

# 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, Joy Prince, plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Thursday 9th March 2017 at the rise of Planning Committee but no earlier than 8pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS-BAKER  
Acting Council Solicitor and Acting  
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28 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 MARGOT ROHAN 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: <http://secure.croydon.gov.uk/akscroydon/mobile> - Select 'Meetings' on the opening page.

## **AGENDA - PART A**

- 1. Apologies for absence**
- 2. Minutes of the meeting held on Thursday 23rd 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 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

Recommendation: Grant permission

**6.2 16/05850/FUL 770A London Road, Thornton Heath CR7 6JB**

Construction of first floor and conversion to provide 2 one bedroom Flats

Ward: West Thornton

Recommendation: Grant permission

**6.3 17/00216/HSE 13 Tindale Close, South Croydon CR2 0RT**

Erection of two storey side extension and single storey front extension, extension to decking

Ward: Sanderstead

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 23rd February 2017 at 10:10pm 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 Kathy Bee, Luke Clancy and Jason Perry

(N.B. At 9:46pm Planning Sub-Committee was commenced and the guillotine waived. The meeting was then adjourned at 9:47pm in order to complete Planning Committee)

Also present: Councillor Jeet Bains

#### **A16/17 Minutes of the meeting held on Thursday 9th February 2017**

**RESOLVED** that the minutes of the meeting held on Thursday 9 February 2017 be signed as a correct record.

#### **A17/17 Disclosure of Interest**

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

#### **A18/17 Urgent Business (if any)**

There was none.

#### **A19/17 Exempt Items**

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

#### **A20/17 Planning applications for decision**

##### **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

Ms Peter Knight spoke in objection of the application  
Mr Nigel Haigh spoke in support of the application

After the Committee considered the officer's report and addendum, Councillor Jason Perry proposed and Councillor Luke Clancy a motion for **REFUSAL**, on the grounds of overdevelopment and not fitting with the character of the area, and the Committee voted 2 in favour, 3 against, so this motion fell.

The Committee then voted on a second motion supporting the officer's recommendation for **APPROVAL**, proposed by Councillor Humayun Kabir and seconded by Councillor Kathy Bee, and the Committee voted 3 in favour and 2 against, so permission was **GRANTED** for development at land adjacent to 82 Welcomes Road, Kenley, CR8 5HE

### **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

Mr Paul Richards spoke in objection to the application

After the Committee considered the officer's report, Councillor Humayun Kabir proposed and Councillor Kathy Bee seconded the officer's recommendation and the Committee voted 3 in favour and 2 against, so permission was **GRANTED** for development at 14 The Avenue, Coulsdon, CR5 2BN.

A second motion for **REFUSAL** proposed by Councillor Luke Clancy and seconded by Councillor Jason Perry on the grounds of overdevelopment and road safety in the area fell.

### **6.2 16/00329/P 69 Portland Road, London, SE25 4UN**

Retention of alterations to shopfront.  
Ward: South Norwood

After the Committee considered the officer's report, Councillor Paul Scott proposed and Councillor Kathy Bee seconded the officer's recommendation and the Committee voted unanimously in favour (5), so permission was **GRANTED** for the retention of alterations to shopfront at 69 Portland Road, London, SE25 4UN.

### **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

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 Humayun Kabir

seconded the officer's recommendation and the Committee voted unanimously in favour (5), so permission was **GRANTED** for the installation of a new standby generator at 94 Higher Drive, Purley, CR8 2HJ.

### **MINUTES - PART B**

None

The meeting ended at 10:36pm

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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**

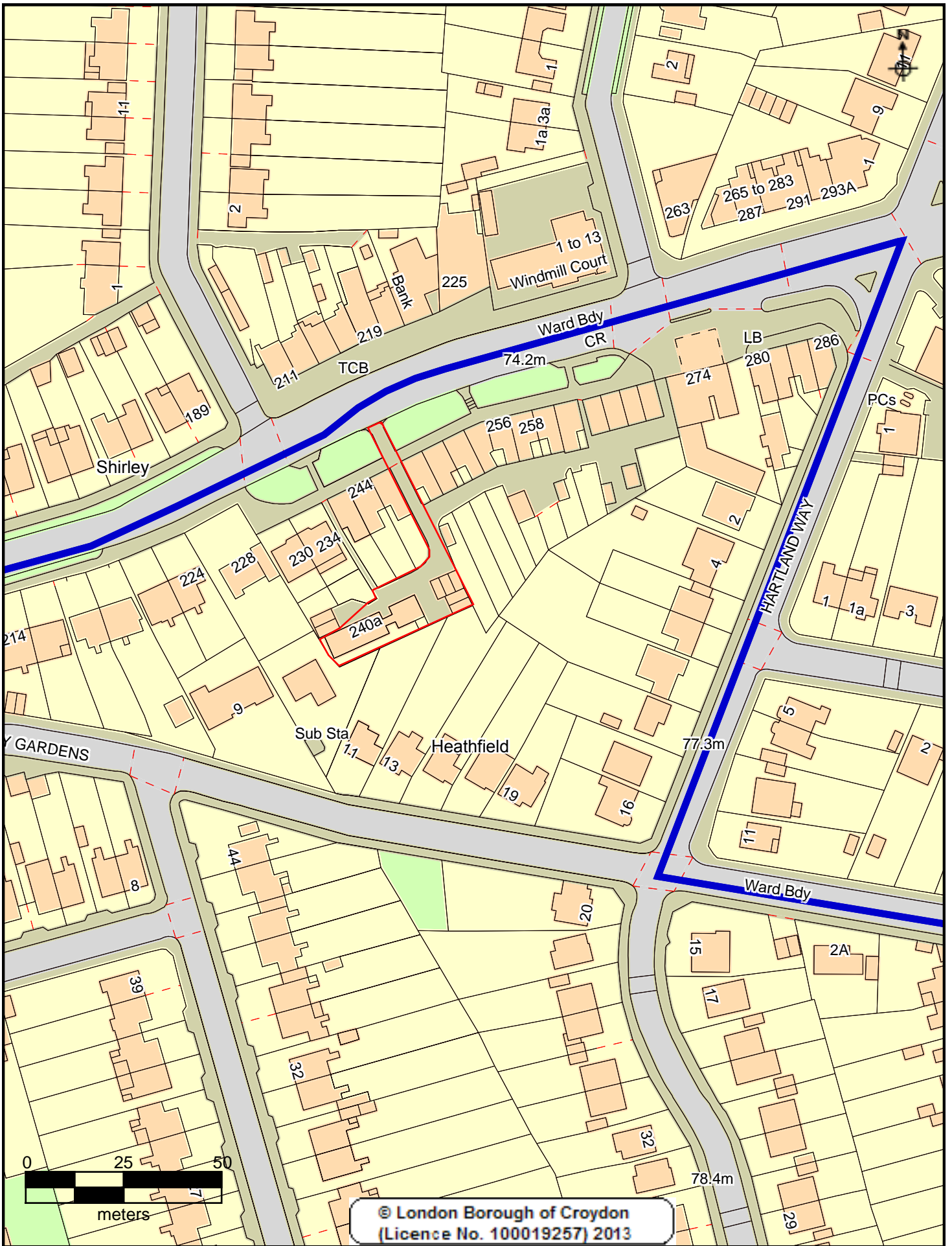
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

