

## PLANNING COMMITTEE AGENDA

### PART 6: Planning Applications for Decision

### Item 6.6

#### 1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/06006/FUL  
Location: 157 Hayes Lane, Kenley CR8 5HP  
Ward: Kenley  
Description: Demolition of existing property and erection of two/three storey building comprising 7 flats with creation of vehicular crossover, parking area, refuse and cycle store and landscaping  
Drawing Nos: 2018.168.01, 2018.168.03 B, 2018.168.04 B, 2018.168.05 A, 2018.168.06 B, 2018.168.07 A, 2018.168.08 A, 2018.168.09 A, 2018.168.10 A, 2018.168.11 B, 2018.168.12, 2018.168.13 A, Front CGI, Rear CGI, Flood Risk Assessment, Daylight and Sunlight Report, Tree Survey, Tree Survey Schedule, Parking Survey.  
Applicant: Dipen Patel  
Agent: Patrick Stroud  
Case Officer: Henrietta Ansah

	studio	1 bed	2 bed	3 bed	4 bed
<b>Existing houses</b>					1
<b>Proposed Flats</b>	0	2	3	2	0

*All units are proposed for private sale*

Number of car parking spaces	Number of cycle parking spaces
7	17

- 1.1 This application is being reported to committee because the ward councillor (Councillor Jan Buttinger) has made representations in accordance with the Committee Consideration Criteria and requested committee consideration and representations, including a petition, 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
2. Materials to be submitted
3. Details of Refuse/Cycles/Boundary/EVCP
4. Details of hard and soft landscaping including playspace
5. Construction Logistics Plan to be submitted

6. Car parking provided as specified
7. 19% reduction in carbon emission over the 2013 Building Regulations
8. Water consumption target of 110 litres per head per day
9. Permeable forecourt material to be used
10. Trees - Accordance with the Arboricultural Report
11. Tree - Protection for trees to be retained
12. Inclusive access ground floor
13. Visibility Splays; reinstatement of dropped crossings
14. In accordance with details of FRA
15. Time limit of 3 years
16. 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

2.3 That the Committee confirms that adequate provision has been made by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## **3.0 PROPOSAL AND LOCATION DETAILS**

3.1 The proposal includes the following:

- Demolition of existing bungalow
- Erection of a two-three storey building with accommodation in the roofspace
- Provision of 7 flats comprising 2 x one bedroom, 3 x two bedroom and 2 x three bedroom
- Provision of private and communal amenity spaces and children's' play space.
- Provision of 7 off-street car parking spaces
- Provision associated refuse/cycle stores at the front and rear of the site.
- Reduction in ground level by approximately 0.4m

3.2 As part of the application the applicant has submitted amended plans. None of the amendments require a re-consultation. The changes are detailed below:

- Alterations to amenity space provision
- Alterations to bin and bike store
- Minor internal layout changes
- Inclusion of two replacement beech trees
- Change in the ground floor internal layout to provide a wheelchair accessible 3 bedroom 4 persons unit

### **Site and Surroundings**

3.3 The site comprises a rectangular plot with a detached bungalow, substantially set back from the highway, located on the east side of Hayes Lane. Amenity space is located to the rear and parking at the front of the site. Two vehicular access points at the front of the site provide an 'in and out' access. The front of the site is laid in a

mixture of hard and soft landscaping. Shrubs partially screen the front of the site. The site slopes from the highway to the front of the property.

- 3.4 The surrounding area is residential in character comprising substantial single storey and two-storey detached properties with large gardens.
- 3.5 The site has a Public Transport Accessibility Level of 0, which is identified as being 'very poor' in accordance with maps produced by TFL.
- 3.6 The site lies within an Archaeological Priority Area and a Critical Drainage Area for Surface Water Flooding.



