

# Planning Sub-Committee Agenda



To: Councillor Paul Scott (Chairman);  
Councillor Humayun Kabir (Vice-Chairman);  
Councillors Jamie Audsley, Kathy Bee, Luke Clancy, Jason Perry, Joy Prince,  
Manju Shahul-Hameed, Susan Winborn and Chris Wright

Reserve Members: Jeet Bains, Simon Brew, Richard Chatterjee, Sherwan Chowdhury, Pat Clouder, Steve Hollands, Karen Jewitt, Bernadette Khan, Shafi Khan and Maggie Mansell

(Five Members selected from the Planning Committee membership above for the Planning sub-Committee: Councillors Paul Scott, Humayun Kabir, Kathy Bee, plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 23rd February 2017 at the rise of Planning Committee but no earlier than 8:30pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

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Acting Council Solicitor and Acting  
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14 February 2017

Members of the public are welcome to attend this meeting. If you require any assistance, please contact the person detailed above, on the righthand side.  
To register a request to speak, please either e-mail [Planning.Speakers@croydon.gov.uk](mailto:Planning.Speakers@croydon.gov.uk) or call Victoria Lower by 4pm on the Tuesday before the meeting.  
Please note this meeting will be paperless. The agenda can be accessed online via the mobile app: [Select 'Meetings' on the opening page](#)

## **AGENDA - PART A**

- 1. Apologies for absence**
- 2. Minutes of the meeting held on Thursday 9th February 2017 (Page 1)**

To approve the minutes as a true and correct record.

- 3. Disclosure of Interest**

Members will be asked to confirm that their Disclosure of Interest Forms are accurate and up-to-date. Any other disclosures that Members may wish to make during the meeting should be made orally. Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose relevant disclosable pecuniary interests at the meeting.

- 4. Urgent Business (if any)**

To receive notice from the Chair of any business not on the Agenda which should, in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

- 5. Exempt Items**

To confirm the allocation of business between Part A and Part B of the Agenda.

- 6. Planning applications for decision (Page 5)**

To consider the accompanying reports by the Director of Planning & Strategic Transport:

6.1 15/05696/P Land Adjacent, 82 Welcomes Road, Kenley, CR8 5HE  
Erection of two bedroom chalet bungalow; refurbishment of existing garage and erection of boundary fence.

Ward: Kenley

Recommendation: Grant permission

6.2 16/00329/P 69 Portland Road, London, SE25 4UN  
Retention of alterations to shopfront.

Ward: South Norwood

Recommendation: Grant permission

6.3 16/03452/P 14 The Avenue, Coulsdon, CR5 2BN

Erection of a four bedroom detached house with accommodation in the roofspace and basement parking; widening of vehicular access onto The

Grove; and provision of new access onto The Avenue and parking for No 14 together with refuse storage facilities.

Ward: Coulsdon West

Recommendation: Grant permission

6.4 16/05512/FUL 94 Higher Drive, Purley, CR8 2HJ

Installation of a new standby generator within the existing storage building located underneath the bin storage area.

Ward: Kenley

Recommendation: Grant permission

**7. [The following motion is to be moved and seconded as the “camera resolution” where it is proposed to move into part B of a meeting]**

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

**AGENDA - PART B**

None

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## Planning Sub-Committee

Meeting held on Thursday 9th February 2017 at 8:15pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX

### MINUTES - PART A

Present: Councillor Paul Scott (Chairman);  
Councillor Humayun Kabir (Vice-Chairman);  
Councillors Jamie Audsley, Susan Winborn and Chris Wright

Also present: Councillors Yvette Hopley and Jason Cummings

#### **A11/17 Minutes of the meeting held on Thursday 26th January 2017**

**RESOLVED** that the minutes of the meeting held on Thursday 26 January 2017 be signed as a correct record.

#### **A12/17 Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

#### **A13/17 Urgent Business (if any)**

There was none.

#### **A14/17 Exempt Items**

**RESOLVED** to that allocation of business between Part A and Part B of the Agenda be confirmed.

#### **A15/17 Planning applications for decision**

##### **6.5 16/06087/FUL 15A Normanton Road, South Croydon CR2 7AE**

Erection of three bedroom detached house at rear  
Ward: Croham

THIS APPLICATION WAS WITHDRAWN FROM THE AGENDA

##### **6.1 16/05768/FUL 150 Norbury Crescent, Norbury, London SW16 4JZ**

Conversion to form 1x three bedroom 1 two bedroom and 1 one bedroom flats  
Ward: Norbury

Ms Jane Kelly (Love Norbury Residents' Association) spoke in objection, on behalf of 5 local residents' associations  
Mrs Pamela Fitzsimons spoke as the agent, on behalf of the applicant

After the Committee considered the officer's report and addendum, Councillor Chris Wright proposed and Councillor Humayun Kabir seconded the officer's recommendation and the Committee voted unanimously in favour (5), so permission was **GRANTED** for development at 150 Norbury Crescent, Norbury, London SW16 4JZ

### **6.2 16/05182/HSE 74 Sanderstead Court Avenue, South Croydon CR2 9AJ**

Alterations, construction of first floor and erection of single storey rear extension

Ward: Sanderstead

Mrs Carol Meggiolaro, a neighbour, spoke in objection  
Mrs Fiona Jones (Cameron Jones Planning Ltd) spoke as agent, on behalf of the applicant  
Mr Ian James spoke in support of the application  
Councillor Yvette Hopley, ward Member for Sanderstead, spoke in objection on behalf of the referring ward Member, Councillor Lynne Hale

After the Committee considered the officer's report and addendum, Councillor Paul Scott proposed and Councillor Humayun Kabir seconded the officer's recommendation and the Committee voted 3 in favour and 2 against, so permission was **GRANTED** for development at 74 Sanderstead Court Avenue, South Croydon CR2 9AJ.

A second motion for **REFUSAL**, on the grounds of overdevelopment and being detrimental to the amenities of local residents, proposed by Councillor Chris Wright and seconded by Councillor Sue Winborn, thereby fell.

### **6.3 16/05868/FUL 240A Wickham Road, Croydon CR0 8BJ**

Erection of part single/ two storey, first floor extensions and creation of a flat roof single storey link extension

Ward: Heathfield

Mrs Eminy Mustafa, resident in a neighbouring property, spoke in objection  
Mr Richard Turnbull (Fuller Long Planning Consultants) spoke as the agent, on behalf of the applicant

After the Committee considered the officer's report and addendum, Councillor Humayun Kabir proposed and Councillor Chris Wright seconded **DEFERRAL** for a site visit and the Committee voted unanimously in favour (5), so the decision was **DEFERRED**.

**6.4 16/05927/CONR 6 Scarbrook Road, Croydon CR0 1UH**

Retention of 8 storey mixed use building comprising commercial use on ground floor with 66 flats over (without compliance with: Condition 7] which advised that the north facing ground floor commercial unit shall only be used for purposes with Use Class A3] attached to planning permission 08/1716/P). The application sort a wider range of permissible uses A1, A2 A3 and B1a).

Ward: Fairfield

There was no presentation and the Committee moved immediately to a discussion.

After the Committee considered the officer's report and addendum, Councillor Paul Scott proposed and Councillor Jamie Audsley seconded the officer's recommendation and the Committee voted unanimously in favour (5), so permission was **GRANTED** for variation of condition 7 at 6 Scarbrook Road, Croydon CR0 1UH.

**MINUTES - PART B**

None

The meeting ended at 9:25pm

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**PART 6: Planning Applications for Decision**

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**1 INTRODUCTION**

- 1.1 In this part of the agenda are reports on planning applications for determination by the committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 This Committee can, if it considers it necessary or appropriate to do so, refer an agenda item to the Planning Committee for consideration and determination. If the Committee decide to do this, that item will be considered at the next available Planning Committee, which would normally be the following evening.
- 1.5 The following information and advice applies to all reports in this part of the agenda.

**2 MATERIAL PLANNING CONSIDERATIONS**

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
  - the London Plan July 2011 (with 2013 Alterations)
  - the Croydon Local Plan: Strategic Policies April 2013
  - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
  - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which

affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by **Highways Legislation**.
  - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the **Party Wall Act**.
  - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

### 3 PROVISION OF INFRASTRUCTURE

- 3.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
  - Education facilities
  - Health care facilities
  - Projects listed in the Connected Croydon Delivery Programme
  - Public open space
  - Public sports and leisure
  - Community facilities
- 3.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106

agreement. Where these are necessary, it will be explained and specified in the agenda reports.