#### **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.



**1 APPLICATION DETAILS**

Ref: [16/05868/FUL](#) (*Links to associated documents on the Planning Register*)  
Location: 240A Wickham Road, Croydon, CR0 8BJ  
Ward: Heathfield  
Description: Erection of part single/two storey side and first floor extension and flat roof single storey link extension  
Drawing Nos: W214.I/H/00, E-W214.3-V-14/1, E-W214.3-V-14/2, E-W214.3-V-19/7 and E-W214.3-V-19/8  
Agent: Richard Turnball, FullerLong Limited  
Applicant: Fox Umbrella  
Case Officer: John Asiamah

**2 BACKGROUND**

- 2.1 This application was first reported to Planning Committee on 9<sup>th</sup> February 2017. The Committee resolved to defer the application in order to allow Members of the Planning Committee to attend a site visit, which took place on the 27<sup>th</sup> February 2017.
- 2.2 The original report is attached to this agenda.

**3 SCHEME AMENDMENTS**

- 3.1 Following the Committee site visit on the 27<sup>th</sup> February 2017, members enquired about the height and the style of the windows on the proposal at the rear (south elevation) of the site. Members questioned whether these windows could be made more narrow and high level units on the basis that they serve a storage/staff room area, which could reduce the level of perceived overlooking from the site.
- 3.2 The applicant took these points on board and made the requested amendments to the scheme, with the rear windows shown as high level and showing the windows in the front elevation to be top hung.

**4 CONSULTATION RESPONSE**

- 4.1 No further representations have been received following the deferral for the site visit.

**5 FURTHER ADVICE ON MATERIAL PLANNING CONSIDERATIONS**

- 5.1 As with the previous report the main issues associated with the application are a) impact on the character and appearance of the area; b) impact on the residential amenities of the adjoining occupiers; and c) impact on parking

demand and highway safety. These are addressed in the original report which has been appended to this agenda.

- 5.2 In respect to the impact on the residential amenities it is prudent to draw members' attention to the previous planning history at the site and in particular the two dismissed planning appeals.

15/00653/P

- 5.3 The scheme was refused for two reasons a) effect on character and appearance of the area; and b) effect on the living conditions of neighbours with regard to outlook and privacy.

- 5.4 In dismissing the appeal the Inspector only cited the poor quality of the proposed extension on the character and appearance and not the impact on residential amenity as the sole ground for dismissal. The dismissed scheme was based on the unrelieved scale and mass of the resulting building, which he opined would cause considerable harm to the character and appearance of the area. Importantly, despite being a larger scheme than that proposed here, the Inspector found that the impact on the residential amenity was acceptable.

- 5.5 In reaching this decision the Inspector considered the impact on the living conditions of the surrounding residents including 230 to 236 Wickham Road; 11A West Way Road and 11 and 13 West Way Road. In respect to 230 to 236 Wickham Road the Inspector considered the use of obscured glazing and the fact that the windows were sufficiently far away not to be overbearing. Similarly in respect to the bungalow at 11A West Way Road the set away from the side boundary the outlook from within the rear garden would not be adversely affected to a significant degree. In respect to 11 and 13 West Way Road the Inspector considered the proposal would not be so close to be overbearing. As such the larger and unrelieved scheme was found to be satisfactory in respect to the living conditions of the occupiers of the surrounding dwellings.

16/00328/P

- 5.6 The second appeal was dismissed purely on the grounds of the impact on the character and appearance of the area, despite being a smaller scheme than originally proposed. The Inspector dismissed on character grounds, but importantly again found no harm to the living conditions of neighbours.

- 5.7 In respect to living conditions and residential amenities of the surrounding area, the current scheme is smaller than the two previous schemes and following amendments and subject to conditions securing obscured glazing, is acceptable.

## **6 RECOMMENDATION**

- 6.1 That the Committee resolve to GRANT planning permission subject to the conditions and informatives set out in 3.2 of the original report.

6.2 That the Committee confirms that its reasons for granting Planning Permission are as set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS of the original report.

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## **PREVIOUS REPORT**

### **PLANNING SUB-COMMITTEE AGENDA**

9<sup>th</sup> February 2017

### **PART 6: Planning Applications for Decision**

## **Item 6.3**

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#### **1 APPLICATION DETAILS**

Ref: 16/05868/FUL  
Location: 240A Wickham Road, Croydon, CR0 8BJ  
Ward: Heathfield  
Description: Erection of part single/two storey side and first floor extension and flat roof single storey link extension  
Drawing Nos: W214.1/H/00, E-W214.3-V-14/1, E-W214.3-V-14/2, E-W214.3-V-19/7 and E-W214.3-V-19/8,  
Agent: Richard Turnball, FullerLong Limited  
Applicant: Fox Umbrella  
Case Officer: John Asiamah

- 1.1 This application is being reported to Committee because the ward councillor (Cllr Jason Cummings) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee Consideration and objections above the threshold in the Committee Consideration Criteria have been received.

