

PART 5: Planning Applications for Decision

Item 5.3

1. SUMMARY OF APPLICATION DETAILS

Ref: 20/02410/OUT
 Location: 10 Cedar Walk, Kenley, CR8 5JL
 Ward: Kenley
 Description: Outline application for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space.
 Drawing Nos: Site Plan, CEDRWLK-SK-011, CEDRWLK-SK-001, Vehicle Tracking.
 Applicant: Mr O'Sullivan
 Case Officer: Alex Green

	3 Bedrooms	4 Bedrooms
Existing	1	0
Proposed	1	4

Number of car parking spaces	Number of cycle parking spaces
10	8

1.1 This application is being reported to Planning Sub-Committee because the number of objections letters received is above the threshold in the Committee Consideration Criteria, and the application was referred by ward Councillors Steve O'Connell and Jan Buttinger.

2 RECOMMENDATION

2.1 That the Planning Sub-Committee resolve to GRANT planning permission prior to the completion of a legal agreement to secure the following:

- A financial contribution of £6000 towards sustainable transport including but not limited to car club bays on street with EVCP's and/or highway changes including on street restrictions and proposals for Hayes Lane and the

Kenley Transport study in general to provide improved pedestrian and vehicle access.

- 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

Standard Conditions

1. Development begun no later than two years from the final approval of reserved matters;
2. Application for approval of reserved matters to be made within 3 years of date of permission;
3. Development to be carried out in accordance with the approved drawings;
4. Approval of reserved matters (Appearance, Landscaping, Layout and Scale) prior to any development on site.

Pre Commencement Conditions

5. Demolition/Construction Logistics Plan to be submitted prior to any development on site.

Prior to Above Ground Works Conditions

6. Cycle storage and refuse management plan;
7. SuDs details across the site;
8. Disabled parking bays provision and electric vehicle charging points.

Pre Occupation Conditions

9. Visibility splays as approved;
10. Parking as approved.

Compliance Conditions

11. Energy efficiency;
12. Water efficiency;
13. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

1. Community Infrastructure Levy;
2. Granted subject to a Section 106 agreement;
3. Code of Practice for construction sites;

4. Ecology;
5. Waste and Recycling;
6. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal is for the demolition of the side extension to the existing house to allow access to the rear of the site, and the construction of 4 two storey four bedroom dwellings with associated amenity space, the provision of 8 parking spaces and cycling space.
- 3.2 Matters for consideration under this planning application are:
 - Access.
- 3.3 The appearance, landscaping, layout and scale of the proposal are reserved matters for approval at a later date although are indicatively shown on the plans.

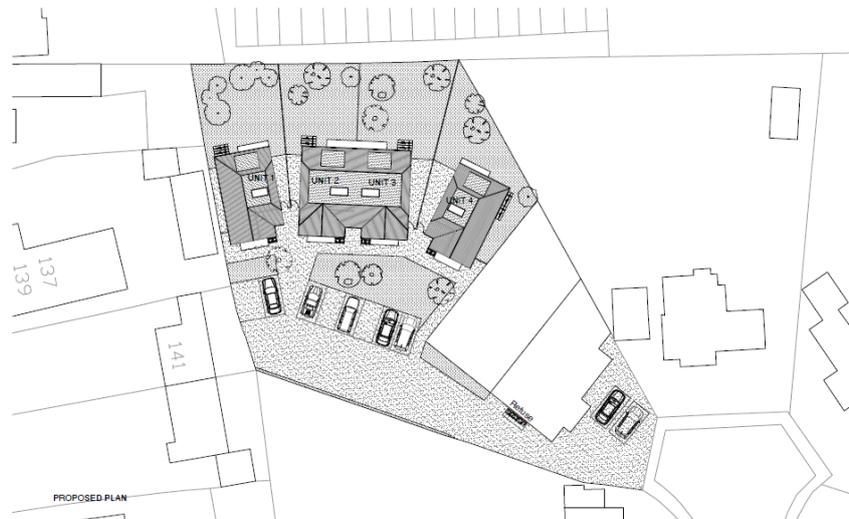


Figure 1: Proposed Site Plan.

