (poor).

Relevant Planning History

- 3.7 No relevant planning history for the site.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would create a good quality residential accommodation that would make a positive contribution to the borough's housing stock and would make a small contribution to the Council achieving its housing targets as set out in the London Plan (2016) and its own Croydon Local Plan 2018.
- The proposed development is of an appropriate mass, scale, form and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area.
- The proposed development would not cause significant harm to neighbouring properties' living conditions.
- The level of parking provision is consider appropriate, striking the appropriate balance between promoting sustainable modes of transport, whilst providing some car parking space capacity. The proposed development would not have an adverse impact on the operation of the highway.
- The proposed development subject to conditions would not cause harm to protected trees on the site, thus preserving their visual amenity. The proposed development subject to conditions would not have an adverse impact on biodiversity.
- The proposed development subject to conditions would not have an adverse impact on flooding.

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 A total of 21 neighbouring properties were notified about the application and invited to comment by the way of letter. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

9 individual responses: 9 Objections

6.2 The following Councillors made representations:

- Cllr Paul Scott (Chair of the Planning Committee) - referred to allow further consideration to the following issues: potential of the development to meet housing needs, impact of development on neighbouring properties and parking provision.
- Cllr Steve O'Connell (Ward Councillor) (objecting) – Negative effect on street-scene, overlooking of neighbouring properties, insufficient parking,

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:

Objections

- Overdevelopment of the site which will have negative impact on surrounding area. The development will look cramped on this plot due to its size and excessive width.
- Concern over whether there is sufficient parking. No visitor parking.
- Impact of the development on trees
- Impact on wildlife.
- Development will reduce light.
- Loss of privacy.
- Noise from intensification of the site by creating 7 flats.
- Concern over people exiting/entering the site and impact this has on road safety.
- No disabled parking.
- Impact of development on structural stability of boundary with 21 Park Road.
Impact of bin store on adjoining residential accommodation within 21 Park Road

The following procedural issues were raised in representations and are addressed below:

- A letter of objection was received from a neighbouring property which highlighted that they were not consulted. (OFFICER'S COMMENT – The relevant property was an immediately adjoining property and as such the Council had a statutory duty to consult them. This was carried out on the 15th February 2018. The remaining comments have been included in the above list.

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 Croydon Local Plan (2018), Mayor's London Plan (2016) 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 There is a draft revised NPPF that is currently out for public consultation until the 10th May 2018. The draft revised NPPF incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the right homes in the right places consultation. The draft NPPF is a material consideration in

planning decisions and will gain more weight as it moves through the process to adoption. At present the draft NPPF in general is considered to carry minimal weight.

7.4 The main policy considerations from the London Plan (2016) raised by the application that the Committee are required to consider are:

- Policy 1.1 Delivering the Strategic Vision and Objectives for London.
- Policy 3.3 Increasing Housing Supply.
- Policy 3.5 Quality and design of Housing Developments
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.12 Flood Risk Management
- Policy 5.13 Sustainable Drainage
- Policy 6.1 Strategic Approach
- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands

7.5 There is a new draft London Plan that is currently out for public consultation which expires on the 2nd March 2018. The GLA current program is to have the examination in public of the Draft London Plan in Autumn 2018, with the final London Plan published in Autumn of 2019. The current 2016 consolidation Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions and will gain more weight as it moves through the process to adoption. At present the plan in general is considered to carry minimal weight.

7.6 Croydon Local Plan (2018) - CLP1.1 and Croydon Local Plan: Detailed Policies and Proposals CLP2.

The new local plan was adopted on the 27th February 2018 and now carry full weight. The main relevant policies to this application are as follows:

- SP2: Homes.
 - SP2.1 Choice of homes.
 - SP2.2 Quantities and locations.
 - SP2.7 Mix of homes by size.
 - SP2.8 Quality and standards.
- DM1: Housing choice for sustainable communities.
 - DM1.2 Net loss of 3 bed or homes less than 130 sq.m.
- SP4: Urban Design and Local Character.
 - SP4.1 High quality development that responds to local character.
- DM10: Design and Character.