#### **2 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

- The proposal would not have an unduly harmful effect on the character of the area or the appearance of the area.
- The proposal would, on balance, have an acceptable impact on the residential amenities of the adjoining occupiers.
- The proposal would have no significant adverse impact on parking, pedestrian and highway safety.

#### **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) Development implemented in accordance with the approved plans

- 2) No windows in the south-western and south-eastern elevations other than as specified in the application
- 3) The first floor windows in the south-eastern elevation to be fixed-shut and obscure-glazed
- 4) Noise assessment and mitigation measures
- 5) Submission of sustainable drainage details
- 6) Materials to match the existing
- 7) Time limit of 3 years
- 8) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

### **Informatives**

- 1) Community Infrastructure Levy.
- 2) Site Notice removal
- 3) Code of Practice – Construction Sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **4 PROPOSALS AND LOCATION DETAILS**

### **Proposal**

4.1 Full planning permission is sought for:

- Erection of single/ two storey side and first floor extension and creation of a flat roof single storey link extension

4.2 The overall depth of the proposed development be approximately 17.4m in width, 8.8m in depth and 7-7.2m in height. The proposed additions would be used for storage and workshop.

4.3 The proposal is amendment to a previously refused scheme (16/00328/P). The amendment involves a break between the proposed addition and the existing building at first floor level.

### **Site and Surroundings**

4.4 The application site is located on the southern side of Wickham Road and at the rear of number 230 to 244 Wickham Road. The site is occupied by a detached light industrial building.

4.5 The surrounding area is mix in character and is made up of commercial units. There is no direct policy constraint on the site but it adjoins Local Centre and Primary Shopping Area as identified in the Croydon Local Plan Proposal Map.

### **Planning History**

#### 4.6 The following are recent planning decisions on the site:

- 59/668: Planning permission was granted on appeal in 1959 for warehouse building.
- 03/01281/P: Planning permission was granted in December 2003 for demolition of a workshop building, garage and hardstandings; Alterations and new entrance to remaining building; Erection of single storey extension with mezzanine storage area above comprising of 2 business units within Class B1 (business); Provision of 5 parking spaces.
- 05/04599/P: Planning permission was granted in January 2006 for demolition of a workshop building, garage and hardstandings; Alterations and new entrance to remaining building; Erection of single storey extension with mezzanine storage area above comprising of 2 business units within Class B1 (business); Provision of 5 parking spaces. This permission has been implemented.
- 14/00243/P: Planning permission was granted in May 2014 for erection of two storey side extension including use of new roof space and alterations to existing parking. This permission has been implemented.
- 15/00653/P: Application for planning permission for the erection of two storey side extension was refused in May 2015. Refused on grounds of: (1) harm to the character and appearance of the locality and detrimental to the visual amenity of the street scene; and (2) harm to the residential amenities of the adjoining occupiers.

**Appeal dismissed** on grounds of harm to the character and appearance of the area.

- 16/00328/P: Application for planning permission for the erection of two storey side extension was refused in May 2015. Refused on grounds of: (1) harm to the character and appearance of the locality and detrimental to the visual amenity of the street scene.

**Appeal dismissed** on grounds of harm to the character and appearance of the area.

## 5 CONSULTATION RESPONSE

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

## 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: 46    Objecting: 34    Supporting: 11

No of petitions received:    1    objecting containing    66 signatories

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:

### **Objecting**

- The proposal is similar to the previous schemes which were refused and dismissed at appeal
- Not in keeping with the area
- Overdevelopment
- Poor design
- Loss of light
- Loss of privacy
- Detrimental impact on trees
- The proposal is contrary to national and local policies
- Visual intrusion
- Noise and disturbance
- Increase in parking demand
- The amendments are not sufficient
- The development is not appropriate for the area
- Detrimental impact on the surrounding highway
- Obstruction by delivery vehicles

### **Supporting**

- The proposal would provide jobs
- The proposal would create jobs
- The proposal would benefit the employees
- Positive impact on the area
- The proposal respect and protect the amenities of the adjoining occupiers
- The proposal would provide quality accommodation for staff
- The proposal is an improvement compared to the previous schemes

## **7 MATERIAL PLANNING CONSIDERATIONS**

- 7.1 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
  3. The impact on parking demand and highway safety

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

- 7.2 Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan indicate that development should make a positive contribution to the local character, public realm and streetscape. Policy SP1.1 of the Croydon Local Plan: Strategic Policies indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 also require development to be of a high quality which respects and enhances local character. 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.
- 7.3 The site is situated at the rear of properties fronting Wickham Road and West Way Gardens but it is visible from both roads. There have been substantial additions to the existing property over the years. It occupies the full width of the site. The western half of the building, at a single storey in height and slightly shorter depth, is subservient in scale to the two storey eastern half of the building. As a result, in scale and form the building fits in with the area.
- 7.4 The proposal is amendment to a previously refused scheme (16/00328/P). The current proposal involves a break between the proposed addition and the existing building at first floor level and a reduced ridge height. The gap at first floor level and the reduced ridge height would break down the mass and ensure that the scale of the overall building does not dominate its surroundings.
- 7.5 In the previously dismissed scheme (16/00382/P), the Inspector considered that: *“The massing of the proposed extension when viewed from the rear would be more successfully articulated with a clear and material break about half way along, as the ridge would drop by 900mm along with a setback at first floor. However, no clear set back is proposed where the extension would join the host building as the roof plane and wall would run seamlessly through. The only articulation would be the 200mm drop in the ridge. But this alone would not be sufficient to provide material and adequate articulation between old and new or reduce the considerable scale and massing that would result from the width of the extended building. I therefore consider the extension would harm the character and appearance of the area.”*
- 7.6 The break between the proposed addition and the existing building at first floor level and the reduced ridge height would provide material and adequate articulation between old and new, reducing the scale and massing of the

proposed development. Therefore, the concerns raised by the Inspector have been adequately addressed in the current proposal.

- 7.7 Consequently, it is concluded that the proposal would not have undue impact on the character and appearance of the area. It would thereby comply with the objectives of Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan (2015), Policies SP1.1, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies and Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013.