Site and Surroundings

- 3.4 The application site is located on the north west side of Cedar Walk in Kenley and the surrounding area is characterised by detached dwellings and bungalows on large plots. The surrounding area contains a variety of style of dwellings though there are number of properties similar in appearance to the host property. The application site consists of a two storey detached dwelling with a gable ended roof on one side and hipped on the other. The site has no land use designations. In

terms of flooding, the site is not located with an Environment Agency flood zone, though it is at risk of surface water flood, albeit low. There are no Tree Protection Orders (TPO) on the site, and the Public Transport Accessibility Level (PTAL) is 0. The site is located in an Archaeological Priority Area.

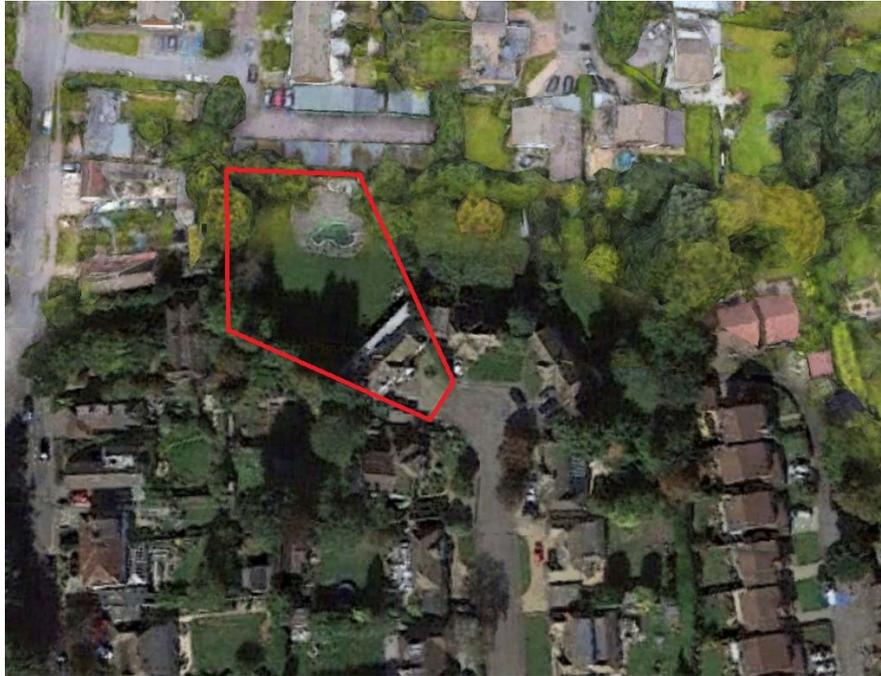


Figure 2: Aerial view of the site's location.

Planning History

3.5 The following planning decisions are relevant to the application

- 89/02217/P - Erection of single storey rear extension. Permission Granted.
- 90/00328/P - Erection of first floor side extension. Permission Granted.

4 CONSULTATION RESPONSE

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

5 LOCAL REPRESENTATION

5.1 A total of 10 neighbouring properties were notified about the application and invited to comment. The application has also been publicised on site. The number of representations received from neighbours, local ward Councillors and Local MP in response to notification and publicity of the application are as follows:

No of individual responses: 39 Objecting: 39 Supporting: 0

Summary of Objections	Response
<i>Principle of Development</i>	
Overdevelopment and high density housing	See Section 7a.
Too little amenity space for No. 10 Cedar Walk	See Section 7.2.
The plans do not identify the location of the retained building	The proposed site plan shows the location of the retained property at 10 Cedar Walk.
<i>Design</i>	
Not in keeping with the character of the area	This is not a consideration under this application.
No details regarding how the existing property will be left following the development	This is not a consideration under this application.
<i>Neighbouring amenity</i>	
Loss of light to garden area	This is not a consideration under this application.
Overlooking and overbearing impact	This is not a consideration under this application.
Increase in noise and light pollution	This is not a consideration under this application.
<i>Highways</i>	
Swept path must be provided to show that fire engines will be able to reach Unit 1 and ability to arrive and leave the parking area for the proposed 4 dwellings in a forward gear	See sections 7.18 and 7.23.
The number and size for waste bins is too small for the number of proposed dwellings and the they will cause the driveway to be narrower	See section 7.22.
Construction traffic and disruption	A pre-commencement condition will be imposed requiring a Demolition/Construction Logistics Plan to ensure construction activities do not cause undue disturbance to the highway network.
Impact of overflow parking on Cedar Walk	See section 7.17.
<i>Other matters</i>	
Any development in Cedar Walk would require an upgrade of the foul waste system	This is not a material planning consideration.
Noise and air pollution impact	Problems arising from the construction period of any works are covered by Control of Pollution Acts, therefore they are not a material planning considerations.
Impact on local services	The development would be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure, such as local schools and GPs.