- DM10.1 High quality developments, presumption for 3 storeys.
- DM10.2 Appropriate parking and cycle parking design.
- DM10.4 Private amenity space.
- DM10.5 Communal amenity space.
- DM10.6 Protection to neighbouring amenity.
- DM10.7 Architectural detailing, materials respond to context, services, appropriate roof form.
- DM10.8 Landscaping.
- DM10.9 Lighting and light pollution.
- DM13: Refuse and Recycling.
 - DM13.1 Design, quantum and layouts.
 - DM13.2 Ease of collection.
- SP6: Environment and Climate Change.
 - SP6.3 Sustainable design and construction.
 - Minor residential scheme 19% CO2 reduction.
 - Water efficiency 110 litres.
- SP6.4 Flooding and water management.
 - c) SUDs.
- SP6.6 Waste management.
- DM25: Sustainable drainage systems.
- DM27: Protecting and enhancing our biodiversity.
- DM28: Trees.
- SP8: Transport and the Communication.
 - SP8.5 and SP8.6 Sustainable travel choice.
 - SP8.7 Cycle parking.
 - SP8.12 and SP8.13 Electric vehicles.
 - SP8.17 Parking standards in low PTAL areas.
- DM29: Promoting sustainable travel.
- DM30: Car and cycle parking.
- Places: Kenley and Old Coulsdon.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development and quality of residential unit created.
- Impact on the appearance of the site and surrounding area.
- Impact of the development on neighbouring properties' living conditions.
- Impact of the development on parking and the highway.
- Impact of the development on trees.
- Impact of the development on flooding.
- Other planning issues.

Principle of development and quality of residential units created.

Principle of Development

- 8.2 The existing property is a three-bed bungalow with a floor area of approximately 100 sq.m. The proposed development is contrary to DM1.2 which does not permit the loss of units less than 130 sq.m. Despite this, officers are comfortable with the loss of a small family house given that the development replaces the existing 100 sq.m three bed unit, with a new 100 sq.m three bed unit, as well as providing an additional 87 sq.m three bed unit. The proposed development would not have an adverse impact on small family home provision in the borough.
- 8.3 The proposed development would create additional residential units that would make a small contribution to the Council achieving its housing targets as set out in the London Plan (2016) and the recently adopted Croydon Local Plan 2018.

Quality of Units

- 8.4 The proposed development would provide good quality units that would make a positive contribution to the borough's housing stock. All the proposed units meet recommended minimum floorspace standards set out in both the London Plan (2016) and DCLG's 'Technical Housing Standards: National Described Space Standards'. All the bedrooms meet the minimum floor areas set out in the DCLG's 'Technical Housing Standards: National Described Space Standards'.
- 8.5 The units would receive reasonable levels of light, outlook and aspect. All the units (apart from Flat 4) would be either dual aspect or single aspect (but not north facing).
- 8.6 The quality of residential accommodation provided by Flat 4, despite being single aspect and north facing would be acceptable, given that the windows serving this unit are of a good size and would experience relatively unrestricted views and given that this unit would exceed minimum floorspace standards by 18 sq.m.
- 8.7 The applicant has confirmed that all the units, including Flat 7 located within the roof-space, would have floor to ceiling heights of 2.5m for at least 75% of the gross internal area (GIA) in line with the requirements of the London Plan (2016). This exceeds the DCLG's 'Technical Housing Standards: National Described Space Standards' which requires floor to ceiling height of 2.3m for 75% of the GIA.
- 8.8 The two three bed family units (Flats 2 and 3) would have direct access to their own south-facing external private amenity spaces. These private amenity spaces measure approximately 30 sq.m and 19 sq.m respectively. The amenity space for the rest of the units is in the form of large 400 sq.m landscaped communal garden to the rear of the site that includes an outdoor seating/BBQ area. There would be direct access from the property to the communal external amenity space. Condition 4 is recommended to ensure that communal external amenity space provides sufficient play-space in line with policy DM10.4 (d) and is designed to be as flexible, multifunctional, accessible and inclusive as reasonable possible, in line with the requirements of policy DM10.5.

- 8.9 In regards to accessibility, London Plan Policy 3.8 'Housing Choice' requires 90% of dwellings to meet M4 (2) 'accessible and adaptable dwellings' Building Regulations requirement, with the remaining 10% required to meet M4(3) 'wheelchair user dwellings'. The key issue in ensuring that M4 (2) can be achieved within a development is to ensure, at the planning application stage, that the units can reasonably achieve level access. If level access cannot be reasonably achieved, then the units cannot be required to meet the M4(2) Building Regulations. The London Plan (2016) recognises that securing level access in buildings of four storeys or less can be difficult and that consideration should also be given to viability and impact on ongoing service charges for residents.
- 8.10 The applicant has confirmed that the units located on the ground and first floor level would meet M4 (2). The unit at roof level currently does not due to the size/dimensions of the bathroom, and the applicant has stated that the bathroom cannot be enlarged in order to comply. Condition 9 is recommended requiring the units at ground and first floor level to comply with M4 (2).