Figure 1: Aerial street view highlighting the proposed site within the surrounding streetscene



Figure 2: Front of existing bungalow

## Planning History

3.7 There is no previous planning history for the site.

## 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.
- The impact on trees and proposed landscaping is satisfactory and can be controlled by 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 8 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received are as follows:

No of individual responses: 139 Objecting: 139 Supporting: 0 Comment:0

Petitions: 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:

Objections

Summary of objections	Response
<i>Residential Amenity Considerations</i>	
Impact on residential amenity of adjoining occupiers – loss of privacy and light, noise and disturbance.	In view of the separation distances afforded and rear projections, and design of the property officers are satisfied that the scheme would not lead to an acceptable loss of amenity to the adjoining occupiers. Privacy would be protected through use of obscure glazing and high level windows.
<i>Access and Parking</i>	
Traffic congestion/Impact on highway safety/ Inadequate parking provision	Whilst the site has a PTAL of 0 given the unit mix, London Plan maximum standards and recent car survey census in the area, the parking provision is adequate. Cars would be able to manoeuvre on site and exit safely in forward gear. Details of visibility splays and sight lines are achievable and have been conditioned. The parking survey has been undertaken and parking stress in the area is low.
<i>Design and Scale of Development/Overdevelopment of the site</i>	
Character of the area and design  Flats are not in keeping with the area  Overdevelopment	The design of the property is traditional to respect the character of the surrounding area. Details of materials will be conditioned.  The current bungalow represents an under-utilisation of this relatively substantial site and there is variety of built forms in the area.  The site is considered to be of a sufficient size to accommodate the quantum of development proposed and the building sits comfortably in its

Security	<p>context, providing acceptable levels of parking, internal layouts and amenity space in accordance with policy requirements. It is not considered the proposal would constitute overdevelopment.</p> <p>The development appears includes natural surveillance and active frontages on the front and rear elevations .</p>
<i>Environmental Considerations</i>	
Noise, dust and disturbance from construction works	This will be controlled and managed through a construction logistics/management plan.
Waste	Sufficient waste storage have been provided, in any case this can be controlled by condition.
<i>Ecology</i>	
The site is home to badgers	There is no evidence on site that the site has protected species. In any case an informative has been imposed requesting the applicant to adhere to the Wildlife Act.

6.3 Cllr Jan Buttinger referred the application to Planning Committee and objected:

- Proximity to primary school
- Narrow footway on one side of the pavement
- Highway safety concerns
- Overdevelopment
- Loss of light to 155 and 159
- Loss of green space /beech trees/hedges and semi-rural nature
- PTAL rating of 0 – no public transport and inadequate parking spaces inadequate turning space for vehicles to manoeuvre safely.

6.4 Cllr Steve O'Connell objecting:

- Overdevelopment
- Out of character
- Parking issues
- Visual intrusion

## 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 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- 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
- 7.21 Woodlands and trees

#### 7.5 Croydon Local Plan 2018

- SP2 - Homes
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM18 - Heritage assets and conservation
- DM23 - Development and construction
- DM28 - Trees
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

## 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 Croydon Local Plan 2018 identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt. Kenley has been identified as an area of sustainable growth of the suburbs by infilling with dispersed integration of new homes respecting the existing residential character and local distinctiveness.

8.3 There is a requirement that there should not be a net loss of 3 bedroom houses or the loss of homes smaller than 130m<sup>2</sup> and that 30% of units provided should be family units (including 2 bedroom 4 person units). The applicant site currently accommodates a 2 bedroom property with a GIA of 72m<sup>2</sup>, and would thus be protected as a smaller home.

8.4 The proposed development includes 2 x three bedroom properties and 3 x two bedroom four person properties, which would in total provide 71% family accommodation, well in excess of minimum requirements and each of these units would constitute a small home (with a floor area below 130m<sup>2</sup>). As such, the proposal is considered to adequately provide family accommodation.

8.5 In respect to the density of the scheme, representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 0 and as such, the London Plan indicates that the density levels ranges of 150–200 hr/ha habitable rooms per hectare (hr/ha); the proposal would be marginally in excess of this range (214 hr/ha). However, the London Plan density matrix is a guide and cannot be used as a prescriptive measure. Furthermore, the London Plan provides sufficient flexibility for higher density schemes to be supported.