#### **4 FURTHER INFORMATION**

- 4.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

#### **5 PUBLIC SPEAKING**

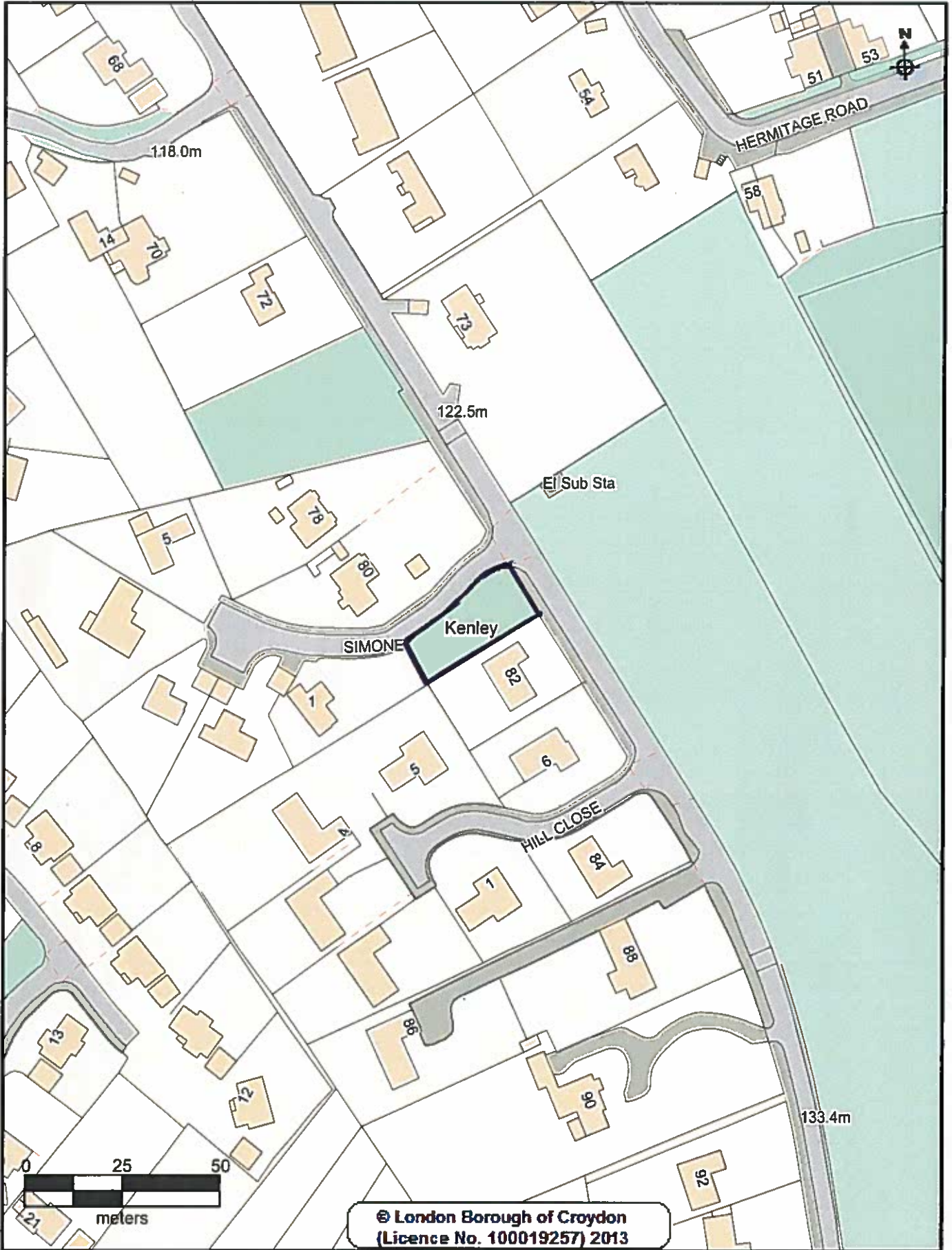
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

#### **6 BACKGROUND DOCUMENTS**

- 6.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

#### **7 RECOMMENDATION**

- 7.1 The Committee to take any decisions recommended in the attached reports.



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**1 APPLICATION DETAILS**

Ref: 15/05696/P  
 Location: Land Adjacent 82 Welcomes Road, Kenley, CR8 5HE  
 Ward: Kenley  
 Description: Erection of two bedroom chalet bungalow; refurbishment of existing garage and erection of boundary fence  
 Drawing Nos: P/H1rev  
 Applicant: Mr Christodoulides  
 Agent: Mr Park, Plans Ink Limited  
 Case Officer: Andy Day

1.1 This application is being reported to committee because objections above the threshold in the Committee Consideration Criteria have been received.

**2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- A residential development of this site is now acceptable in principle.
- The revised proposal would respect the character of the area and the appearance of the street scene.
- The size, siting and layout of the proposed building and the degree of separation between the existing dwellings and the proposed building would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers.
- The proposal would provide acceptable accommodation for future occupiers.
- The relationship of the development to existing trees together with new planting would be acceptable
- The proposal would have no significant adverse impact on parking demand and pedestrian and highway safety.
- The concerns about earlier proposals (the last refused permission was in 2013) have been overcome.

**3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 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:

**Conditions**

- 1) In accordance with plans
- 2) Finished floor floors, boundary treatments, cycle and refuse storage to be submitted for approval
- 3) Matters to be provided as specified
- 4) Materials to be submitted for approval
- 5) Hard and Soft Landscaping to be submitted for approval (to include SUDS)
- 6) Retention of existing planting

- 7) Tree protection to be carried out in accordance with approved plan
- 8) Window restrictions
- 9) Removal of Permitted Development rights
- 10) Water usage
- 11) 19% carbon reduction to be achieved
- 12) Commence within 3 years
- 13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) Community Infrastructure Levy (CIL) – Granted
- 3) Code of Practice on Construction sites
- 4) Any informative(s) considered necessary by the Director of Planning and Strategic Transport

3.3 Section 197 of the Town and Country Planning Act 1990 places a duty on Local Planning Authorities to ensure whenever appropriate when granting planning permission that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 The applicant seeks full planning permission for the:
- Erection of a two bedroom detached chalet bungalow
  - A parking area with access onto Simone Drive
  - Refurbishment of the existing double garage
  - The proposal also includes the provision of a boundary fence onto Simone Drive
- 4.2 This application follows a long history of refused applications, of which the last was in 2013 (13/01125/P) when permission was refused, and an appeal dismissed. The dismissed appeal was on the grounds of harm to the character of the area. This application differs because the development has been reduced in size (albeit with a larger footprint), the style of dwelling simplified, existing and proposed planting reviewed and the refurbishment of the existing double garage introduced.

### **Site and Surrounding Area**

4.3 The application site is located on the western side of Welcomes Road at the junction with Simone Drive. The site is a strip of land left undeveloped after the construction of the 5 detached houses at Simon Drive. It currently accommodates a double garage with access onto Simone Drive. The site has a width of between 10.2 and 14m. There are a number of self-seeded trees and shrubs, together with a frontage Yew tree, and other trees overhanging the site. TPO (No. 178) applies to the site, is a blanket Order and introduced in 1964.

- 4.4 The surrounding area is residential in character and is made up of a mixture of detached houses and bungalows, of varying sizes and period, built in different styles. The buildings sit within different sized plots.
- 4.5 There are no direct policy constraints affecting the application site but it lies opposite steeply rising woodland designated as Metropolitan Green Belt which is, in part within a Site of Nature Conservation Importance, as identified in the Croydon Local Plan Policies Map (2013).

### **Planning History**

- 4.6 The following are the most relevant planning history dating back to 1971:

78/20/216: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- Cramped and overcrowded
- Out of keeping with character of the area
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

79/20/944: Planning permission for the erection of a double garage was granted on appeal in March 1980. The permission has been implemented.

88/3188/P: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- The development would be out of keeping with the character of the locality
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

An appeal against the refusal was also dismissed on the following grounds:

- Cramped development that would harm the character and appearance of the area.

89/885/P: An application for outline planning permission for the erection of a bungalow with garage was refused in April 1978. The reasons for the refusal were:

- The development would be out of keeping with the character of the locality
- The development would conflict with condition attached to the planning permission (68/20/1653) for the houses at Simon Drive.

An appeal against the refusal was also dismissed on the following grounds:

- Cramped development that would harm the character and appearance of the area.

00/148/P: An application for outline planning permission for the erection of four bedroom detached house was refused in May 2000. The reasons for the refusal were:

- cramped/overcrowded layout not in keeping with character of
- locality unsatisfactory spatial relationship with host dwelling
- Impact upon trees and Met Green Belt setting.

