

Planning Sub-Committee Agenda



To: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Luke Clancy, Bernadette Khan, Jason Perry, Joy Prince, Wayne Trakas-Lawlor, Susan Winborn and Chris Wright

(Five Members selected from the Planning Committee membership above for the Planning sub-Committee: Councillors Paul Scott, Humayun Kabir, Pat Clouder (substituting for Cllr Bernadette Khan), plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to attend, will be held on **Wednesday 6th September 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**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
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29 August 2017

Members of the public are welcome to attend this meeting. If you require any assistance, please contact MARGOT ROHAN as above.

To register a request to speak, please either e-mail 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 17th August 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 3)**

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

6.1 17/01562/FUL Development Site Adjoining 7 Westminster Avenue, Thornton Heath CR7 8BS

Erection of two storey building comprising 2 one bedroom flats 2 parking spaces and provision of ancillary bin/cycle store

Ward: Upper Norwood

Recommendation: Grant permission

6.2 17/01706/HSE 20 Mapledale Avenue, Croydon CR0 5TB

Alterations and erection of single/two storey extensions and porch

Ward: Fairfield

Recommendation: Grant permission

6.3 17/03656/HSE 55 Marlpit Lane, Coulsdon CR5 2HF

Erection of single storey side, single storey rear, two storey side and rear extension

Ward: Coulsdon East

Recommendation: Grant permission

7. Exclusion of the Press & Public

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 17th August 2017 at 5:30pm 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 Joy Prince, Susan Winborn and Chris Wright

Also present: Councillor Sara Bashford

A47/17 Minutes of the meeting held on Thursday 20th July 2017

RESOLVED that the minutes of the meeting held on Thursday 20 July 2017 be signed as a correct record.

A48/17 Disclosure of Interest

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

A49/17 Urgent Business (if any)

There was no urgent business.

A50/17 Exempt Items

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

A51/17 Planning applications for decision

6.1 17/01823/HSE 29 The Ruffetts, South Croydon CR2 7LS

Erection of single/two storey front/side/rear extension

Ward: Selsdon & Ballards

David Rutherford spoke in objection, on behalf of Croham Valley Residents Association

After consideration of the officer's report, Councillor Chris Wright proposed and Councillor Humayun Kabir seconded the officer's recommendation and the Committee voted unanimously in favour, with a condition to ensure mitigation of flood risk, so planning permission was **GRANTED** for development at 29 The Ruffetts South Croydon CR2 7LS.

**6.2 17/02967/FUL 168 Addington Road, South Croydon CR2
8LB**

Use as mixed A3/A5 use (restaurant and hot food takeaway)
incorporating alterations to existing shopfront, plant and extract duct
to rear

Ward: Selsdon & Ballards

Mrs Jenny Stawman (Selsdon Garage) spoke in objection, also
representing PDC Property Management Ltd and Mower Mate
PCSO John Rosemeyer (Selsdon & Ballards SNT) also spoke in
objection raising some anti-social behaviour and crime concerns
Mr Adam Beamish (Beamish Planning Consultancy) spoke as the
agent, on behalf of the applicant
Councillor Sara Bashford, ward Member for Selsdon & Ballards,
spoke in objection, on behalf of local residents

Having considered the officer's report and addendum, Councillor
Humayunn Kabir proposed and Councillor Paul Scott seconded the
officer's recommendation and the Committee voted, 4 in favour, 1
against, so planning permission was **GRANTED** for the change in
use and alterations at 168 Addington Road, South Croydon CR2
8LB, with a condition regarding refuse management and a variance
of the condition on hours to limit Sunday opening to 11pm.

MINUTES - PART B

None

The meeting ended at 6:20pm

PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning 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 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. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 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 ROLE OF THE COMMITTEE MEMBERS

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. THE ROLE OF THE CHAIR

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 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:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 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.

6. FURTHER INFORMATION

- 6.1 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.