Impact on the appearance of the site and surrounding area.

- 8.11 The existing property has little architectural merit, nor is it protected by existing policies. As such the property and associated structures could be demolished under existing permitted development rights through the prior approval process without planning permission. As such, the demolition of the existing building is acceptable.
- 8.12 The proposed bulk and mass of the development is considered acceptable. The proposed building is well set back into the site, which helps reduce the proposed building's prominence from the street. The property would be most visible from the north east of the site, when looking up the hill in Park Road. However, the perceived mass of the building in this view would be mitigated by the large outbuilding at 21 Park Road which would obscure views of the lower levels of the proposed building. The main front building line of the proposed development would respect the front building line of 25 Park Road, ensuring that the development appears balanced in views down the hill, from the south east. The depth of the building at the rear, in design terms, is appropriate given the generous size of the site, the fact that large areas of garden would be retained ensuring the green character of the area would be maintained and that the rear parts of the site are not widely visible from the public realm.
- 8.13 The proposed development would extend almost across the entire width of the site, leaving a 1m gap to the north east boundary with 21 Park Road and a 1.2m gap to the south western boundary with 25 Park Road. The relationship between the property and neighbouring properties' on balance would be appropriate due to generous gap of 10m between the flank wall of the development and the main flank wall of main property of 21 Park Road and the gap of between 3 to 4m with the flank wall of 25 Park Road and would be similar to other flank wall relationships found in the area.

- 8.14 The height of the development at two storeys with additional accommodation at roof level would be appropriate and in line with policy DM10.1 where there is a presumption in favour of three storey high development. The roof form of the development is well balanced and considered.
- 8.15 There is no set style, design or architectural language to properties in Park Road, or in the immediate surrounding area. The proposed mock Tudor design, whilst not replicating a style found in Park Road, would not look out of place given the design variation. The proposed front elevation would have an appropriate balanced form that would feature a strong projecting bay with hipped roof that would add interest and variety. The development features a number of interesting details that help to create a high quality design. such as stained timber boarding, corbel and dog tooth dentils brick detailing and decorative chimney
- 8.16 Overall, the proposed development would have an appropriate mass, form, scale and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area.

Impact of the development on neighbouring properties' living conditions.

- 8.17 The proposed development would not have a significant impact on light and outlook for occupiers of 21 Park Road, due to the 10m separation distance between the development and the location of existing windows. With 25 Park Road, the adjacent window is understood to be a dining room and it is significant that this neighbouring property is at a higher level which helps reduce the impact of the bulk of the development and the extent of enclosure and loss of outlook. It is also relevant that existing light and outlook from this dining room is already compromised by the bulk and angle of a kitchen extension to 25 Park Road granted planning permission back in 2000, by mature planting along the boundary and in view of the change in levels between the sites. It is not considered that the development would make this significantly worse to such an extent to justify the refusal of planning permission.
- 8.18 The proposed development would not cause significant harm to neighbouring properties' privacy. The new windows located at first floor level and above largely face over the front and rear garden and not into neighbouring windows. The property to the rear of the site is over 35m away. New skylights located on the flank elevation roof-slope would predominantly have views to the sky. The proposed ground floor windows would experience similar views to what can be experienced from the existing property and its garden areas. There would be some increased overlooking of neighbouring gardens, but this is not deemed significant enough to justify refusal of planning permission.
- 8.19 The bin store is located adjacent to an outbuilding of 21 Park Road that is understood to be in use as ancillary residential accommodation to the main house. There are no windows on this outbuilding that would directly face onto the bin store. As such, the proposed bin store would not cause significant harm to neighbouring property's light and outlook. There are insufficient reasons to suggest that the bin store would be a health risk to adjacent residential property

given that waste would be collected regularly and given the nature of the structure proposed. The refuse areas would need to be enclosed and incorporated into the landscape treatment of the front garden area

- 8.20 The proposed intensification of the use of the site by creating flats would not create significant levels of noise disturbance such to justify refusal of planning permission.

Impact of the development on parking and the highway.