8.6 Given the residential nature of the surrounding area, the principle of the redevelopment for a residential property can be supported. The development would provide additional residential units including family homes in an established residential area. There is no in principle objection to the proposal.

## Townscape and Visual Impact

- 8.7 The application site is a large plot of land which is currently underutilised by a single storey two-bedroom bungalow. Policy DM10.1 states that proposals should achieve a minimum height of 3 storeys, and the proposal is for a part two/part three storey building with accommodation in the roofspace. The two-storey element has been proposed to reduce the potential impact on the adjoining occupiers at No. 159 Hayes Lane.
- 8.8 The ground floor level would be lowered by approximately 0.37m. The ridge height of the property would extend 3.8 metres above the existing property, totalling 8.9 metres from ground level to the top of the ridge. The overall scale of the property has been reduced by lowering the ground level and the introduction of low eaves; the provision of a cat slide roof nearest to No. 159 Hayes Lane. The overall ridge height is marginally higher than the neighbouring two-storey property, No. 159 and a roof style is proposed which has responded to site specific circumstances and the character of the area.
- 8.9 The rear projection maximises the sites potential whilst respecting the overall pattern and layout of development in the area.
- 8.10 The proposed building would be in keeping with the surrounding area by way of the asymmetric design represented by the cat-slide feature, projecting front gable and detailing. The gable element is proposed nearest to the bungalow and the existing space adjacent to it to ensure that this element does not appear overly dominant and is appropriate in the streetscene. The material palette will include mainly brick, vertical tiling and plain roof tiles, again in keeping with the traditional character of the area. Overall, the design of the property respects the vernacular of the surrounding properties and is in keeping with the character of the area.



Figure 3: Front Elevation



Figure 4: A perspective image of proposed development within the streetscene



Figure 5: Rear elevation

### Housing Quality for Future Occupiers

- 8.12 Each of the units within the proposal would comply with internal dimensions and minimum GIA required by the Nationally Described Space Standards, in terms of the overall floor area and the size of individual rooms. In terms of layout the proposed units are considered acceptable to the amenities of any future occupiers providing high quality living accommodation which is significantly above the minimum housing standards.
- 8.13 All of the units would be dual aspect and have suitable ventilation and natural day and sunlight. The habitable rooms all face to the rear and front of the site providing a high standard of outlook.
- 8.14 The London Housing Supplementary Planning Guidance (SPG) sets out that a minimum of 5 square metres of external amenity space be provided for a 1-2

person dwelling, with 1 additional square metres for every additional occupant. All of the units will have private amenity areas. It is noted that unit 6 on the 1<sup>st</sup> floor would have a balcony area of 6 square metres, which would fall 1 square metre short of the minimum requirement; and unit 4 will have a balcony area access through the sole bedroom. However given the constraints of the site in terms of protecting the amenities of the neighbouring properties and ensuring the design reflects the character of the area; the private amenity provision is considered adequate.

- 8.15 Moreover, one of the three bedroom units would be located on the ground floor with access to a private amenity area measuring 84 square metres in excess of minimum standards. The second three bedroom unit would be located within the second floor, however it would benefit from two balcony areas collectively measuring 12 square metres, again in excess of minimum standards.
- 8.16 Plot 1, on the ground floor would have amenity space to the front, which would be separated from the car parking area and refuse store and adequately screened by hedging, which would provide a privacy and acoustic barrier. This area would provide private amenity space whilst ensuring the front would be well maintained in the future. In addition, high quality communal amenity space provision of approximately 240 square metres is provided in the rear garden. 37 square metres of play space has also been provided within the communal garden area, which is in excess of policy requirements of 13.4 square metres.



Figure 7: CGI of communal garden and play area.