7. PUBLIC SPEAKING

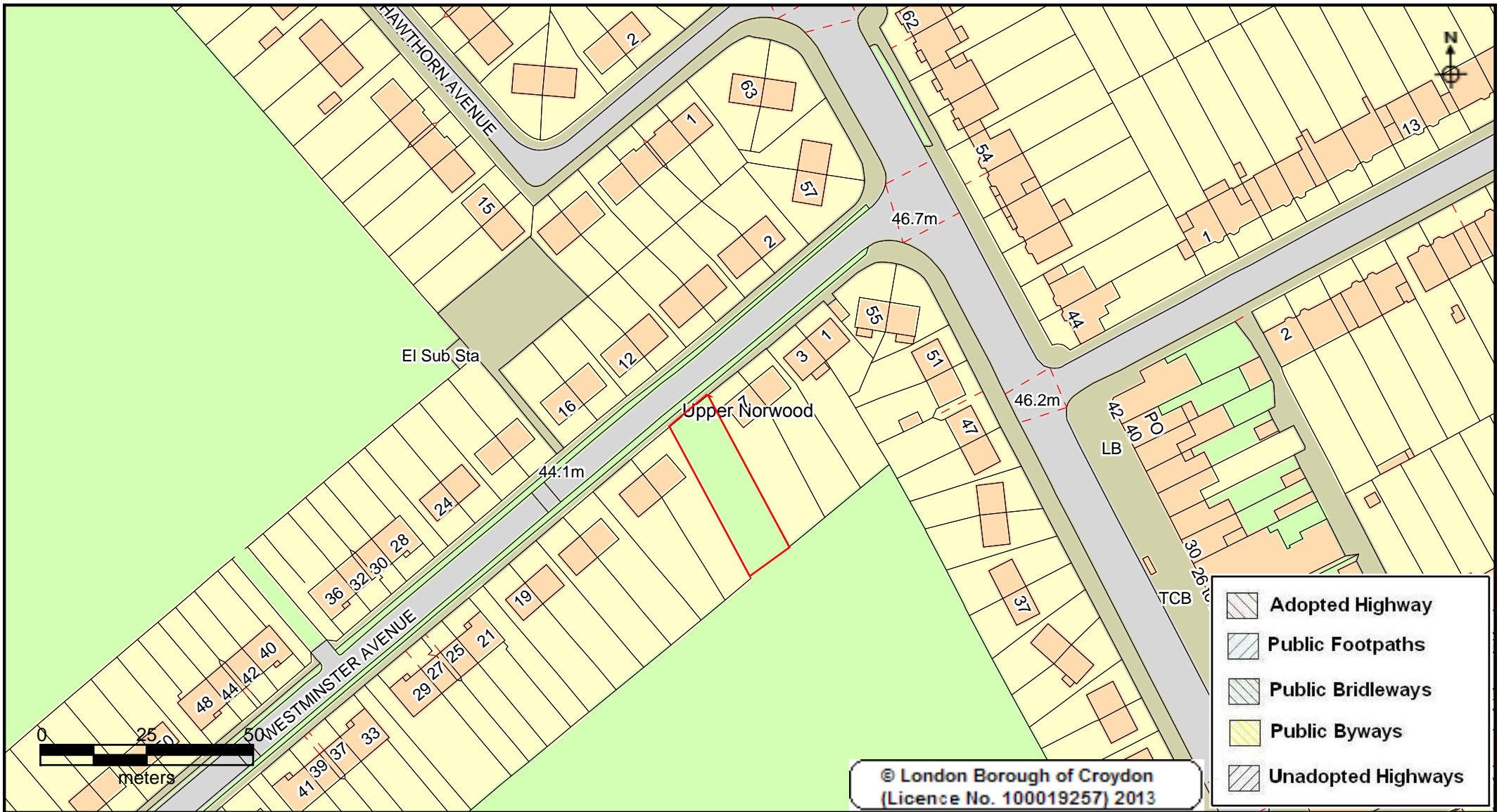
- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

8. BACKGROUND DOCUMENTS

- 8.1 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.