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

- 7.8 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy UD8 of the Croydon Plan (2006) Saved Policies 2013 requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policy EP1 of the Croydon Plan (2006) Saved Policies 2013 aims to control potentially polluting uses. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 7.9 Harm to neighbouring occupiers did not provide grounds for dismissal of the previous schemes on appeal and the current revised schemes would be no worse in that respect.
- 7.10 In the previously dismissed scheme (15/00653/P), the Inspector considered that: *“The western side of the front of the building is parallel to and faces the rear of the two storey apartment building containing 230 to 236 Wickham Road. The proposed addition of a second storey would extend across the outlook from the rear of these dwellings. However, it would have a limited height to eaves level of 4.7m and a gap, measured at the site visit, of some 18m separating the facing elevations. As a result, the extension would be located sufficiently far away for it not to be overbearing in views from within these dwellings, or from within their private amenity spaces to the rear.”*
- 7.11 The height of the current proposal would be slightly less than the previously dismissed scheme and the separating distance would be the same. Consequently, given the Inspector’s consideration, it is considered that the proposal would have no undue impact on the visual amenities of the adjoining occupiers.
- 7.12 In terms of the relationship with No. 11A West Way Gardens, the Inspector considered that: *“11A West Way Road is a bungalow located on the western side of the appeal site. The gable end of the Fox Umbrellas building positioned close to the side of the appeal site encloses the side of its short back garden. As measured by the parties at the site visit, the building projects 3m beyond the*

*rear elevation of the dwelling. Given the degree to which the adjacent neighbouring bedroom is set away from the side boundary, the addition of a first floor to the building would not adversely enclose the outlook from within this room. The conservatory attached to the rear of No 11A is used as a dining room. The proposed extension, whose gable end would be also be approximately 4.7m tall to eaves level, would be visible in views from the side of the conservatory. However, in my assessment, an extended building of the height proposed would be sufficiently far away so as not to be overbearing to the outlook from within the conservatory. Whilst it would enclose the side of the area of decking that has been created in the north eastern corner of the rear garden, the back garden is wide and above the height of its boundary treatment its other sides are open. Outlook from within the rear garden would not therefore be adversely affected to a significant degree.”*

- 7.13 The Inspector also considered that: *“The rear elevation of the extended building, off set at an angle, would be visible from the rear gardens of the neighbouring properties, 11 & 13 West Way Road. However, whilst the presence of the extended building would alter the outlook from the rear of these dwellings it would not be so close as to be overbearing.”*
- 7.14 The siting of the current proposal is similar to the previous scheme therefore the relationship would be acceptable.
- 7.15 In terms of loss of privacy, the previous Inspector considered that the use of obscure glazing to all windows on the first floor extension would prevent overlooking of the apartments on Wickham Road. The Inspector also considered that although windows in the first floor extension would face the gardens of 11 and 13 West Way Gardens, they would do so at an angle and they would be obscured glazed and overlooking from this elevation would not occur. The siting of the current proposal would be the same as the previous scheme and the first floor windows would be obscure-glazed. Therefore, there can be no objection to the proposal on loss of privacy grounds.
- 7.16 Concerns have been raised regarding potential increase in noise and disturbance. The Pollution Team have confirmed that in the last 5 years, they have received one complaint (received on 3rd November 2016) regarding constant noise from a generator all day. However, they have indicated that an officer attended the site at 13.30 and no noise was heard. The officer waited a while and no noise was witnessed. The officer also visited the neighbour and was shown to the back of the premises with an air pump and compressor it was enclosed in a wooden housing. It was established that it is only used intermittently between 08.00 - 16.00hrs.
- 7.17 Given that the proposal would result in intensification of use, the applicant would be required through a planning condition to implement measures to

ensure that noise from equipment should be inaudible at the nearest residential property.

- 7.18 Consequently, it is considered that the proposal complies with the objectives of Policy 7.6 of the London Plan, Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) and Policies UD8 and EP1 of the Croydon Plan (2006) Saved Policies 2013 that seeks to protect existing occupiers from undue visual intrusion and loss of privacy.

### **The Impact on Parking Demand, Pedestrian and Highway Safety**

- 7.19 The existing access, parking and service arrangements will remain the same. Furthermore, it is in a sustainable location. Consequently, the proposal would have no significant adverse impact on parking, pedestrian and highway safety