00/3165/P: An application for outline planning permission for the erection of a two-storey house was refused in Sept 2001. The reasons for the refusal were:

- Cramped/overcrowded layout due to limited plot size
- Impact upon trees

An appeal against the refusal was also dismissed on the following grounds:

- Harm to the character and appearance of the area

07/02893/P: An application for planning permission for the erection of a detached 2/3 bedroom house. The reasons for the refusal were:

- Cramped and overcrowded layout, out of keeping with the character of the locality and detrimental to the visual amenity of the street scene.

12/00341/P: An application for outline planning permission for the erection of a 2 storey detached property at side fronting Simone Drive and refurbishment of existing garage was refused on 24 April 2012. The reasons for the refusal were:

- Cramped and overcrowded layout, out of keeping with the character of the locality and detrimental to the visual amenity of the street scene..

13/01125/P: An application for outline planning permission (with all matters reserved) for the erection of detached lodge to replace a previously demolished dwelling and retention of the existing garage was refused permission in 2013. The reasons for the refusal were:

- The effect of the development on the character and appearance of the area (cramped layout, scale of building and limited plot width).
- An appeal against the refusal was also dismissed on the following grounds:
- The development would be unduly harmful to the character and appearance of the area.

## **5 CONSULTATION RESPONSE**

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

## **6 LOCAL REPRESENTATION**

6.1 The application has been publicised by way of 2 site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 24      Objecting: 21    Supporting: 2    Comments: 1



6.2 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**

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

- Cramped development
- The development would be out of keeping with the character of the area
- Design inappropriate
- Inadequate spacing
- Limited garden space
- The development would dominate the street scene
- Prominent siting
- The development is not consistent with the existing building line
- Poor design
- Loss of privacy
- Visual intrusion
- Harm to the existing mature trees
- Garden infill development
- Precedent
- Inaccurate plans
- The house would not be accessible to disabled persons
- Inadequate parking
- The development would compromise highway safety

### **Support**

- The development would be a welcome addition to the site and would tidy it up
- The development would be unlikely to adversely affect road usage

## **7 MATERIAL PLANNING CONSIDERATIONS**

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

1. The principle of the development
2. The impact of the development upon the character and appearance of the surrounding area.
3. The standard of accommodation for future occupiers
4. The impact of the development upon the residential amenities of the adjoining occupiers.
5. The impact of the development upon the safety and efficiency of the highway network.
6. Other planning matters.

## Principle of development

- 7.2 Chapter 6 of the National Planning Policy Framework (NPPF) indicates that housing applications should be considered in the context of a presumption in favour of sustainable development and that it is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy 3.3 of the London Plan (2011) recognises the pressing need for more homes in London. Policy H2 of the Croydon Plan (2006) Saved Policies permit housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. Policy SP2.1 of the Croydon Local Plan: Strategic Policies (April 2013) states that in order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon the Council will apply a presumption in favour of development of new homes provided applications for residential development meet the requirements of Policy SP2 and other applicable policies of the development plan. Therefore, new residential development should only be permitted where the balance can be found between the provision of a dwelling, accompanied by a suitable landscape scheme, maintaining the character of the area and protecting the amenity of adjoining properties. Notwithstanding the history of refusals, there is no in principle objection to making the best use of land to provide a dwelling.

## The impact on the character and appearance of the area

- 7.3 Policy 3.5 of the London Plan requires housing development to be of the highest quality. Policies 7.1, 7.4, 7.5 and 7.6 state that development should make a positive contribution to the local character, public realm and streetscape. Policy SP4.1 of the Croydon Local Plan: Strategic Policies states that: "The Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. The Council will apply a presumption in favour of development provided it meets the requirements of SP4 and other applicable Policies of the development plan." Policy SP4.2a of the Croydon Local Plan: Strategic Policies also states that: "The Council will require development to be informed by the distinctive qualities, identity, topography and opportunities of the relevant places in Croydon". Policy UD2 and UD3 of the Croydon Plan (2006) Saved Policies also indicates that development proposal will be permitted provided they reinforce and respect the existing development pattern, plot and building frontage widths, height and proportion of the surrounding building.
- 7.4 Welcomes Road is mainly characterised by large detached houses and bungalows set in spacious plots. However, there are other smaller plots and small dwellings in the locality, some well established and some more recent. The plot sizes and the amount of space between buildings contribute positively to the distinctiveness and the attractiveness of the area. This is often due to the presence of trees and shrubs that have thrived near many of the boundaries, and this vegetation is important to the semi-rural sylvan character in the locality. The Metropolitan Green Belt opposite the site also adds to this quality.
- 7.5 Typically, the frontage width of properties in Welcomes Road is between 20-31m. However, the frontage width of the site is 10.2m between the boundary with No. 82

and the start of the corner leading into Simone Drive. The width increases to 16.4m where the bend Simon Drive is at it's widest, but then narrows to 11.6m at the boundary with No. 1.

- 7.6 As part of the most recent appeal decision (13/01125/P) the Inspector agreed with earlier Inspectors and dismissed the appeal. He stated "...*The properties in Welcomes Road vary in age, style and form. However, the general character of the area is made up of large detached dwellings, in generous plots, with significant tree cover and mature landscaping, generally screening the properties. Overall, the area has a spacious, semi-rural appearance...*". When commenting on the effects of development on existing and proposed planting opportunities he said "...*To accommodate any dwelling on the site, as indicated by the tree report, a large proportion of the central tree and shrub cover, although not formally protected, would be required to be removed. In addition, pruning of the boundary trees would be necessary. This would considerably open up the site to views and significantly increase the visual effect of any development on it.*" In regard to spacing to boundaries he commented the proposal "...*would also be more limited and there would be less opportunity for additional screen landscaping to take place to reduce the visual impact. The result, rather than providing diversity in the street scene, would, to my mind, be an incongruous and dominant form of development on this prominent corner. It would be wholly out of keeping with the surrounding houses, and would considerably intrude into the wider landscaped setting of the area.*" In terms of the design he felt that "...*attempting to avoid any harm to the occupiers of nearby properties. The result is a rather contrived unit, which would not be comparable to anything nearby. These drawings, therefore, reinforce my view that the scheme would represent an inappropriate infill development, where the visual harm would outweigh any resulting benefit from the provision of a new dwelling.*" In conclusion he stated "...*the development would be unduly harmful to the character and appearance of the area.*"
- 7.7 The history of proposals to form a house plot is extensive. Proposals have failed mostly on grounds of harm to the character of the area. However, elsewhere in Kenley new infill developments have taken place, and some have been in Welcomes Road. Against this background there is a pressing need for new homes against a policy requirement that housing development should be permitted within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas. The site has been vacant for many years, and is now untidy. Some residents have supported the development of this site and a greater number have opposed development. The issue, therefore, is whether any harm caused to character still outweighs the benefits of a new home at this site.
- 7.8 It is concluded that the proposal would go some way to address the previous Inspector's concerns, the dwelling being smaller, but not so small as to be uncharacteristic in the area. The design is much simpler, and overcomes the "contrived unit" criticism from the Inspector. Circumstances have changed locally, there having been new infill plots in the locality. A decision to support the proposal would be reliant on a robust landscaping scheme that would retain important existing vegetation and at the same time the opportunity taken to introduce new planting at those locations where the need is greatest. In those circumstances the new building would integrate into the locality without undue harm to the character.

- 7.9 Therefore, on balance, the proposal would comply with Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013), Policies UD2, UD3 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies and Policies 7.1, 7.4 and 7.6 of the London Plan 2011.

#### The impact on the residential amenities of the adjoining occupiers

- 7.10 Policy 3.5 of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context and to the wider environment. Policy 7.6 indicates that buildings and structures should not cause unacceptable harm to amenity of surrounding land and buildings. Policy UD8 of the Croydon Plan (2006) Saved Policies also requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies require development to respect and enhance character, to create sustainable communities and enhance social cohesion and wellbeing.
- 7.11 The layout of the proposed building and the degree of separation between the proposed building and the adjoining properties would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers. There would be some oblique overlooking as a consequence of the proposal, but it is not considered that this could have any significant impact on the adjoining occupiers. The Inspector dealing with the last appeal at the site raised no objection to possible impact on neighbouring occupiers.
- 7.12 It is considered that the proposal could comply with the objectives of Policies 3.5 and 7.6 of the London Plan and Policy UD8 of the Croydon Plan (2006) Saved Policies that seeks to protect existing occupiers from undue visual intrusion and loss of privacy.