9. RECOMMENDATION

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



PART 6: Planning Applications for Decision

Item 6.1

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/01562/FUL](#) (*Link to associated documents on Planning Register*)
 Location: Site Adjoining 7 Westminster Avenue CR7 8BS
 Ward: Upper Norwood
 Description: Erection of two storey building comprising 2 one bedroom flats, 2 parking spaces and provision of ancillary bin/cycle store
 Drawing Nos: 201, 202 and 204.
 Applicant: Crowntree Developments Ltd
 Agent: James McDonnell
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	0	0
Flats	2	0	0	0
Totals	2	0	0	0

Type of floorspace	Amount proposed	Amount retained	Amount lost
Residential	119Sq.m	0 sq m	0 sq m
Number of car parking spaces		Number of cycle parking spaces	
2		4	

1.1 This application is being reported to Planning Committee because the Upper Norwood Ward Councillors (Councillors Wentworth, Ryan and Flemming) have requested it be referred to Planning Committee for consideration.

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) Built in accordance with approved plans
- 2) Materials to be submitted for approval
- 3) No additional windows to be inserted in either of the flank elevations other than as specified
- 4) Details to be provided:-
 - a) Finished floor levels
 - b) Hard and soft landscaping – including species / size and use of SUDs
 - c) Boundary treatment – including private amenity space enclosures

- d) Vehicle site lines along Westminster Avenue
- 5) Refuse storage requirements
- 6) Cycle storage requirements
- 7) 19% reduction in carbon emissions
- 8) 110 litre water consumption target
- 9) Parking to be provided before the buildings are occupied
- 10) Commence within 3 Years

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

Informative

- 1) CIL - granted
- 2) Site notice removal
- 3) Code of Practice regarding small construction sites
- 4) Highways works to be made at developer's expense

Any [other] informative(s) considered necessary by the Director of Planning

- 2.3 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions,

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal would involve the construction of a two-storey building, 7m high (5m at eaves), 7.6m wide, 9m long to provide a total of 2x1 bedroom flats (between 50-51sq.m of internal floor space).
- 3.2 The proposed building would be positioned at a slight angle and central to the site
- 3.3 The proposed building would have a hipped roof and would be constructed of the following materials: lbstock brick at ground floor level with white rendered course at first floor level and tiled roof.
- 3.4 The proposal would include parking for 2 cars with a single vehicle access off Westminster Avenue. Cycle storage provision for 4 cycles is proposed in the rear gardens, with refuse storage within the front garden. The proposal would include extensive landscaping with new boundary treatment in the front garden with private rear garden areas provided to both flats accessed along the sides of the building.

Site and Surroundings

- 3.5 The application relates to a plot of land situated on the south side of Westminster Avenue between 7 and 9 Westminster Avenue. It is understood that the land previously provided access to the Green Lane Sports Ground to the rear of the site (and that a similar arrangement existed on the opposite side of the sports ground from County Road which has planning permission for two storey building to provide 2 flats).

- 3.6 The subject site is enclosed by hoardings and does not provide access to the sports ground.
- 3.7 The surrounding area is residential in character. It involves generally evenly spaced two storey dwellings, either terraced or semi-detached with reasonable sized front and rear gardens. Either side of the application plot are pairs of semi-detached houses.
- 3.8 The site is located within an area of Surface Water Flood Risk (1:100 yr). There are no protected trees identified within the site or immediate surroundings. The current Croydon Local Plan Policies Map does not identify any local or statutory designations for the subject site. Under CLP2 (Proposed Submission), the site would be designated as Local Green Space. The CLP2 designations are however not yet in force and its weight as a material planning consideration is very limited.