### **Other Planning Issue**

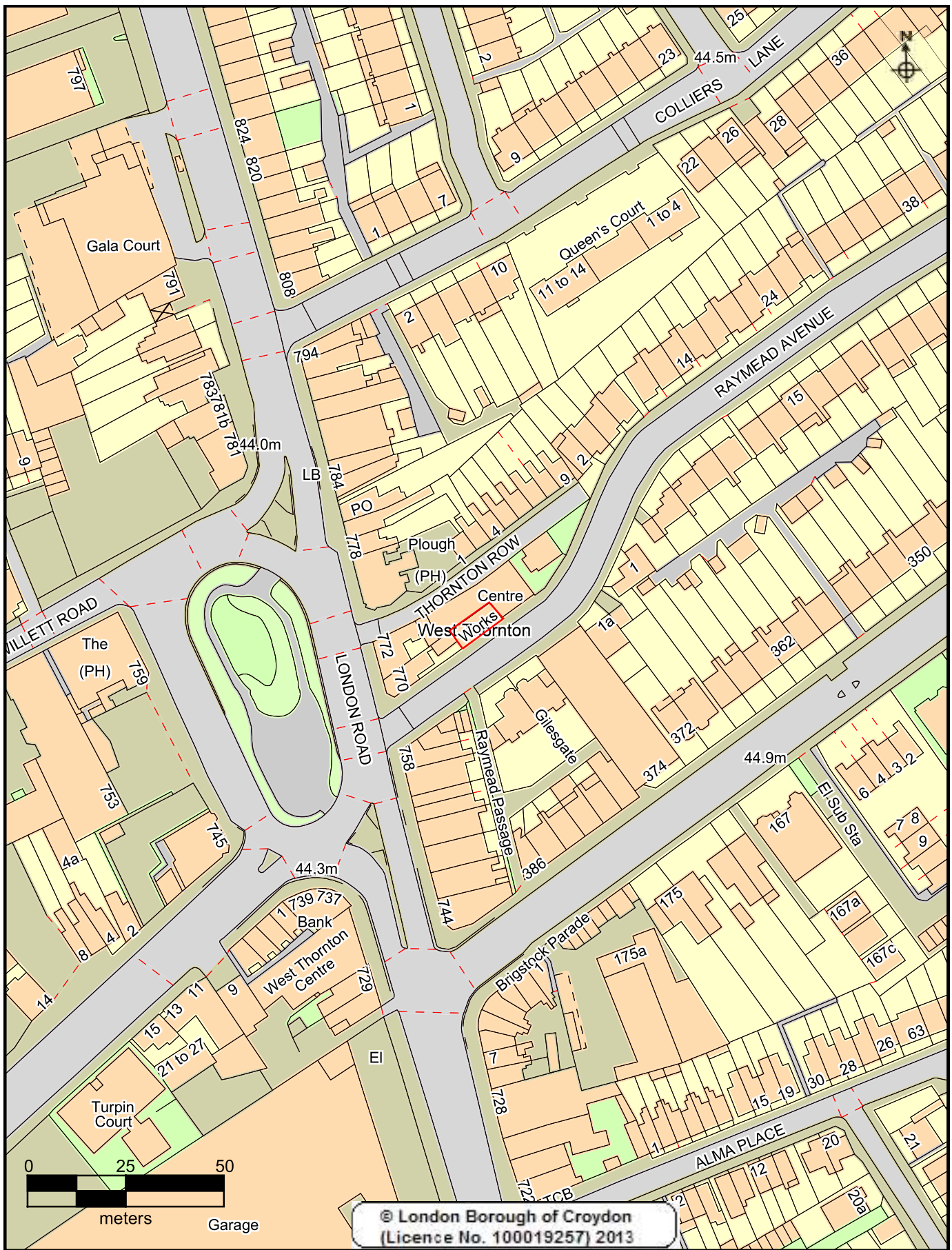
- 7.20 Policy SP6.4 requires development to utilise sustainable urban drainage systems (SUDs) to reduce surface water run-off and provide water treatment on site. The site is not in a Flood Zone, according to Environment Agency maps. However the site does fall within a 1 in 30 year Surface Water Flood Risk Area. A House of Commons: Written Statement of 18<sup>th</sup> 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 nature of the proposal. 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**

- 7.20 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.



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**PART 6: Planning Applications for Decision**

**Item 6.2**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: [16/05850/FUL](#) (*Links to associated documents on the Planning Register*)  
 Location: 770a London Road, Thornton Heath CR7 6JB  
 Ward: West Thornton  
 Description: Change of existing D1 use (Teaching centre) to C3 (Residential); construction of first floor to provide 2 one bedroom flats  
 Drawing Nos: DP/2857/PP/01, DP2857/PP/02, DP/2857/PP/03, DP/2857/PP/04  
 Applicant: Newbridge Asset Management (Mr. Areeb Azam)  
 Agent: Mr. Francesco Cardone, Direct Planning  
 Case Officer: Sera Elobisi

	1 bed	2 bed	3 bed	4 bed
<b>Houses</b>				
<b>Flats</b>	2			
<b>Totals</b>	2			
<b>Affordable Rented</b>	0			
<b>Shared ownership</b>	0			
<b>Totals</b>	0			

Type of floorspace	Amount proposed	Amount retained	Amount lost
Residential	115.07Sq m	0.Sq m	0.Sq m
Office			
Retail			
Industrial			
Non Residential Institution	0.Sq m	0.Sq m	57.57Sq m

Number of car parking spaces	Number of cycle parking spaces
0	0

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

**2 RECOMMENDATION**

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

## **Conditions**

- 1) The development shall be carried out entirely in accordance with the approved drawings and other documents submitted with the application.
- 2) All new and external work and work of making good shall be carried out in materials to match existing.
- 3) The proposed temporary refuse storage area shall be provided as specified in the application and shall be available for use before the first occupation of the dwellings.
- 4) The development shall be begun within three years of the date of the permission.
- 5) Any other condition(s) considered necessary by the Director of Planning, and

## **Informatives**

- 1) Site notices displayed in London Road, Thornton Row and Raymead Avenue to be removed by the applicant.
- 2) Under the Community Infrastructure Levy regulations 2010 a financial payment will be required to Croydon Council and to the Mayor of London on commencement of the development.
- 3) Any other informative(s) considered necessary by the Director of Planning

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- Construction of first floor
- Use of building as 2 one bedroom flats
- Proposed Gross Internal Area (GIA) Flat 1: (50.14Sq m), Flat 2: (55.0Sq m)
- Render finish with Upvc double glazed windows, timber doors and metal rail to proposed balcony.

### **Site and Surroundings**

- 3.1 The site is an existing single storey property to the rear of No. 770 London Road and fronting Raymead Avenue. The site as described on the application form is 770a London Road. The building as with the rest of the developments to the rear of 770 London Road has been built right up to the site boundary and runs along the edge of the pavement fronting Raymead Avenue. The site is not located within a conservation area, nor is it subject to any listings. The surrounding area consists of commercial properties of similar size and design fronting London Road and residential properties fronting Raymead Avenue.
- 3.2 The building as was observed from an officer's site visit appears to be vacant. The Council planning records show that permission was granted for the use of the building as a teaching room within use class D1 – community service.
- 3.3 Site Policies and Constraints
  - Area of High Density
  - Local Centre
  - Primary Shopping Areas

- Gas Pipes Low Pressure

## **Planning History**

3.4 The following planning decisions are relevant to the application

- 10/01009/P – Use as teaching room. Permission granted and implemented.
- 11/02814/P –Continued use as place of worship. Permission refused on grounds of general noise and disturbance.
- 15/05736/P – Construction of first floor and use as 2 one bedroom flats. Permission refused on grounds of unacceptable living environment for future occupiers of the development. The Council's decision is being contested at appeal and is pending consideration. The current application differs from application 15/05736/P in that the ground floor windows to the bedroom and living room set would be set in 750mm from the pavement. This addresses the previous refusal reason on grounds of direct overlooking on the future occupiers.