#### Impact on parking demand and highway safety

- 7.13 Policy 6.13 of the London Plan indicates that a balance should be struck between promoting development and preventing an excessive parking provision. Policies T8 and T2 of the Croydon Plan (2006) Saved Policies respectively require development to make appropriate provision for car parking on site and to ensure that traffic generated does not adversely affect the efficiency of nearby roads.
- 7.14 The retention of the refurbished garage to provide two car parking spaces, and access are considered acceptable, and in accordance with the maximum car parking standards described in Appendix 2 of the *Croydon UDP*. Saved Policy UD13 of the Croydon Plan requires car parking and access arrangements to be designed to be safe, secure, efficient and well designed. The parking and access arrangements are considered acceptable.
- 7.15 It is therefore considered that the proposal would have no significant adverse impact on parking, pedestrian and highway safety.

#### The impact on the existing mature trees

- 7.16 Policy 7.4 of the London Plan (2011) indicates that development should improve an area's visual or physical connection with natural features and also contribute to a positive relationship between the urban structure and natural landscape features. Policy 7.21 of the London Plan (2011) also indicates that trees and woodlands should

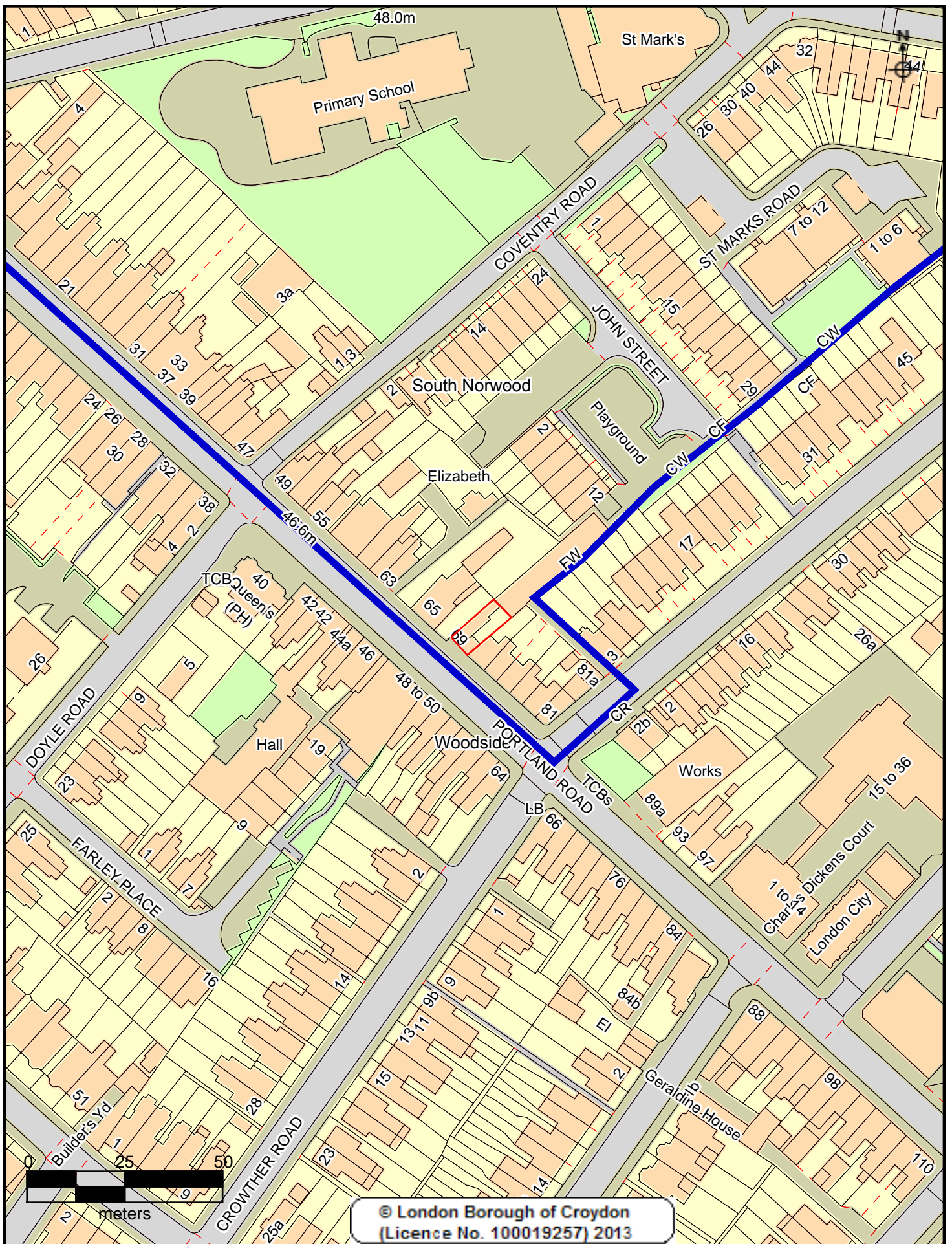
be protected, maintained and enhanced. Policy NC4 of the Croydon Plan (2006) Saved Policies requires that valued trees especially those protected by Tree Preservation orders are protected. Policy SP7.4 of the Croydon Local Plan: Strategic Policy seeks to enhance biodiversity across the borough.

- 7.17 There are a number of self-seeded trees and shrubs, together with a frontage Yew tree, and other trees overhanging the site. TPO (No. 178) applies to the site, is a blanket Order and introduced in 1964. It applies to both the site and No 82. It is unlikely that any of the trees at these two properties are protected. In that the trees are mostly self-seeded, they are not of sufficient merit to influence the proposal, so long as key frontage planting is retained and new planting opportunities are taken. Those trees within No 82 and next to the boundary have been heavily reduced over the years and some, where they overhang the site will need to be cut back. There is therefore no arboricultural objection to the proposal.

## **8.0 OTHER MATTERS**

- 8.1 The site is not within a Flood Zone, according to Environment Agency maps. However the site does fall within a 1 in 100 year Surface Water Critical Drainage Area. A House of Commons: Written Statement of 18th April 2014 specified that Local Planning Authorities should statutorily consult the relevant Lead Local Flood Authority to ensure that SUDs for the management of water run-off are put in place and are adequate. The Statement sets out that this only applies to major developments comprising of 10 or more dwellings, or an equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010. This application is not classified as a major development, given the proposal is for 1 unit. Therefore it is considered that SUDs details can be secured through a condition, along with building resilience measures to be incorporated into the building.
- 8.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.





**1 SUMMARY OF APPLICATION DETAILS**

Ref: 16/00329/P  
Location: 69 Portland Road, London SE25 4UN  
Ward: South Norwood  
Description: Retention of alterations to the shopfront  
Drawing Nos: A207 Sheet 7 A208 Sheet 8, Location Plan  
Applicant: Mr Singh  
Agent: Mr Tewari  
Case Officer: Nicola Townsend

- 1.1 This application is being reported to Planning Sub-Committee because objections above the threshold in the Committee Consideration Criteria have been received.

**2 RECOMMENDATION**

- 2.1 That the 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] as necessary:

**Informatives**

- 1) Retrospective Planning Permission
- 2) Removal of Site Notices
- 3) Any [other] informative(s)

**3 PROPOSAL AND LOCATION DETAILS**

**Proposal**

- 3.1 This planning application proposes:
- Retention of alterations to shopfront
  - Aluminium framed shopfront and rendered pilasters and fascia board

**Site and Surroundings**

- 3.2 Site is occupied by a two storey detached building with is located on the north–eastern side of Portland Road. The ground floor is in retail use with residential use at first floor level. The surrounding area predominantly comprises retail uses at ground floor level with residential flats over.
- 3.3 The site is designated as follows:
- Site lies within a Local Area of Special Character
  - Area of High Density
  - Portland Road is a Local Distributor Road

## Planning History

3.4 The following planning decisions are relevant to the application:

09/03994/P - Construction of replacement roof at rear; lowering of floor and installation of mezzanine floor – Permission Granted

11/02679/P - Use of part of ground floor as a place of worship – Permission Refused

14/00506/C – Planning enforcement investigation into the alleged removal of wall between the ground floor dwelling and the installation of a garage/workshop shutter and self-containment of the first floor flat. Planning enforcement notice issued on the 6<sup>th</sup> January 2015.

14/03214/P - Retention of first floor rear extension, new shopfront and security shutter – Permission Refused

3.5 On 6<sup>th</sup> January 2015, the Council instigated planning enforcement action against the unauthorised aluminium shop front, guide rail and security shutters, with the notice requiring the removal the shopfront, the security shutter and the shutter-box/guide rail. The subsequent planning enforcement appeal was dismissed and the enforcement notice upheld – with the notice requiring a 3 month compliance period.