Planning History

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

Land Adjacent to 7 Westminster Avenue

In 2004, planning permission granted for erection of a detached building to comprise 2x1 bedroom flats; formation of vehicular access and provision of 2 parking spaces (not implemented) (LBC Ref 04/03779/P)

Land between 8-10 County Road

Earlier this year, planning permission granted for the erection of two storey building comprising 2 one bedroom flats: formation of vehicular access and provision of associated parking and bin storage (LBC Ref 17/01582/FUL).

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The principle of introducing a two storey building to provide two one bedroom flats of a similar scale, mass, height and design has previously been approved on this site – albeit some time ago.
- 4.2 The proposed new building would preserve the character of the area and would not harmfully affect the appearance of the street scene along Westminster Avenue.
- 4.3 The proposed new building would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.4 The development would provide an appropriate level of parking for the proposed development, encourage sustainable modes of transport other than the car, incorporate safe and secure vehicle access to and from the site and would have an acceptable impact on the highways network.
- 4.5 The development would incorporate sustainability requirements and incorporate sustainability technics as part of the overall drainage strategy.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

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: 1 Objecting: 1 Supporting: 0

No of petitions received: 0

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

Summary of objections	Response
<i>Overlooking</i>	
The proposed building will result in overlooking of neighbour properties form kitchen and bathroom windows	The principle of a two storey building on this site has been established through a previous grant of planning permission in 2004 (although this planning permission has long since expired). A similar development has been approved at 8 and 10 County Road. Refer to paragraphs 8.2-8.5 of this report.
<i>Appearance</i>	
Obtrusive by design with sufficient space available at the front of the building without having to be set back; use of pebble dash on buildings and not brickwork..	Officers consider that the proposal in terms of scale, massing and external appearance creates an acceptable building in scale with surrounding buildings. Refer to paragraph 8.6-8.9 of this report.
<i>Loss of privacy</i>	
The proposal would result in loss or privacy as occupiers will be able to look into neighbouring rooms	The proposal would not result in any undue loss of privacy for neighbouring properties. Refer to paragraph 8.10- 8.14 of this report.
<i>Daylight and sunlight</i>	
Objection to the impact of the development on loss of light to neighbouring rear patio areas. .	Officers consider that due to the position and height of the buildings the proposal would not result in undue loss of daylight/sunlight to neighbouring properties. Refer to section 8.12 of this report.
<i>Noise</i>	
Increase in noise and disturbance from development	Officers consider that development of the site would result in some noise and disturbance

	however this would be of a temporary nature during the construction process only noise and Refer to paragraph 8.14 of this report.
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6.3 Councillors Flemming Ryan and Wentworth have made the following representations:

- Plan's appear to suggest that the proposed two storey building will be set further back from all the houses on the street (on both roads) and as a result the buildings will be overlooking other residents gardens causing a loss of light to their patio areas
- Obtrusive by design to the peaceful enjoyment of the surrounding residents private space as the side windows presumably kitchen and bathroom will be overlooking residents gardens
- Angle will also mean that residents in the new buildings will be able to see directly into some residents bedrooms.
- The proposal should be built in line with all the other properties on both roads. This will resolve the issues of overlooking, loss of light being obtrusive by design
- Sufficient space at the front and side of the land for off street parking without setting the buildings back as far as the plans suggest. Neighbour at high end of autistic spectrum and spends time in garden which is of great importance and to have to deal with the anxiety that obstruction to his privacy will bring is unfair and unreasonable.
- Consideration is given to pebble dashing the entire building so that the buildings will be in keeping with the rest of the area

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.

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:

- Achieving sustainable development (Chap 1)
- Promoting sustainable transport (Chap 9)
- Delivering a wide choice of high quality homes (Chap 6)
- Requiring good design (Chap 7)
- Meeting the challenge of climate change, flooding and coastal change (Chap10).