- 8.21 London Plan (2016) policy 6.13 sets out the maximum car parking standard for new developments. Under this policy in low PTAL areas, one and two bed units are required to have less than 1 parking space per unit, three bed units up to 1.5 parking spaces per unit, and four or more bed units up to 2 parking spaces per unit.
- 8.22 The proposed development would provide six parking spaces for the seven units. Given the number of one and two beds proposed within the development, the level of parking provision is considered appropriate, striking the appropriate balance between promoting sustainable modes of transport, whilst providing some car parking space capacity. No visitor parking is provided and there are no policy requirements for visitor parking to be provided on this scale of development. There is sufficient on-street car parking capacity within walking distance of the site to accompany any visitor parking demand. Given the number of units created by the development, there is no policy requirement to provide a wheelchair parking space.
- 8.23 The car parking spaces would be accessed from the existing dropped kerb. There is a 6.35 m separation distance between the two sets of parking spaces which complies with guidance contained within the Manual for Streets. This width is sufficient to ensure that cars will be able to enter and leave the site in a forward gear. The proposed development is not considered to pose a significant risk to highway and pedestrian safety.
- 8.24 The London Plan (2016) requires new residential development to have 20% active electric car charging provision and 20% passive provision. Condition 12 is covered by the recommendation, to require the installation of an active electric car charging point.
- 8.25 The London Plan (2016) requires one cycle parking space to be provided for all one bed units and two cycle parking spaces for all 2+ bed units. To be London Plan (2016) compliant 15 cycle parking spaces would need to be provided. The submitted ground floor plan shows a cycle store with a capacity of 14 cycle parking spaces. Condition 8 is recommended requiring further details to be submitted of the cycle store, along with the provision of one additional cycle parking space.

Impact of the development on trees.

- 8.26 The applicant has submitted a tree survey, arb method statement and a tree protection plan. The application has been reviewed by the Council's arborist who raises no objection in principle to the development.
- 8.27 To the front of the site are several mature Lime trees that are protected by a TPO (no.159); there is also a protected tree in the rear garden. The submitted report indicates that no excavation will be undertaken within the RPA's of the protected trees. Officers are satisfied that subject to conditions, the proposed development would not have an adverse impact on the visual amenity provided by these protected trees. Whilst there were a number of smaller non protected trees on the site, these have already been removed without the need for consent.

Impact of the development on flooding,

- 8.28 The site is located in Flood Risk Zone 1 (low) – but has been modelled as being at risk from surface water flooding on a 1 in a 1000 - year basis. The site is also at moderate risk from groundwater flooding. The applicant has submitted a flood risk assessment (FRA).
- 8.29 To mitigate the risk of groundwater flooding a number mitigation measures are proposed including raised internal floor levels, waterproof tanking, inceptor drains, non-return valves and automatic sump pump. To mitigate the risk of development on surface water flooding the applicant is proposing the use of permeable paving and rain water harvesting. The mitigation measures are required and recommended to be secured via condition 6. Condition 10 is also recommended to ensure efficient water use.

Other Planning Issues

- 8.30 Condition 11 is recommended to require the development to meet reduction in carbon dioxide emissions targets of 19% beyond the 2013 Building Regulations.
- 8.31 A bin store area is proposed in the front garden area. The bin store contains 1100L recycling bin, seven 120 litre general waste bins and one 140L food waste bin. The level of waste/recycling provision is considered acceptable, and recommended to be secured via condition 7.
- 8.32 In terms of wildlife and biodiversity, the site is not in a protected area and there is insufficient evidence especially given the characteristics of the site (residential property with gardens) to suggest that there is protected flora and fauna on site. The development would retain the mature trees on the site that would continue to provide good habitat value. Whilst there would be the loss of some planting as result of the development, it is considered that this can be adequately offset by landscaping and installation of simple mitigation measures such as bird boxes. This is recommended to be secured via condition 4.
- 8.33 It is noted that the neighbour has raised concerns about the structural stability of the boundary. The structural stability of the site and neighbouring properties in this instance is sufficiently safeguarded by other legislation such as Building

Regulations and Party Wall Act. Details of boundary treatments are secured as part of condition 4.

9 Conclusion

- 9.1 The proposed development would provide good quality residential units that would make a positive contribution to the borough's housing stock. The proposed development is of an appropriate high standard of design that would not cause harm to the appearance of the surrounding area. The development would not cause significant harm to neighbouring properties' living conditions and would not have an adverse impact on flooding or the visual amenities provided by existing protected trees. The proposed development provides an acceptable level of parking and would not have a significant impact on the highway.
- 9.2 All other relevant policies and considerations, including equalities, have been taken into account.