3.6 The Planning Inspector made the following comments when dismissing the appeal:

*Looking first at the shutter, whilst this is perforated, when it is lowered it is detrimental to the street scene, obscuring the shopfront and thereby harming visual amenity as well as contributing to a hostile public realm. As to the shopfront behind it, this is of a utilitarian design, with materials which contribute little to the character and appearance of the host building or neighbouring buildings, and which relate poorly to the more traditional design and materials of the upper portion of the building*

3.7 16/02438/P – Use of ground floor for educational purposes – Permission Granted (Not Implemented)

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 Whilst the works proposed as part of this retrospective planning application do not cover all aspects of the planning enforcement notice requirements, the works to the pilaster and fascia boards and the installation of a more appropriate security shutter helps to ensure that the existing shopfront and shopfront surround contributes more positively to the appearance of the host property and the character and appearance of the immediate locality and the nearby South Norwood Conservation Area. Whilst the previous enclosing of the former archway was unfortunate, officers are satisfied that the re-instatement of this particular feature cannot be reasonable justified or required.

4.2 The revised security shutter arrangements renders the appearance of this property significantly less hostile and would be in general accordance with the Council's Shopfront Design Guide.



## 5 CONSULTATION RESPONSE

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

### LOCAL REPRESENTATION

5.2 The application has been publicised by way of site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 14      Objecting: 14      Supporting: 0

5.3 The following local groups/societies made representations

:

- The Norwood Society objecting

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

Summary of objections	Response
<i>Heritage</i>	
Damage to the historic character of the building particularly due to the loss of the arch	Whilst the site lies within an Area of Local Special Character, the alterations to the shopfront are considered acceptable.
Harmful impact upon the setting of the nearby conservation area	Officers consider that the development is in character with the area in which it is located and that the development does not result in harm to the adjoining conservation area
Poor design not in keeping with the existing property	Officers consider the development to be in accordance with the design and character of the property.
Unacceptable solid security shutter	The applicant has removed the solid shutters from the site and the application does not seek its retention
<i>Procedural</i>	
Request for unauthorised works to be investigated	Planning enforcement have an open enforcement investigation in relation to the development.

## 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 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.

6.2 The Council is in the process of a partial review of Croydon Local Plan CLP1.1 and producing detailed policies Croydon Local Plan 2 (CLP2), which will eventually replace the UDP. Both of these documents have now been submitted to the Secretary of State for Examination. As these document move towards adoption they will gain greater weight in the consideration of applications.

6.3 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:

- Requiring good design.
- Conserving and enhancing the historic environment

6.4 Consolidated London Plan 2015 (LP):

- 7.4 Local Character
- 7.6 Architecture

6.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP4.1 Urban Design and Local Character
- SP4.2 Urban Design and Local Character
- SP4.11 Character Conservation and Heritage
- SP4.12 Optimise Opportunities to enhance Heritage Assets
- SP4.13 Promote improvements to Heritage Assets

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

- UD2 Layout and Siting of New Development:
- UD3 Scale and Design of New Buildings
- UD4 Shopfront Design
- UC5 Local Areas of Special Character

6.7 CLP1.1 & CLP2

- DM12 Shopfront Design and Security

6.8 There is relevant Supplementary Planning Guidance as follows:

Supplementary Planning Document No.1 on Shopfronts and Shop Signs (SPD1) and Addendums.

## **7 MATERIAL PLANNING CONSIDERATIONS**

- 7.1 The main planning issues raised by the application that the Planning Sub Committee are required to consider are:
1. Impact on the visual amenity of the site and the street scene
  2. Inclusive design
  3. Impact on adjoining occupiers and highway users

### **Impact on the visual amenity of the site and the street scene**

- 7.2 The original shopfront included a stone archway which was removed when the alterations to the frontage were undertaken without the benefit of planning permission. This frontage was replaced with an aluminium shopfront; again without the benefit of planning permission. As can be seen from the planning history, the applicant sought to retain that shopfront through the submission of planning application (LBC Ref 14/03214/P) which was subsequently refused. In dismissing the appeal against the subsequent planning enforcement notice, the Planning Inspector commented as follows:

*As to the shopfront behind it, this is of a utilitarian design, with materials which contribute little to the character and appearance of the host building or neighbouring buildings and which relate poorly to the more traditional design and materials of the upper portion of the building.*

- 7.3 Whilst the loss of the arch to the original shopfront is regrettable, the Planning Inspector did not specifically refer to its loss in his appeal decision, but rather concentrated on the quality of the replacement. Following the 2016 enforcement appeal decision, the applicant has undertaken further works to the shop-front to seek to overcome the Council's and Planning Inspector's concerns.
- 7.4 The current proposal (which flows from the works that have been undertaken on site) seeks to retain the rendered pilasters and fascia and the red powder coated aluminium shopfront and associated panels. The previous security shutter, shutter box housing and guard rails have now been removed pursuant to the requirements of the planning enforcement notice. The shop front surround (now having been rendered) now matches the materials of the upper floors of the building and consequently has a more permanent and satisfactory relationship with the remaining elements of the building and the character of the immediate locality (especially bearing in mind the appearance of shop-fronts in the vicinity). Whilst the previous shutters have been replaced with alternative open grille-like shutters, this alternative installation (again captured by this planning application proposal) accords with guidance contained within SPG 2 outlined above and is acceptable and creates a less hostile feel in the vicinity of the application premises.
- 7.5 Whilst close to the South Northwood Conservation Area and visible from within the conservation area, the design of the shopfront would have a neutral impact on character and appearance.

### **Inclusive Design**

- 7.6 The proposal provides level access with the street and provides inclusive access in accordance with SPG 2 (Shopfront Design)

### **Impact on adjoining occupiers and highway users**

7.7 There would be no impact as a result of these works to the shopfront to adjoining occupiers or to those using the highway and adjacent footpath.