5.2 Cllr Steve O'Connell (Kenley Ward Councillor) objected and referred the application to committee:

- Insufficient information submitted to make proper judgement.
- Difficult access for emergency vehicles.
- Unviable parking.
- Insufficient provision of waste bins.
- Overdevelopment of site.

5.3 Cllr Jan Buttinger (Kenley Ward Councillor) objected and referred the application to committee:

- It is an over development of the site with too much massing and out of keeping with the rest of Cedar Walk.
- Too little amenity space for the donor house.
- Inadequate access for fire engines and other emergency vehicles.
- There needs to be a foul waste water upgrade before there is any further development in Cedar Walk.

6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 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. Such 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 2016, the Croydon Local Plan (February 2018), and the South London Waste Plan 2012.

6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) revised 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;
- Delivery of housing;
- Requiring good design.

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

6.4 Consolidated London Plan 2016

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self sufficiency
- 5.18 Construction, Demolition and excavation waste
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.6 Architecture
- 8.3 Community infrastructure levy

6.5 Croydon Local Plan (adopted February 2018)

- SP1 – The places of Croydon
- SP2 – Homes
- DM1 – Housing choice for sustainable communities
- SP4 – Urban design and local Character
- DM10 – Design and character
- DM13 – Refuse and recycling
- SP6 – Environment and climate change
- DM23 – Development and construction
- DM24 – Land contamination
- DM25 – Sustainable drainage systems and reducing flood risk
- SP7 – Green grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and communications
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development

6.6 Suburban Design Guide Supplementary Planning Document (SPD) 2019

The SPD is a Housing Design Guide that provides guidance on suburban residential developments and extensions and alterations to existing homes across the borough. The SPD is a design guide for suburban developments likely to occur on windfall sites where existing homes are to be redeveloped to provide for several homes or proposals for building homes in rear gardens.

6.7 Other relevant Supplementary Planning Guidance as follows:

London Housing SPG, March 2016
National Technical Housing Standards, 2015
National Planning Practice Guidance.

6.8 Draft London Plan

Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan has been responded to by the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target. The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

It is important to note that in the Intend to Publish New London Plan that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets. For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications. Policy 3.3 of the London Plan 2016 recognises the pressing need for

more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes which meet their requirements for different sizes and types of dwellings in the highest quality environments.

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The principal issues relate to:

- a. Principle of development
- b. Impact upon the character and appearance of the area
- c. Impact upon neighbouring amenity
- d. Quality of accommodation
- e. Impact on highways, parking and Refuse Provision
- f. Trees, ecology, flooding and sustainability

a) Principle of Development

7.2 Paragraph 11 of the NPPF 2018 applies a presumption in favour of sustainable development which means approving development proposal which accords with an up-to-date development plan without delay. Paragraph 68 acknowledges the contribution of small and medium size sites can make in meeting the housing requirements and supports the development of windfall sites. The above policies are clearly echoed within Policy SP2.1 of the Croydon Local Plan (2018) (CLP 2018) while Policy SP2.2 commits to the delivery of 10,060 homes across the borough's windfall sites before 2036.

7.3 The site is a windfall site which could be suitable for sensitive renewal and intensification. The proposal is for a residential scheme comprising of two-storey dwellinghouses, it would maintain the overall residential character of the area and would be acceptable in principle.