- Conserving and enhancing the natural environment (Chap 11)

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

Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide
- 5.3 Sustainable design
- 5.12 Flood risk management
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architect

Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP2 Homes
- SP2.2 Quantities and locations
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 Urban design and local character
- SP6.1 Environment and Climate Change
- SP6.2 Energy and carbon dioxide reduction
- SP6.6 Sustainable design and construction
- SP4.2 Flooding
- SP6.6 Waste management
- SP8.1 Transport and communication
- SP8.6 Sustainable travel choice
- SP8.15 Parking

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

- (UD1) High Quality and Sustainable Design
- (UD2) Layout and Siting of New Development
- (UD3) Scale and Design of New Buildings
- (UD7) Inclusive Design
- (UD8) Protecting Residential Amenity
- (UD13) Parking Design and Layout
- (UD14) Landscape Design
- (UD15) Refuse and Recycling Storage
- (EP5-EP7) Water – Flooding, Drainage and Conservation
- (T2) Traffic Generation from Development

- (T3) Pedestrians
- (T4) Cycling
- (T8 and T9) Parking
- (T11) Road Safety
- (H2) Supply of new housing
- (UD9 and H10) Residential Density

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/ Privacy Daylight & Sunlight and Outlook for neighbours
4. Housing/Affordable Housing/Mix/Tenures
5. Housing Quality/Daylight & Sunlight for future occupiers
6. Transport
7. Sustainability
8. Waste
9. Flooding

Principle of Development

- 8.2 The principle involving the removal of the erection of a two-storey building on this area of land to provide 2x1 bedroom flats has previously been established in 2004 (LBC Ref 04/03779/P). Whilst this grant of planning permission was issued some time ago and has since lapsed, housing targets have increased significantly since that time which, if anything further justifies the principle of housing development
- 8.3 Although the Council's policy has changed since the granting of the 2004 planning permission, the principles relevant in considering the 2004 proposal remain in place. Furthermore, it is significant that a very similar development has been approved in August 2017 under similar circumstances (on the opposing side of the Green Lane Sports Ground at land between nos. 8 and 10 County Road – LBC Ref 17/01582/FUL).
- 8.4 Given its location adjacent to the sports ground the site does have the potential to improve public access to the park. Indeed the emerging CLP2 has identified the subject site as Local Green Space. However, it is crucial in this particular case that the current adopted plan excludes this land from the current Local Green Space designation (which is the primary consideration in this case). Weight to be afforded to emerging planning documents should be afforded very limited weight in this particular instance. Therefore, there is no policy requiring the proposal to include access to the sports ground. In any event alternative access to the sports ground is available off Highbury Avenue to the west.
- 8.5 Therefore the principle of development of land adjacent to no.7 Westminster Avenue has already been accepted on this site with a similar development approved on a neighbouring site. The principle of the proposal is therefore considered acceptable in land use terms.

Townscape and visual impact

- 8.6 The surrounding area is predominantly residential in character. The majority of existing residential properties comprise of semi-detached dwelling houses, although there are several developments containing flats in the vicinity of the site.
- 8.7 The proposed development, would involve construction of a two storey detached building. The form and scale of the proposed building, in terms of its setting within the immediate townscape, would be similar to those properties immediately to the east and west and opposite to the north.
- 8.8 Neighbours have raised objections about the position of the proposed building which would be at a slight angle to the adjoining buildings. However, the application plot differs slightly in shape and size when compared with neighbouring plots and the slight angle of the building enables maximisation of the plot width and adequate separation between buildings on either side. The proposed variation when viewed from the street would be insignificant and the proposal would maintain the predominant building line along Westminster Avenue. On this basis, it is considered that the proposal would not dominate its surroundings. The proposed building would be similar in appearance and size/scale to surrounding properties. The building would be finished in similar materials to those found in the area and the choice of brick to the lower half and render to the upper half is welcomed. The size including height and width, position and use of the materials would mean that the proposal would not be out of character with the surrounding area.
- 8.9 Overall the proposal would be in line with NPPF requirements of sustainable development, good design and conserving the natural environment; in addition to London Plan policies 3.3 increasing housing supply, 3.4 optimising housing potential, 3.5 quality and design of housing, 7.4 Local character and 7.6 Architecture; CLP1 policies SP2.2 quantities and locations, SP4.1 urban design and local character and UDP policies UD1 high quality sustainable design, UD2 Layout and siting of new development, UD3 scale and design of new buildings, UD7 inclusive design, and H2 supply of new housing, UD9. Subject to details regarding sample materials, this part of the proposal is acceptable.