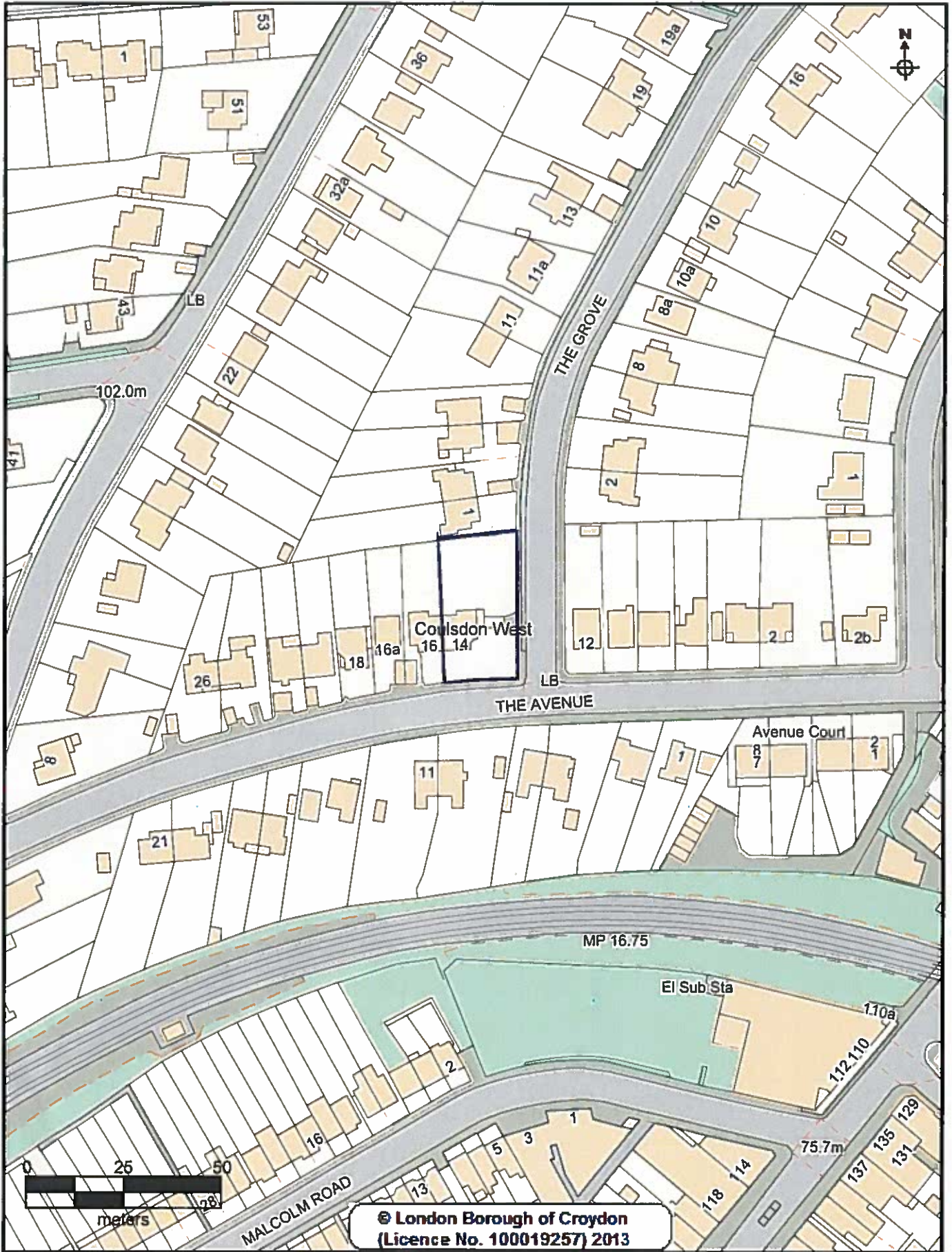
## **8 CONCLUSIONS**

8.1 The material considerations for the application are as follows;

- The shopfront is of an acceptable design and appearance in the context of the building, the street scene, the Local Area of Special Character in which it is located and the nearby South Norwood Conservation Area.
- The development includes level access and therefore accords with the principles of inclusive design.

8.2 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision.

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**1 APPLICATION DETAILS**

Ref: 16/03452/P  
 Location: 14 The Avenue, Coulsdon, CR5 2BN  
 Ward: Coulsdon West  
 Description: Erection of a four bedroom detached house with accommodation in the roofspace and basement parking; widening of vehicular access onto The Grove; and provision of new access onto The Avenue and parking for No 14 together with refuse storage facilities  
 Drawing Nos: MDL-2472-LP; MDL-2472-1; MDL-2472-2; MDL-2472-3; MDL-2472-4 Rev 1; MDL-2472-5 Rev 1; MDL-2472-6 Rev 1; MDL-2472-7 Rev 1;  
 Applicant: Mr and Mrs McCallum  
 Agent: Macdonald Design Ltd  
 Case Officer: Andy Day

1.1 This application is being reported to committee because the ward councillor (Cllr Jeet Baines) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

**2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- A residential development of this site is acceptable in principle.
- The proposal would respect the character of the area and the street scene.
- The siting and layout of the proposed building and the degree of separation between the existing dwellings and the proposed building would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers.
- The proposal would be acceptable with regards to the accommodation for future occupiers
- The proposal would have no significant adverse impact on parking demand and pedestrian and highway safety.
- The concerns about an earlier proposal, refused permission in 2010, have been overcome.

**3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 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:

**Conditions**

- 1) In accordance with plans
- 2) Finished floor levels, boundary treatments, cycle and refuse/recycling storage (donor property) to be submitted for approval
- 3) Matters to be provided as specified
- 4) Parking arrangements, visibility splays to be provided as specified
- 5) Materials to be submitted for approval

- 6) Hard and Soft Landscaping to be submitted for approval (to include SUDS)
- 7) Retention of existing planting
- 8) Tree protection to be carried out in accordance with scheme to be approved
- 9) Window restrictions
- 10) Removal of Permitted Development rights
- 11) Construction logistics plan to be submitted for approval
- 12) Water usage
- 13) 19% carbon reduction to be achieved
- 14) Commence within 3 years
- 13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) Community Infrastructure Levy (CIL) – Granted
- 3) Code of Practice on Construction sites
- 4) Individual crossovers must not exceed 3.6m in width
- 5) Any informative(s) considered necessary by the Director of Planning and Strategic Transport

3.3 Section 197 of the Town and Country Planning Act 1990 places a duty on Local Planning Authorities to ensure whenever appropriate when granting planning permission that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

4.1 The applicant seeks full planning permission for the:

- Erection of a four bedroom detached house with rooms in the roofspace and basement parking, with enlargement of vehicular access onto The Grove
- The proposal also includes the provision of a parking area for the existing property (No 14) with a new vehicular access onto The Avenue and accommodation of refuse collection facilities

4.2 This application follows the refusal of an earlier proposal in 2010 (10/02047/P) due to: (1) unsatisfactory relationship with the host property, causing harm to the street scene through siting, layout, massing and design; and (2) inadequate provision for parking for the host property. This application differs because;

- the level of the building has been increased so that the development would have a better transition between existing and proposed buildings
- the appearance of the building has been improved
- the depth of the building in relation to No 14 has been reduced
- more car parking has been introduced for the host property



Furthermore, in the period since 2010, other new infill plots have been permitted and built in the locality.

### **Site and Surrounding Area**

- 4.3 The application site is located on the northern side of The Avenue, at the junction with The Grove. The site is occupied by a large two storey semi-detached house, with single and two storey extensions to the side and rear and it is finished in white render with Tudor-boardings, under a plain tiled roof. Due to changes in ground levels, the existing house sits higher than the adjoining roads. The existing vehicular access is to The Grove. No 16 is the other of the semi-detached houses and 1 The Grove to the north of the site is on higher ground.
- 4.4 The Avenue and The Grove are residential roads containing mainly detached and semi-detached houses, of varying styles and period, and with a good number of infill plots over the years. The Avenue and The Grove have road restrictions and some on-street parking, and The Avenue is now on a bus route. The site is near Coulsdon Town Centre to the east.

### **Planning History**

- 4.5 The following planning decisions are relevant to the application:

10/02047/P: Erection of four bedroom detached house with accommodation in the roofspace; formation of vehicular access onto The Grove and provision of associated parking and refuse storage

**Refused** permission on grounds (1) unsatisfactory relationship with the host property, causing harm to the street scene, through siting, layout, massing and design, and (2) inadequate provision for parking for the host property.

## **5 CONSULTATION RESPONSE**

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

## **6 LOCAL REPRESENTATION**

- 6.1 The application has been publicised by way of 2 site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 13      Objecting: 11      Supporting: 2

- 6.2 The following Councillor made representations:

- Councillor Jeet Baines [objecting]

- 6.3 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**

- Too much building in the area
- Impact on safety at nearby junction of The Grove and The Avenue
- Adverse impact on parking provision in the area, which is already overstretched
- Detrimental to adjoining occupiers due to size and siting
- Loss of light
- Visual intrusion
- Loss of privacy
- Increase in traffic generation
- Noise and disturbance, including during the construction period
- Cramped form and out of keeping with street scene
- Overdevelopment in this small tight area, which has seen other recent developments
- Design and appearance of the building
- Effects on drainage and sewerage

## **Supporting**

- The development wouldn't add extra pressure in The Avenue
- There is enough space
- Parking will be incorporated
- Family house in character and matches other properties

## **7 MATERIAL PLANNING CONSIDERATIONS**

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

1. The principle of the development
2. The impact of the development upon the character and appearance of the surrounding area.
3. The standard of accommodation for future occupiers
4. The impact of the development upon the residential amenities of the adjoining occupiers.
5. The impact of the development upon the safety and efficiency of the highway network.
6. Other planning matters.

### **The principle of the development**

7.2 The National Planning Policy Framework (NPPF) requires planning applications to be determined with a presumption in favour of sustainable development. Chapter 6 of the NPPF indicates that housing applications should be considered in the context of a presumption in favour of sustainable development and that it is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

7.3 The London Plan (Consolidated with Alterations Since 2011) Policy 3.5 requires the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix;

and relationships with, and provision of, public, communal and open spaces. The Croydon Local Plan: Strategic Policy SP2.1 applies a presumption in favour of development of new homes. The Croydon Plan 2006 (Saved Policies 2013) contains Policy H2 which permits new housing development if it respects the character of residential areas.

- 7.4 Given that the site is located within a residential area, the principle of the development can be accepted provided that the proposal respects the character and appearance of the surrounding area, there are no other impact issues and the earlier grounds for refusal can be overcome.