- 8.17 A through route will be provided to allow all occupants direct access into the rear communal amenity space.
- 8.18 Level access is provided at the front and rear of the site. A three bedroom 4 persons unit on the ground floor would be M4(3) compliant providing a wheelchair accessible unit. The 2 remaining units on the ground floor will be M4(2) (accessible and adaptable dwellings) compliant. In order for the remaining 4 flats to be M4(2) compliant, a lift would be required, however given the limited nature of the

development, the provision of a lift to the upper floors would not enable the scheme to be deliverable. The Mayors Housing SPG permits an element of flexibility on M4(2) and M4 (3) provision on sites of four stories or less to ensure that sites are deliverable. Taking into account the site constraints, on balance that this is considered acceptable.

- 8.19 The development is considered to result in a high quality development including a provision of 71% family units all with adequate amenities and provides a good standard of accommodation for future occupiers.

### **Residential Amenity for Neighbours**

- 8.20 The properties that have the potential to be most affected by the proposed development are the adjoining properties 155 and 159 Hayes Lane. No 155 is a single storey bungalow. The proposed development would be set away 1.65 metres from the shared side boundary, and 10.5 metres away from the side flank wall of No. 155. As the property is single storey in nature, there are no first floor windows. The side flank wall of No. 155 has a secondary habitable room window, which is partially screened by the existing garage and boundary treatment. As this is a secondary side facing window the level of protection offered to it is lower and it should be noted that the proposal would be two-storeys in height (plus roof) at this point – which is a typical massing for a suburban residential area. Moreso, due to the separation distances afforded, it would not be unduly affected by the proposed development. In addition, the development would not breach the 45-degree line of sight from rear habitable room windows, again due to the separation distances afforded.
- 8.21 No 159 is a two storey property and the proposed development would be sited 3.2 metres away from the shared side boundary at its closed extent; and 4 metres to the side flank wall. It has fenestration on the side elevation facing the proposed development comprising 3 windows and 1 door. On the ground floor is a kitchen window and an adjoining frosted side entrance door. At first floor is a frosted bathroom window and a bedroom window.



Figure 6: Photograph of the side elevation of No. 159 Hayes Lane

- 8.23 The proposed flank wall would extend 3.25 metres high nearest to the boundary with No. 159 side flank wall. Above, the pitched roof would be angled away from No. 159's side flank wall. As a result of this the eaves would be level with the side facing bedroom window, allowing access to light and outlook above. The eaves would be lower than the neighbour's eaves and the ridgeline a similar height. Therefore, whilst there would be some impact on this bedroom window, the design has responded to its presence and minimised the impact in a manner which is considered acceptable.
- 8.24 The applicant has undertaken daylight and sunlight survey of the neighbouring affected windows development, at No. 155 and 159. To maintain good levels of daylight, the Vertical Sky Component (VSC) of a window needs to be 27% or greater. All of the windows serving habitable rooms passed the VSC test with the resulting figures being over 27% or no less than 0.80 of their original value, concluding that the proposed development satisfies the BRE requirements for daylight provision, and thus would not be unduly affected, by a loss of daylight or sunlight.