Relevant Planning History (770 London Road)

- 13/01025/P – Erection of two storey side extension to provide a studio flat and an office. Permission implemented.
- 14/00097/DT – Approval of non-material amendments to planning permission 13/01025/P

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

- 4.1 Principle of use – The applicant has demonstrated that there is no demand for the space as a community facility and a change of use is acceptable in principle.
- 4.2 The development would not detract from the visual character of the building and the character of Raymead Avenue.
- 4.3 The development would not harm residential amenity
- 4.4 The application has addressed concerns raised at previous committee meeting (ref. 15/05736/P) regarding the living environment of the future occupiers in terms of the proximity of habitable room windows to the main public footway along Raymead Avenue and associated overlooking to the occupiers of the property. The standard of accommodation provided for future occupiers would be acceptable.
- 4.5 The development would be acceptable in terms of highway safety and parking.

## **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 one or more 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: 13      Supporting: 0

No of petitions received: 1 (objecting to the proposal) and containing 53 signatories

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

Summary of objections	Response
<i>Loss of light</i>	
Objection raised to loss of light to first floor windows of adjoining community centre.	these windows serve an office/community use and do not benefit from the same protection in terms of amenity as a residential use. It is not considered that the impact to this property is sufficient to warrant refusal.
<i>Substandard accomodation</i>	
Size of flats too small  The proposed front windows will directly overlook the footway  Flats too small to accommodate bins and cycles	The proposed floor area for each flat meets the minimum requirements for one bedroom units in accordance with the London Housing Supplementary Planning Guidance and Nationally described space standards.  The drawings submitted for consideration address the previous concerns regarding the living conditions of the future occupiers. The proposed front windows on the ground floor have been stepped back 750mm from the site boundary, with metal rails proposed to provide a private amenity area.  Provision is made for temporary storage of refuse as demonstrated in the submitted plans.  A cycle shed has not been provided on site. However they can be stored within the internal areas of the proposed flats without causing unreasonable harm to the intended occupiers.
<i>Loss of community hall</i>	
Such community halls are in high demand if properly advertised.	The agent has complied with the Council's protocol for the marketing of community facilities. The Council has a list of organisations which applicants are required to contact when seeking permission for a scheme involving the loss of community facilities.

	<p>Written confirmation from the listed organisations was received as part of the previous application (ref. 15/05376/P), confirming they had no suitable community use for the application site.</p> <p>The application site, as stated in the supporting document, has been unsuccessfully marketed for over 18 months (first listed on 15/05/2014).</p>
<i>Non-material issues</i>	
<p>Extract ducting directly facing a window to the community centre causing pollution.</p> <p>Bin area to existing flats overfull, dirty and smelly and creating litter.</p>	<p>The existing A5 use at 770 London Road does not form part of this application. The issue of extract ducting is a material planning consideration and such matters are dealt with by the Council's Environmental Department.</p> <p>The proposed development makes adequate provision for refuse storage. Concern over overfull bins at the existing flats should be referred to the Council's Environmental Department.</p>
<i>Party wall/boundary disputes</i>	
Ongoing dispute with applicant over party wall.	This is a civil matter between all interested parties and not a material planning consideration.

## 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), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.
- 7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:
- Requiring good design.
  - Promoting sustainable transport and requiring transport assessments
- 7.3 The main policy considerations raised by the application that the Committee are required to consider are:

#### 7.4 Consolidated London Plan 2015 (LP):

- 3.5 Quality and design of housing developments
- 7.4 Local character, public realm and streetscape
- 7.6 Good quality environment
- 6.3 Transport network

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

- SP2 Homes
- SP2.6 Choice of homes
- SP4.1 Design
- SP4.2 Residential amenity
- SP5.3 Community Facilities
- SP8.3 Transport network

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

- CS2 Community facilities
- H2 Supply of new housing
- UD8 Protecting residential amenity
- UD15 Provision of refuse storage
- T8 Transport Network

#### 7.7 There are relevant adopted Guidance as follows:

- London Housing Supplementary Planning Guidance 2015
- Nationally described Space Standards (Technical Housing Standards) 2013

## 8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact and consideration of density
3. Housing quality/Daylight Sunlight for future occupiers
4. Residential amenity/Daylight Sunlight for neighbours
5. Transport

### **Principle of development**

8.2 The application site as stated in the supporting document has been unsuccessfully marketed for over 18 months (first listed on 15/05/2014). The agent has complied with the Council's protocol for the marketing of community facilities in accordance with saved Policy CS2 of the Croydon plan and SP5.3 of the CLP1. The Council has a list of organisations which applicants are required to contact when seeking permission for a scheme involving the loss of community facilities. Written confirmation from eight of the listed organisations was received as part of the application, confirming they had no suitable community use for the application site. The proposal would provide 2 additional homes in a residential area in accordance with saved Policy H2 of the Croydon Plan and SP2.1 of the CLP1.



## **Townscape and visual impact and consideration of density**

- 8.3 The proposal would involve the construction of a first floor extension to the building to create a two storey building facing Raymead Avenue. The extension would be located between two existing two storey buildings. It would be finished with a flat roof and the eaves of the extension would align with the adjacent properties in line with Policies UD2 and UD3 of the Croydon Plan. Materials to match the existing building are proposed in line with Policy UD3 of the Croydon Plan. The extension would be of an acceptable massing and design and would have an acceptable impact on the character and appearance of the surrounding streetscene and would comply with Policy SP4.1 of the CLP1 and London Plan Policies 7.4 and 7.6. The scale and massing of the development was addressed in the previous application and it was not considered to have a harmful effect on the visual amenities of the streetscene.