7.4 Policy SP2.7 of the CLP sets a strategic target for 30% of new homes to be three or bedroom homes. The indicative plans show 4 bedrooms to each of the dwellings, therefore the proposal would have 100% of the overall mix of accommodation as family-sized units which would exceed the strategic target and would ensure a choice of homes of different sizes available in the borough.

7.5 Policy DM10.4e of the CLP states that in the case of development in the grounds of an existing building which is retained, a minimum length of 10m and no less than half or 200sq.m (whichever is smaller) of the existing garden area is retained for the host property after the subdivision of the garden. The site plan details that proposal would appear to be in accordance with this, therefore overall, the principle of the provision of additional units is acceptable in land use terms.

b) Impact on the character and appearance of the area

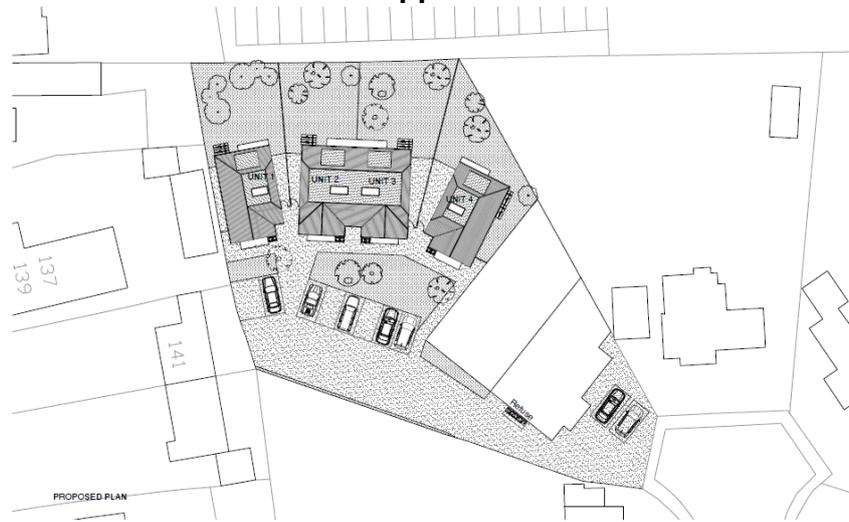


Figure 3: Proposed Site Plan

- 7.6 Policy SP1 (The Places of Croydon) of the Croydon Local Plan requires new development to contribute to enhancing a sense of place and improving the character of the area. Policy SP4 (Urban Design and Local Character) requires development to be of a high quality which respects and enhances local character. Policy DM10 (Design and Character) of the Croydon Local Plan requires new development to respect the pattern, layout, siting, scale, height, massing, appearance, materials and built and natural features of the surrounding area. Policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan 2016 are also relevant which require a development to have regard to local character and architecture.
- 7.7 The applicant has sought to reserve layout, scale and appearance of the development and therefore the plans submitted are only indicative of what may be constructed at the site.
- 7.8 The demolition of the existing garage and first floor extension to the host property is not considered to have a detrimental impact on the character and appearance of the property or wider streetscene.
- 7.9 The plans indicate a semi-detached pair of dwellings, and two detached dwellings either side to the rear of the site. The proposed dwellings would be identical in appearance and would feature accommodation in the loft. The proposed dwellings would comfortably sit within the site whilst providing suitable separation distances to adjoining boundaries and adequate separation from the host property. The proposed development would appear to be screened from the wider street scene by the existing built form which surrounds the site, and it is concluded that the development of new dwellings could be accommodated to the rear of the site without harming the visual amenities of the area. As the proposal is outline in

nature, through the reserved matters submission, they may be of a different appearance, size or siting (although they would need to correspond with the quantum of development approved at outline application stage). The information provided at outline application stage has shown how such a scheme could come forward on the site and be acceptable in design terms.