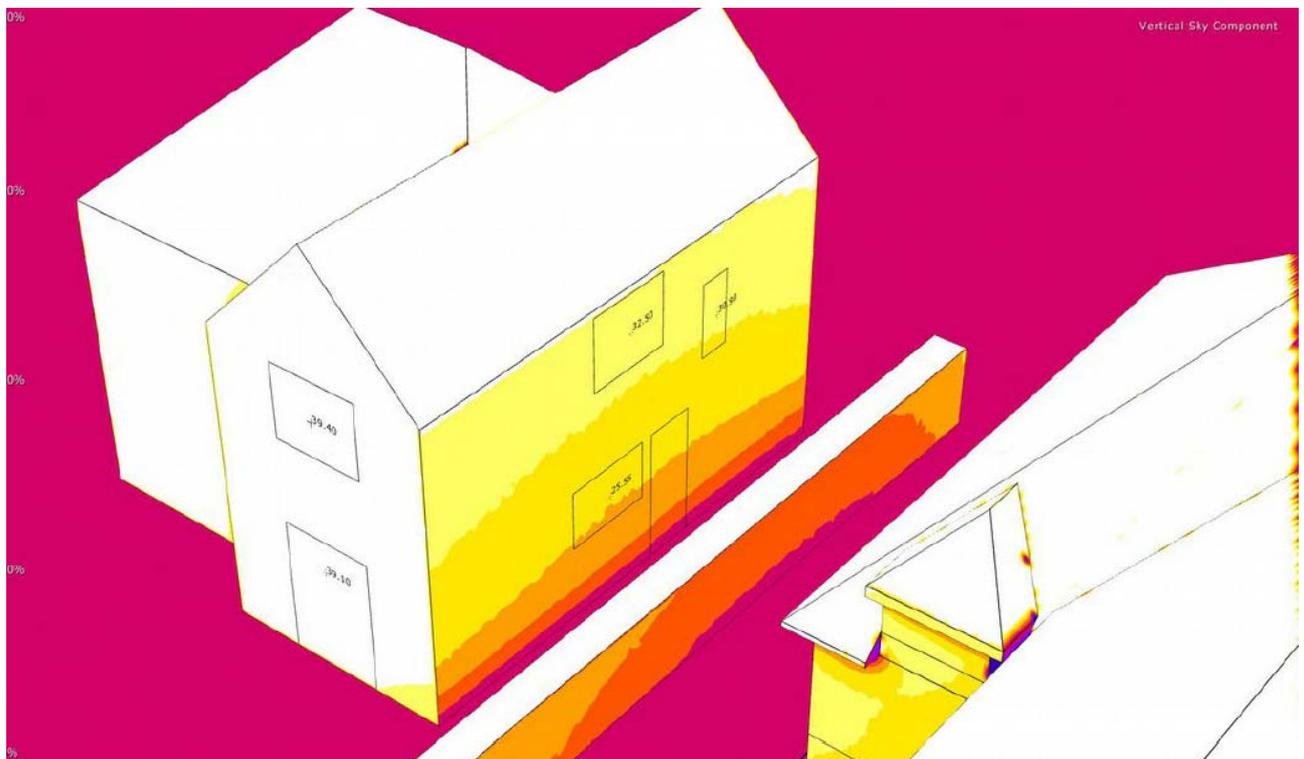


Figure 9: Image of relationship between proposed development and No. 159's side flank wall

- 8.25 The proposed development would extend circa 4.5 metres beyond the rear building lines of No. 159 rear building line. The 45-degree line of sight from No.159's nearest rear facing habitable room windows would not be breached, and thus these habitable rooms would not be unduly affected by the proposed development.
- 8.26 The windows proposed on the ground floor side elevations will be obscurely glazed and high level to prevent any loss of privacy or mutual overlooking. At first floor level, a single secondary high level side facing window serve a living room area.

- 8.27 The balcony and terrace areas will be well screened and inset and would not cause any overlooking. Screening will be duly conditioned.
- 8.28 The proposed rooflights are positioned at roof level and would not be directly facing. They would provide adequate light without any direct overlooking. Any views afforded would be oblique.
- 8.29 Given the design, layout and separation between the properties, 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.