## **Housing Quality/Daylight & Sunlight for future occupiers**

- 8.4 The units as demonstrated on the plans would meet the floorspace requirement for one bedroom units in line with Housing Supplementary Planning Guidance and Technical Housing standards. The habitable rooms would provide adequate levels of daylight and outlook. The proposal makes provision for an outside space for the future occupiers of the ground floor flat only. However, given that the development is for one bedroom flats, it is not considered that the lack of outdoor space would impact negatively on the living conditions of the future occupiers to such an extent so as to warrant refusal.
- 8.5 The ground floor windows would be set back 750mm from the pavement. The proposed setback of these windows addresses previous concern raised at planning committee regarding direct overlooking on the future occupiers of the flat and in accordance with Policy 3.5 of the London Plan and Housing Supplementary Planning Guidance.
- 8.6 Provision is made for temporary refuse storage in accordance with Policy UD15 of the Croydon Plan.

## **Residential amenity/Daylight & Sunlight for neighbours**

- 8.7 The proposed extension would sit flush with the buildings either side of the extension and therefore would not have an impact on the amenities of these adjoining properties occupiers in accordance with Policy UD8 of the Croydon Plan, Policy 4.2 of the CLP1 and 7.4 and 7.6 of the London Plan. To the rear of the site adjoins 10 Thornton Row which is a single storey building in use as a community centre with ancillary offices in the roofspace.
- 8.8 There are a number of rooflights within the rear roof slope of this building facing towards the application site. The owners/users of this centre have objected strongly to the loss of light to these rooflights and its impact on the health of the users. Whilst there may be some loss of light to this adjoining property, these windows serve an office/community use and do not benefit from the same protection in terms of amenity as a residential use. It is not considered that the impact to this property is sufficient to warrant refusal.

### **Highway safety and efficiency**

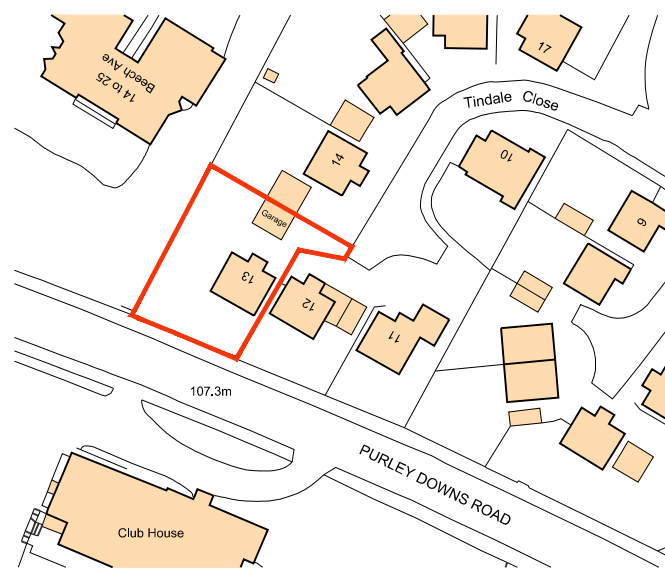
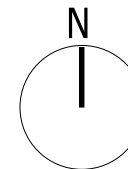
- 8.9 The subject site is in an area with a PTAL of 4 (on a scale of 1a – 6b, where 6b is the most accessible), as indicated on maps produced by Transport for London. The site is therefore considered to have good accessibility to public transport links.
- 8.10 No off street parking can be provided due to the site constraints. However, given the type of dwelling and number of units proposed and accessibility of the site to public transport networks, the proposal is considered not to impede on highway safety and efficiency and was considered acceptable in terms of highway safety and efficiency on the previous application (15/05376/P).

### **Conclusions**

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

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Rev	Date	Description

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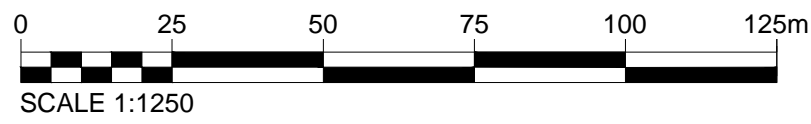
Date	Drawn By
NOVEMBER 2016	JP
Scale	Checked
1:1250@A3	LB

Client  
 Mr Webzell

Project  
 13 Tindale Close  
 South Croydon

Title  
 Site Location Plan

Drawing No.  
 J002488/ DD01



Site Location Plan 1:1250

**SUMMARY OF APPLICATION DETAILS**

Ref: [17/00216/HSE](#) (*Links to associated documents on the Planning Register*)  
 Location: 13 Tindale Close, South Croydon, CR2 0RT  
 Ward: Sanderstead  
 Description: Erection of two storey side extension and single storey front extension and extension to decking  
 Drawing Nos: J002488/DD01, J002488/DD02, J002488/DD03, J002488/DD04, J002488/DD05, J002488/DD06, J002488/DD07-A, J48.56/03  
 Applicant: Mr Webzell  
 Agent: Neal McGregor, WS Planning Architecture, Europe House, Bancroft Road, Reigate, RH2 7RP  
 Case Officer: Dan Hyde

1.1 This application is being reported to Planning Sub-Committee because the Ward Councillor (Cllr Pollard) made a representation in accordance with the Committee Consideration Criteria and requested committee consideration.

**2 RECOMMENDATION**

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

**Conditions**

- 1) Tree Protection measures be in place prior to works beginning on site, including storage of materials, appropriate ground protection, fencing and foundations
- 2) Materials to match the existing dwelling
- 3) The proposal to be in accordance with the approved plans
- 4) To complete the proposal in 3 years of the date of the permission
- 5) 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 Strategic Transport

2.2 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 PROPOSAL AND LOCATION DETAILS**

**Proposal**

- Erection of two storey side extension

- Extension of existing single storey front porch
- Extension to decking to accommodate the proposal

### Site and Surroundings

- Residential in character
- Surrounding properties of a similar size and design to application site
- Flatted development to the north west of the site
- An Area Protection Order is in place on site made under Tree Protection Order No. 145 of 1962. Most notably there is a large Beech tree to the north west of the application site.
- The site is not subject to any designations as identified in the Croydon Local Plan Policies Map.