Figure 4: Proposed Front Elevation

c) Impact on neighbouring amenity

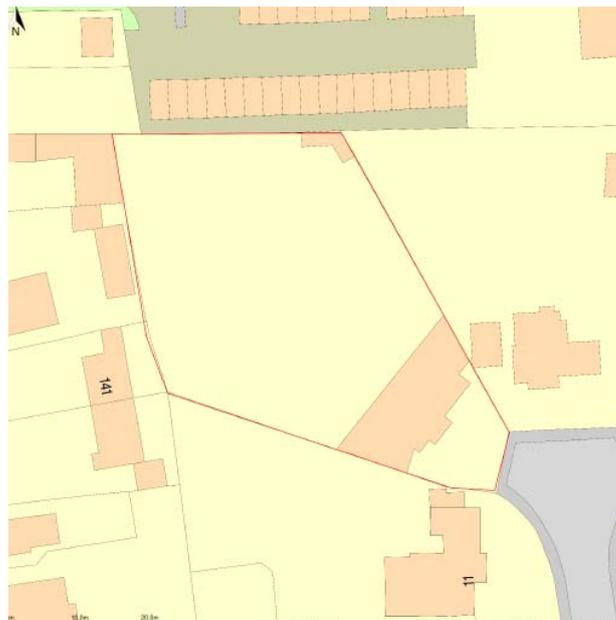


Figure 5: Existing Block Plan

- 7.10 Policy DM10.6 of the CLP states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure.
- 7.11 The indicative plans demonstrate that Unit 1, which would be located in the closest proximity to neighbouring properties on Hayes Lane, would be sited approximately 24m from the rear elevation of No. 135, 13.4m from the rear of No.137/139, and

7m from the rear of No. 141. Unit 4 would be sited approximately 11.2m from the rear of the host property and garages adjoin the site to the north. Given this separation distance, the development could be erected without causing any harmful loss of privacy, outlook or light to adjoining occupiers.

- 7.12 It is noted that the indicative plans detail that no side facing windows are proposed, and the positioning of the fenestration shown would not cause a loss of privacy to neighbouring occupiers. Therefore, it is considered that the development could be erected without causing any harmful loss of privacy to adjoining occupiers.

d) Quality of accommodation

- 7.13 Policy SP2 of the CLP states that all homes in Croydon should meet the needs of residents over a lifetime and should contribute to sustainable communities within the borough. The policy also requires all new homes to achieve the minimum design and amenity standards set out in Mayor of London's Housing Supplementary Planning Guidance and National Technical Standards (2015). Policy DM10 also requires development to provide adequate sunlight and daylight to potential future occupants.
- 7.14 Layout and scale are reserved matters. Indicative plans detail 4 x 4 bedroom dwellings, and show that dwellings of this size would be capable of complying with the National Technical Standards (NTS) (2015). The indicative plans also detail that dwellings could be provided with access to adequate levels of light and outlook, thereby providing a satisfactory standard of accommodation.
- 7.15 Policy DM10 requires development to provide private amenity space that is of a high quality design and enhances and respects the local character; provides functional space and provide a minimum amount of private amenity space of 5 sq.m per 1-2 person unit and an extra 1sq.m per extra occupant thereafter. The indicative plans show that all dwellings would each have access to a large private rear garden, therefore dwellings could be provided that would be capable of complying with the aforementioned policy.

e) Impact on Highways, Parking and Refuse Provision

- 7.16 Policies SP8 (Transport and Communication), DM29 (Promoting sustainable travel and reducing congestion) and DM30 (Car and cycle parking in new development) of the CLP seek to promote development which makes full use of public transport, cycling and walking; does not have a detrimental impact on highway safety for pedestrians, cyclists, public transport users and private vehicles; does result in a severe impact on local transport networks; reduces the impact of car parking; provide car and cycle parking spaces as set out in the Local Plan and ensures that cycle parking is designed so that it is secure.