### **Access and Parking**

- 8.30 The site is located within a Public Transport Accessibility Level of 0, which is very poor.
- 8.31 The London Plan suggests that car parking standards for a residential development in this location should provide a maximum of 1.5 parking spaces for 3 bedroom units and less than 1 parking space for 1-2 bedroom units. Therefore the proposed units would be required to have a maximum standard of less than 1 parking space overall. It is important to note that these are maximum levels and policies seek to reduce car parking levels – thereby reducing private car trips and encouraging more sustainable modes of travel (including walking, cycling and use of public transport.
- 8.32 The 2011 UK Kenley Ward Census data confirms the car and van availability to households at 84%. If this is used as a proxy for car ownership the proposed development would require 6 no. parking spaces.
- 8.33 A parking survey has been undertaken in order to assess the existing parking stress in the area of the proposal within 200 metres walking distance of the site, including the area of the local primary school. The survey results show an existing spare capacity and a parking stress of approximately 27.5% in the vicinity.
- 8.34 The scheme provides 7 off-street parking spaces located at the front of the site, which would equate to 1 parking space per unit (including 1 disabled parking space). This is considered adequate, taking into account the PTAL, London Plan maximum parking levels. Should a small amount of additional parking occur off-site, the parking stress test results suggest there would be sufficient capacity, even when considering the cumulative impact of other schemes in the area.
- 8.35 The parking layout would ensure vehicles can access and exit in forward gear and would not compromise highway safety. Details of visibility splays, sight lines and boundary treatment will be conditioned.



Figure 10: layout of car parking area

- 8.36 Given that there is existing hardstanding on the frontage used for parking the scheme would not be out of keeping with the surrounding location and some existing will be retained. Details of the permeable paving will be conditioned to ensure it is in keeping with the immediate area.
- 8.37 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.
- 8.38 The capacity of the cycle storage facilities would comply with the London Plan (which would require 12 spaces) and would provide extra visitor spaces. The cycle store would be located in the rear garden with direct access through the main property. Considering a broadly level site, this is considered acceptable.
- 8.39 The bin store would be located at the front of the site. Although relatively large, the store has been lowered in height and would be fully screened by instant impact replacement trees and shrubs. A condition will be applied to ensure that adequate provision is made. The bin store would also be positioned away from habitable room windows to prevent poor outlook.
- 8.40 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, Flooding and sustainability**

- 8.41 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.
- 8.42 The site is noted to be in a Critical Drainage Area at risk of flooding once in every 1000 years from surface water. The applicants have submitted a Flood Risk Assessment (FRA). To mitigate any residual risk of flooding, the FRA indicates that

Infiltration SuDS techniques will be employed and soakaways. These measures would again be conditioned accordingly.

8.43 Given the areas of hardstanding to be utilised as parking areas, permeable paving system is proposed. This has been duly conditioned.

### Archaeological Priority Area

8.44 The site is located in a Tier 2 Archaeological Priority Area. English Heritage have confirmed that the size and scale of the proposed development is not large enough to cause significant harm to any potential archaeological remains in the area, as such it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, and therefore no further assessment or conditions are necessary.

### Trees and landscaping

8.45 There are no trees on site subject to a tree preservation order. The existing site has a tree (T5-Goat Willow) on the front side boundary which will be removed to facilitate the development. The tree will be suitably replaced by two semi-mature beech trees. Given that this tree is not protected, its proximity to the existing dwelling and its moderate quality and amenity value, this is acceptable. The neighbouring Horse Chestnut which straddles the front side boundary will be protected during and after the construction.

8.46 Young trees, trees and shrubs in need of replacement and of low quality are also proposed to be removed. The majority of the frontage vegetation will be retained to provide screening and retain the character of the location.



Figure 11: Tree Protection Plan

- 8.47 The retained trees (T1 and T2) will be protected through the use of a no dig zone. No boundary wall is proposed, allowing the soft and hard landscaping to provide a transition between the public and private realms. This also respects the 'open' character of the area.

### **Ecology**

- 8.48 With regard to wildlife concerns raised, a site inspection was undertaken and there was no evidence of any protected species on site (no ponds, evident cracks and crevices in the roof, burrows, mounds or setts). Furthermore the site backs onto another residential property and is not adjacent to a woodland. Natural England's Standing Advice on when surveys for protected species are required has been applied and there are not considered to be a significant likelihood of protected species being located on the site. Notwithstanding the above, 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.

### **Conclusions**

- 8.49 The principle of development is considered acceptable within this area. The proposal would result in the redevelopment of an existing site to provide a high quality homes. The development would be in keeping with the character of the area, 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.
- 8.50 All other relevant policies and considerations, including equalities, have been taken into account.