### Planning History

- The following planning decisions are relevant to the application:
 

06/04079/P	Retention of decking at rear <b>Approved</b> and implemented
14/04937/P	Erection of detached 3 bedroom dwelling at side and provision of associated parking <b>Refused</b> on grounds of overdevelopment, out of character with surrounding area, impact on protected trees <b>Appeal dismissed</b> on the same grounds

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed extension would not have a detrimental impact on the amenity of the street scene in this part of Tindale Close. It would be out of the direct line of sight when approaching this part of the close, and would not be immediately visible in the wider street scene and would be partly screened, particularly at ground floor level by the existing detached garage.
- The proposed extension would be well separated from no. 14 by 15.5m which is considered a significant enough distance to protect their residential amenities.
- The proposal would encroach very slightly into the Root Protection Area of the protected Beech tree. However screw pile foundations are proposed which would be acceptable, allowing the health of the tree to be maintained.

## 5 CONSULTATION RESPONSE

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

## 6 LOCAL REPRESENTATION

- The application has been publicised by way of one or more 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: 1 Objecting: 1 Supporting: 0

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

Summary of objections	Response
No other buildings in the cul-de-sac have two storey extensions and would increase the size of the dwelling to a size that would be out of keeping with surrounding dwellings.	The site is in the corner of the cul-de-sac and as such the proposal would not have a dominant effect on the visual amenity of the area.  There are no restrictions imposed on this area which would not allow such extensions, and the applicant has the right to extend their property if they so wish, the application site lends itself to a two storey side extension unlike some other properties in this particular cul-de-sac due to the layout.
The proposal would have a detrimental impact on the amenities of the objector due to potential overlooking and loss of privacy	The proposed extension would be 15.5m from the most affected property, which is considered to be a significant enough distance to not warrant a detrimental impact in terms of overlooking and loss of privacy.
The proposal would have an impact in terms of loss of light to the adjacent property.	The aforementioned separation distance is considered significant enough to not warrant an excessive loss of light, particularly during summer months, to warrant refusal of the application on these grounds.
Concerns over impacts to wildlife and the loss of open space and views to protected Beech tree	It has not been identified that there are any protected species on the site. The open space is also not protected by Local Policy and as such would not be an open space that could be defended to be kept, particularly as it is a private garden. The Beech tree would be much taller than the proposal and as such views of the tree may be obscured but not lost entirely.
Concerns over the impact of construction traffic in the private close	Whilst this may be an issue during the construction phase, this is not something that would be appropriate to control due to the scale of the development.
The proposal would have a detrimental impact on protected trees	The Councils Tree Officer was consulted during the application process and the applicant provided an Arboricultural Report. It was concluded that with appropriate

	foundations to the development the health of the tree would not be detrimentally impacted upon from the proposal.
--	---

- Councillor Tim Pollard has made the following representations:
  - Loss of privacy to neighbours
  - Shading and loss of light to neighbours

## 7 RELEVANT PLANNING POLICIES AND GUIDANCE

- 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. (This list and the paragraphs below, will need to include CLP1.1 and CLP2 once they have weight and become material planning considerations).
- 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.
  - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions
- The main policy considerations raised by the application that the Committee are required to consider are:
  - Consolidated London Plan 2015 (LP):
    - 7.4 on Local Character
    - 7.6 on Architecture
  - Croydon Local Plan: Strategic Policies 2013 (CLP1):
    - SP1.2 Place Making
    - SP4.1 4.2 Urban Design and Local Character
  - Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):
    - UD2 Layout and Siting of New Development
    - UD3 Scale and Design of New Buildings
    - UD8 Protecting residential amenity
    - NC4 Woodland Trees and Hedgerows



- There is relevant Supplementary Planning Guidance as follows:
  - SPD2 Residential Extensions (LBC)

## **8 MATERIAL PLANNING CONSIDERATIONS**

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. Principle of development
  2. Townscape and visual impact
  3. Residential amenity
  4. Protected trees

### **Principle of development**

- 8.2 The principle of extending properties in Tindale Close has already been established with no. 29 Tindale Close having a similar extension to the one proposed. Therefore it is considered that the principle of extending the property is acceptable, and can be supported.

### **Townscape and visual impact**

- 8.3 The proposed extension would be in the south west corner of this cul-de-sac within Tindale Close. Due to the tight nature and layout of this area of Tindale Close views of the extension would not be possible until one is well within the cul-de-sac. Some of the extension would be well screened by the existing garages to the front of the application site, therefore the proposal would not have a dominating impact on the street scene.
- 8.4 Whilst the extension would not be SPD2 compliant as it would not have a 1.5m set back, it would not cause any terracing as there is no neighbouring occupier to this side of the property, and as stated previously, the location of the development would mean that the proposal would not have a harmful impact on the street scene.

### **Residential amenity**

- 8.5 The proposed extension, would be 15.5m from the neighbouring occupier to the north east of the site, no. 14 Tindale Close. It is considered that this separation distance is significant enough to not warrant a detrimental impact from the proposal on the amenities of this occupier. Furthermore, there are no side windows in no. 14 to be effected by the proposal except for a side door which is obscure glazed and directly behind the existing garage to that property. Therefore any impact on this would not harm the overall residential amenities of the occupiers.
- 8.6 Due to the proposals location it is not considered that there would be a harm from it on other neighbouring occupiers in Tindale Close or surrounding properties.

### **Protected trees**

- 8.7 The application was submitted with a substantial Arboricultural report which stated that 5.3 of the Root Protection Area (RPA) of the large Beech tree would overlap with the proposal, along with 2.7 of the RPA of a smaller Yew tree and 1.6 of the

RPA of a smaller Beech tree. It is considered that with the appropriate conditions and foundations being used, as stated in the Arboricultural Report the minor intrusion into the RPAs would not compromise the long term health of the trees.

### **Conclusions**

- 8.8 It is recommended that planning permission should be granted for the proposal, as it would not have a detrimental impact on the townscape or the visual amenity of the area due to the location of the proposal within in Tindale Close. The proposal would not have a detrimental impact on the amenities of neighbouring occupiers due to significant separation distances and arrangements of neighbouring properties (particularly no. 14 Tindale Close). The proposal would not harm protected trees due to reasonable foundations being proposed and acceptable tree protection requirements that can be conditioned.
- 8.9 All other relevant policies and considerations, including equalities, have been taken into account.