**The impact of the development upon the character and appearance of the surrounding area.**

- 7.5 The London Plan (Consolidated with Alterations Since 2011) Policy 3.5 addresses the “spaces between and around buildings; urban layout; enclosure; ensuring homes are laid out to form a coherent pattern of streets and blocks; public, communal and private open spaces and the ways these relate to each other and neighbourhoods as a whole”. London Plan Policies 7.4 and 7.6 require planning decisions to have regard to local character and for development to comprise details and materials that complement, not necessarily replicate the local architectural character. CLP: SP Policy SP4 concerns Urban Design & Local Character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon’s varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. The Council will apply a presumption in favour of development provided it meets the requirements of Policy SP4 and other applicable policies of the development plan. Saved Policies UD2 and UD3 of the Croydon Plan 2006 (Saved Policies 2013) require the siting, layout and form of new development to respect the character and appearance of existing areas. Saved Policy UD14 of the Croydon Plan 2006 Saved Policies states that all landscape associated with new development should be considered as an intrinsic part of the overall design concept.
- 7.6 This part of west Coulsdon contains a mixture of housing types and designs, built over different periods in a sustainable location close to Coulsdon Town Centre. There are infill plots nearby in The Grove, The Avenue, South Drive and Woodcote Grove Road. Many of the properties have garages or hardstandings’ for parking at the front. These features contribute to the current character of the area.
- 7.7 The plot frontage width for the new house would be around 9m wide, leaving approximately 9.5m frontage for the existing house. There would be 2m between the existing and proposed houses and a minimum 1.4m between the new house and the boundary with The Grove. The ridge height represents a transition from Nos 14 and 16 down to No 12 on the other side of The Grove. The width of the proposed building would be similar to the widths of the main dwellings at Nos 14 and 16, and the design would be similar to these same adjoining buildings. In their revised form the hard surfacing such as driveways, retaining walls and refuse storage facilities have been reduced to be more in keeping and less prominent in the street scene.
- 7.8 The latest submission has sought to address previous street scene and character of the area concerns. 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 respecting local character.

### **The standard of accommodation for future occupiers**

- 7.9 With regard to the layout of the proposed dwelling the bedrooms would be located above the lounge and reception areas. This is a typical layout for a house of this size and design and is considered acceptable for a single household. The floorspace and layout for the proposed dwelling would be in accordance with National Standards and London Plan Policy 3.5 and Policy H7 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013.
- 7.10 With regard to amenity space, Policy UD8 (Residential Amenity) of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 requires the provision of amenity space that 'respects the character of the surrounding area and provides an amenity area for residents'. Family homes of this size must provide high quality amenity space of an adequate size. There would be a small patio at the rear of the house, with rising ground thereafter, to be personalised by the occupiers, but substantial in area (some 180 sq.m.) suitable for lawn if necessary and similar in size to other gardens nearby. It is therefore considered that the amenity space provided is acceptable.

### **The impact of the development upon the residential amenities of the adjoining occupiers.**

- 7.11 The London Plan (Consolidated with Alterations Since 2011) Policy 7.6 Architecture states amongst others that development should,
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- 7.12 Policy UD2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 states that development proposals will be permitted provided that they allow adequate daylight and sunlight to penetrate into and between buildings. While Policy UD8 states that "Privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy..." and will have regard to the "maintenance of sunlight or daylight amenities for occupiers of adjacent properties".
- 7.13 The proposed building would be approximately 21 metres from 1 The Grove and 16 metres from the side wall of 12 The Avenue. It would also be 24 metres from 9A The Avenue, the new house opposite the site on the other side of the road. The layout and siting of the proposed building and the degree of separation between the neighbouring dwellings would be sufficient to ensure there would be no undue impact on the residential amenities of the adjoining occupiers. Harm to the amenities of neighbouring occupiers was not a reason cited for refusal in the earlier scheme (10/02047/P).
- 7.14 There are no objections on residential amenity grounds and the proposal is compliant with the relevant policies.

### **The impact of the development upon the safety and efficiency of the highway network**

- 7.15 London Policy 6.13 sets out parking standards. SP8.17 of the Croydon Local Plan: Strategic Policies seeks to ensure that there is an appropriate level of car parking. Policies T2 and T8 of the Croydon Plan 2006 Saved Policies concerns traffic

generation and parking standards. Policy UD13 states that car and cycle parking must be designed as an integral part of the scheme...and should be safe, secure, efficient and well designed.

- 7.16 The application site is located within an area with a PTAL rating of 3 which indicates a moderate level of accessibility to public transport links. The development would incorporate parking for two cars for each of the proposed and existing dwellings. This level of parking is considered acceptable and overcomes the previous grounds for refusal.
- 7.17 There are yellow line road restrictions on the corner, at the junction, and a mixture of yellow lines and on-street parking spaces elsewhere on the two road frontages. Some on-street parking spaces would be affected by the proposed access points. The Avenue is also on a bus route. Given the low level increase in vehicle movements as a result of the development it is not considered that this would harm the safety and efficiency of the highway network.
- 7.18 A demolition and construction logistics plan (including a construction management plan) would be controlled through a planning condition in accordance with Policy EP1 Croydon Plan 2006 Saved Policies.

### **Other Planning Issues**

- 7.19 Croydon Local Plan: Strategic Policies, Policy SP6.3 (Sustainable design and construction) and the London Plan requires all new build housing to achieve high levels of sustainability. This will be secured through planning condition.
- 7.20 The site is not in a Flood Zone, according to Environment Agency maps. However the site does fall within a 1 in 100 year Surface Water Critical Drainage Area. A House of Commons: Written Statement of 18th April 2014 specified that Local Planning Authorities should statutorily consult the relevant Lead Local Flood Authority to ensure that SUDs for the management of water run-off are put in place and are adequate. The Statement sets out that this only applies to major developments comprising of 10 or more dwellings, or an equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010. This application is not classified as a major development, given the proposal is for 1 unit. Therefore it is considered that SUDs details can be secured through a condition, along with building resilience measures to be incorporated into the building.

### **Conclusions**

- 7.21 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.



94 Higher Drive  
 Location Plan  
 15.04.14  
 1:1250 @ A3  
 drawing# 479/101B

revision #  
 A - Boundary amendment  
 B - 94 Higher Drive building footprint relocated on the site

revision date  
 18.06.14  
 19.09.14

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**1 APPLICATION DETAILS**

Ref: 16/05512/FUL  
Location: 94 Higher Drive, Purley, CR8 2HJ  
Ward: Kenley  
Description: Installation of a new standby generator within the existing storage building located underneath the bin storage area  
Drawing Nos: 479/101B, 479/103A, JGA138, 479/1810E, 479/181E, 479/182E, and 479/183  
Agent: Paul Britton  
Applicant: Mr Terry McGranaghan  
Case Officer: John Asiamah

- 1.1 This application is being reported to Committee because the Ward councillor (Councillor O'Connell) and the Residents' Association have made representations in accordance with the Committee consideration criteria and they have requested Planning Committee consideration. Objections above the threshold in the Committee Consideration Criteria have also been received.

**2 RECOMMENDATION**

- 2.1 That the 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:

**Conditions**

- 1) The development to be implemented in accordance with the approved plans
- 2) Submission of noise assessment (to include and additional mitigation if necessary)
- 3) Noise from all plant and machinery should not increase background noise levels (when measured at the nearest sensitive premises) except in emergency use or periodic testing
- 4) The periodic testing shall be limited to a maximum of 5 minutes every 2 weeks, to be conducted within the hours 09:00 and 17:00
- 5) Time limit of 3 years
- 6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

## **Informatives**

- 1) Site Notice removal
  - 2) Any other informative(s) considered necessary by the Director of Planning and Transportation
- 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 PROPOSALS AND LOCATION DETAILS**

### **Proposal**

- 3.1 Full planning permission is sought for:
- Installation of a new standby generator within the existing storage building located underneath the bin storage area
- 3.2 The generator would be for emergency use only, so would potentially be used on a very limited basis.

### **Site and Surroundings**

- 3.3 The site is located on the south-western side of Higher Drive and comprises part of the parking area of 92 Higher Drive and the site at 94 Higher Drive. 94 Higher Drive is situated on the corner with Highland Road. Opposite the site to the north-east is Foxley Wood, a site of Nature Conservation Importance and a Local Nature Reserve, and Higher Drive Recreation Ground which is designated as Local Open Land. The boundaries of the recreation ground are lined with mature trees.
- 3.4 94 Higher Drive was previously occupied by a detached house. This has now been demolished and works in relation to planning permission 14/02251/P have commenced on site. 92 Higher Drive is occupied by a single/two storey building, in use as a 30 bed specialist care home since 2011.
- 3.5 The land falls steeply from east to west. The adjoining dwelling to the rear (26 Highland Road) is sited on significantly lower ground. This property is a large bungalow orientated facing south-east with a garage sited along its north-eastern boundary with the application site. The wider vicinity is residential in character and defined by mainly detached houses of varying styles.