- 7.17 The application site has a Public Transport Accessibility Rating (PTAL) of 0 which means that the site has very poor access to public transport. The proposal would provide 2 car parking spaces for the host property, with 8 parking bays to serve the new dwellings to the rear of the site, which would accord with the maximum parking standards as set out in Policy DM30 and table 10.1 of the CLP. The provision of 2 car parking bays per dwelling is not considered to result in an increase in on street parking levels in the immediate vicinity of the site. In terms of its impact on sustainable travel and sustainability, it is at the upper level of acceptability but, on the basis that the homes are family homes, is acceptable.
- 7.18 Manoeuvring tracks for all parking spaces and ingress/egress from the site using the existing crossover have been provided which details that vehicles can enter and leave in forward gear, demonstrating that the vehicle access and parking spaces as proposed is acceptable.
- 7.19 The decision notice would include a condition to request details of accessible parking bays and electric vehicle charging points prior to occupation. It would also include a pre-commencement condition for a Demolition/Construction Logistic Plan to ensure minimum disruption to traffic movements in the area as a result of the construction process.
- 7.20 Table 6.3 of The London Plan (2016) sets the cycle parking standards at two spaces for all dwellings of two or more bedrooms and the proposal would require 8 cycle parking spaces. Units 1, 2 and 3 would feature 2 cycle parking spaces to the rear and Unit 4 would feature 2 cycle parking spaces to the side of the property. Details of the cycle storage are to be secured via condition.
- 7.21 Policy DM13 of the CLP aims to ensure that the location and design of refuse and recycling facilities are treated as an integral element of the overall design and the Council would require developments to provide safe, conveniently located and easily accessible facilities for occupants, operatives and their vehicles.
- 7.22 A refuse store is proposed to the side of the host property. The Suburban Design Guide states that where appropriate access and turning for refuse collection vehicles is not possible, a refuse store must be provided within 20m of the street. This point must be no more than 30m from the front door of the dwelling. Whilst the refuse store would be within 20m of the street, it would be more than 30m from the front door of the proposed dwellings. The Suburban Design Guide however further states that if it is not possible to find a suitable location for the refuse store, the proposed development may be required to demonstrate how the refuse associated with the development will be available on the street on collection days, for example, through an established management company and management schedule for the development. It is noted that the applicant intends to arrange for the refuse to be collected from the proposed dwellings by a management company on collection days and brought to the refuse store. Further details of this are to be secured via condition.

- 7.23 Representations have raised concerns regarding constrained access for emergency vehicles. The Suburban Design Guide states that where emergency or service vehicle access is not possible, such as back land sites with narrow driveways, alternative service requirements should be discussed with the relevant authority.
- 7.24 In summary, the proposal's parking provision, access, vehicular movement and servicing of the proposed development would not result in a significant adverse impact on the adjoining highway and its operation in terms of safety, as per the London Plan (2016) and Croydon Local Plan (2018) Policies DM13 and DM30.

f) Trees, ecology, flooding and sustainability

- 7.25 The landscaping element of the scheme has been reserved. None of the trees on site are protected. Full details of landscaping would be provided and considered in the reserved matters application, however officers have some concerns about the amount of hardstanding present in the route to the rear and the desirability of a landscaping strip along the boundary with the neighbouring property to the East. Through the reserved matters process, increased soft landscaping would be expected in this location.
- 7.26 In terms of ecology, there is no reason to believe that any protected species would be harmed by the proposed development, however an informative would be included on any decision making the applicant aware that it is an offence to harm protected species or their habitat, and in the event that protected species are found on site the applicant should refer to Natural England standing advice.
- 7.27 The site is at low risk of surface water flooding. Policy DM25 of the CLP states that sustainable urban drainage systems (SuDS) are required in all developments. This would ensure that sustainable management of surface water would not increase the peak of surface water run-off when compared to the baseline scenario. The decision notice would include conditions to this effect.
- 7.28 SP6.2 of the CLP states that the Council will ensure that development make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan energy hierarchy to assist in meeting local, London Plan and national CO2 reduction targets. The decision notice would include a condition to ensure that the development would achieve 19% reduction in CO2 emissions over 2013 Building Regulations.
- 7.29 Policy SP6.3 of the CLP requires all new-build residential development to meet water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G. The decision notice would include a condition to ensure the development would adhere to the standards of this policy.

Conclusions

- 7.30 The provision of four residential family dwellings within the Borough is encouraged by the Council's Local Plan policies, national guidance in the NPPF and regional policies of the London Plan.
- 7.31 In addition, using legal agreement and appropriate conditions, the development would be acceptable on highways, environmental and sustainability grounds.
- 7.32 All material considerations have been taken into account, including responses to the consultation. The conditions recommended would ensure that any impacts of the scheme are mitigated against and it is not considered that there is any material planning considerations in this case that would warrant a refusal of this application. Taking into account the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning policy terms.