### **Planning History**

- 3.6 There is very detailed history, including a large number of historical refusals. The following are recent planning decisions on the site of most relevance:



## **92 Higher Drive**

09/00243/P: Application for demolition of existing building; erection of single/two storey building with accommodation in roof space to provide a 30 bed specialist residential care home; formation of vehicular access and provision of 7 parking spaces.

**Refused** on grounds of overdevelopment, out of keeping with development pattern, harm to character and appearance of locality and street scene (layout, size, mass, spacing relationships), detrimental to safety and efficiency of highway (inadequate car parking), detrimental to living conditions of adjoining occupiers (dominance and visual intrusion).

A subsequent appeal was allowed and the permission has been implemented.

## **94 Higher Drive**

11/00403/P: Application for demolition of existing dwelling house; erection of a single/two storey building with roofspace accommodation comprising a 22 bed specialist residential care home with associated vehicular access, 7 parking spaces and refuse/plant room.

**Refused** on grounds of the cumulative impact of the development together with the development at 92 Higher Drive, causing harm to the character of the area, the visual amenity of the street scene and the living conditions of adjoining and neighbouring occupiers by reason of siting, massing, general activity and disturbance, and inadequate on-site parking giving rise to cumulative on-street parking to the detriment of safe highway conditions.

A subsequent appeal was dismissed on highway grounds, whereby the on-site parking for the scheme was considered inadequate, leading to material safety concerns on the highway.

11/02875/P: Application for retention of generator, retaining walls and a building containing meter housing and erection of enclosures around meter housing, refuse and generator to serve 92 Higher Drive.

**Refused** on grounds of the impact on the character of the area only.

A subsequent appeal was dismissed on grounds of the impact on the character and the Inspector additionally considered that the potential noise generated would be inconsistent with acceptable living conditions of neighbours.

12/02602/LP: Application for erection of a brick built wall [1000mm high x 1000mm wide] on top of graded earthworks to accommodate the electricity meter serving both Highfield House (92 Higher Drive), and the intended proposal for development of 94 Higher Drive.

**Refused** on grounds that the proposal would constitute development and the proposed wall would not form a means of enclosure.

14/02251/P: Application for erection of a single/two storey linked building with roof space accommodation comprising an additional 18 bed residential care home in connection with existing use in adjoining building; provision of associated vehicle access, 14 parking spaces and water container.

**Approved.** The permission is being implemented.

16/00659/P: Erection of a single/two storey linked building with roof space accommodation comprising an additional 18 bed residential care home in connection with existing use in adjoining building; provision of associated vehicle access, 14 parking spaces and water container (without compliance with condition 1 – built in accordance with approved plans – attached to planning permission 14/02251/P). The variation related to the lift shaft.

**Approved**

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

- The standby generator would be housed within the existing structure and would not have a harmful impact on the character and appearance of Higher Drive.
- The proposal would, subject to conditions, have an acceptable impact on the residential amenities of the adjoining occupiers.
- The proposal is materially different to the previous scheme (11/02875/P) refused and dismissed on appeal.

#### **5 CONSULTATION RESPONSE**

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

5.2 The following were consulted regarding the application:

##### **Pollution Team**

- No objection. Noise from all plant and machinery should not increase background noise levels (when measured at the nearest sensitive premises) except in emergency use or periodic testing (OFFICER COMMENT: conditions are recommended)

## 6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of site notices displayed on and around the application site. The number of representations received from neighbours and local groups in response to publicity of the application were as follows:

No of individual responses: 12    Objecting: 12    Supporting: 0

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

<b>Summary of objections</b>	<b>Response</b>
<i>Character and appearance</i>	
The development is not in keeping with the area	The generator would not be visible from outside
<i>Scale and massing</i>	
Overdevelopment	No additional floorspace or building is proposed
<i>Parking</i>	
Insufficient parking	The proposal would not affect the approved parking arrangements
<i>Highway safety</i>	
The access is not acceptable for refuelling vehicles	The approved access arrangements would not be compromised by the proposal
Detrimental impact on highway safety	The parking and access arrangements would not be affected by the proposal
<i>Pollution</i>	
Excessive noise	The pollution team have no objection to the proposal as it is for emergency use only
The proposal is similar to the previously refused scheme	The siting of the current proposal is materially different to the previously refused scheme
<i>Non-material issues</i>	
Fire hazard	Not a material planning consideration

6.3 Councillor O'Connell has made the following representations:

- Excess noise in residential area

- Impact of noise and fumes
- Possible fire hazard
- Not in keeping with area
- Impact on road safety
- Overall an unacceptable incremental increase in size.

## **7 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) and the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP).

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

7.3 Consolidated London Plan 2015 (LP):

- 7.1 Lifetime neighbourhood
- 7.14 Improving air quality
- 7.15 Improving and managing noise

7.4 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP4.1 Local Character

7.5 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013:

- EP1 Control of Potentially Polluting Uses
- UD8 Protecting residential amenity

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

1. The impact on the character and appearance of the area
2. The impact on the residential amenities of the adjoining occupiers

### **The Impact on the Character and Appearance of the Area**

- 8.2 The storage building would be set below ground level beneath the bin store on the south-eastern side of the site and would be screened by trees. Given the siting, size, siting and the change in land levels, the development would not be visible from outside the site and would not detract from the appearance of the street scene.
- 8.3 In the previously dismissed scheme (11/02875/P), the Inspector considered that: *“When accompanied by the compound surrounding the generator and intended clinical refuse, the proposal overall takes on a clearly institutional character. Furthermore, as the revised details of ground levels make clear, until the surrounding hedge grows to a sufficient height and density the relationship between refuse compound level, screen fence height and footway level would leave a clear view of the generator and the refuse containers over the top of the fence. This potentially unpleasant view would be to the detriment of the appearance and character of the area.”*
- 8.4 In the current proposal, the generator would be sited in a storage building beneath the bin store located to the side of the site and screened by existing planting. Consequently, it is concluded that the proposal would not have harmful impact on the character and appearance of the street scene.

#### **The Impact on the Residential Amenities of the Adjoining Occupiers**

- 8.5 Given the location of the proposed generator, the critical residential properties to consider are those with Higher Drive to the south and properties within Highland Road. The proposal would be over 20m from the nearest residential house at 96 Higher Drive and approximately 15m from 26 Highland Road. It would be set below ground level and would be screened by the existing trees.
- 8.6 In the previously dismissed scheme (11/02875/P), the Inspector considered that: *“The Council’s statement suggests that this matter could be dealt with by a condition limiting noise emissions to an acceptable level measured on the boundary of the nearest residential property. There is no information to indicate what measures would need to be taken to comply with such a condition but they would undoubtedly involve a change to the nature and appearance of the enclosure surrounding the generator. Since, as noted above, this is a matter which leads me to dismiss the appeal in any event, it would not be acceptable to leave uncertain the details of what would need to be done.”* Further, the Inspector indicated that *“In the absence of any details of how the noise of the generator would be successfully limited to levels acceptable in a residential area, I must conclude that its effects would be inconsistent with acceptable living conditions of neighbours”*.
- 8.7 The Council’s Environmental Health Team have raised no objection, subject to noise from all plant and machinery not increasing beyond background noise

levels (when measured at the nearest sensitive premises) except in emergency use or periodic testing. This would be secured by a condition.

- 8.8 There are critical differences between the 11/02875/P refusal and this scheme. The 11/02875/P scheme was to the Higher Drive frontage, at grade in the open air, surrounded by a close-boarded fence. Furthermore, there was no understanding of what 'periodic testing' meant in terms of frequency or hours.
- 8.9 The current scheme would be down the side of number 94, contained in an existing brick enclosure that already has consent, at a low level. The machinery would be much better attenuated to avoid disturbance to sensitive receptors. Furthermore, the periodic testing has been defined as a maximum of 5 minutes every 2 weeks, to be conducted within the hours 09:00 and 17:00. Critical is this would not be in unsociable hours. Therefore a combination of better attenuated location, control over when the periodic testing would take place and no objections from the Environmental Health team, results in a scheme that officers can support.
- 8.10 Consequently, it is concluded that the proposal would be acceptable in relation to the impact on the residential amenities of the adjoining occupiers.

### **Other Planning Matters**

- 8.11 Third party representations against the proposal include concerns about unsafe access for refuelling vehicles, increase in parking demand and harm to highway safety. However, no change of use or increase in the number of bedrooms within the unit is proposed. Furthermore, the access and parking arrangements would remain as previously approved.

### **Conclusions**

- 8.12 Planning permission should be granted for reasons set out above.
- 8.13 All other relevant policies and considerations, including equalities, have been taken into account.