Residential Amenity Privacy, Daylight/Sunlight and Outlook for neighbours.

- 8.10 The proposed development would be located between two residential properties (7 and 9 Westminster Avenue). Both these neighbouring properties contain a narrow single window in obscured glass either to a toilet or bathroom in the flank elevation at first floor level facing the proposed site. Neighbours have raised several concerns about the positioning of the building and possible overlooking and loss of privacy which may result from the new building. The proposed building would contain only two windows, both narrow in the east elevation towards 7 Westminster Avenue and these would be to the bathroom windows of the proposed one bedroom flats and would be obscure glazed.
- 8.11 The proposed building would extend between 2.4 m to 4 m further to the rear than the neighbouring properties either side. The proposed building would contain 3 windows at first floor level in rear elevation. At between 2.4m to 4m further into the rear garden, the proposed windows (living room/dining room) to the upper floor flat would not result in any direct overlooking of the buildings either side. Whilst the proposed development would result in some overlooking of the rear gardens of

neighbouring properties, this would be no different to the situation which already exists with existing properties along this stretch of Westminster Avenue. The proposed building is therefore unlikely to result in any significant overlooking or undue loss of privacy to the neighbouring properties.

- 8.12 The proposal, due to its orientation and the size and location (including limited projection beyond the existing building line) would not result in an unacceptable increase in overshadowing or loss of light/sunlight to the neighbouring properties. The submitted block plan demonstrates that the proposed building would be to the west of 7 Westminster Avenue and to the east of 9 Westminster Avenue. The rear buildings and gardens of these properties all face due south. The proposed building would be beyond a 45-degree line from the nearest rear window of openings of neighbouring properties either side. Overall the proposal would not result in any undue loss of sunlight or daylight to the neighbouring properties.
- 8.13 The proposed development would overly modify the outlook for neighbouring properties either side. The front of the proposed building would be set back similarly to neighbouring properties. A condition requiring details of landscaping and planting should ensure a satisfactory finish to the front approach of the building. Details of front and rear boundary treatment would further ensure that the property has a suitable appearance when viewed from neighbouring sites. The proposed building is considered to acceptable in terms of outlook from this neighbours property.
- 8.14 It is acknowledged that there will be some noise and disturbance during the construction process, with pollution and noise a concern expressed by neighbours however this would be of a temporary nature. Hours of operation during construction of works is a matter for the Council Environmental Services Department. A planning informative is recommended to advise the applicant to follow the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites". Provided the applicants follow the code of practice it is not thought the construction process would lead to significant disruption outside of normal working hours. The proposal is therefore considered to acceptable and would be in line with London Plan policy 7.6 Architecture for good design and Council policy UD8 protecting residential amenity.

Housing Tenure

- 8.15 The proposed development would provide two one bedroom flats. CLP1 Policy SP2.5 sets out an aspiration for 60% of all new homes outside the Croydon Opportunity Area to have three or more bedrooms and setting a preferred mix on individual sites through the CLP detailed policies and proposals. In terms of this policy requirement, the proposal would not be in line with this aspiration. While below this target the proposal would still provide a range a good standard of one bedroom accommodation. The principle of one bedroom accommodation has been established previously on this site. In view of the overall quality of the accommodation provided details to be explained below and the physical contribution which the building would make in this setting the proposal would be in line with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies 3.8 housing choice, 3.9 mixed and balance communities.

Housing Quality/Daylight and sunlight for future occupiers

- 8.16 The proposed plans would accord with the Mayoral Guidelines housing standards in terms of floor space requirements for one bedroom flats. Access to the flats would be

directly off Westminster Avenue. Each of flats would have more than one form of outlook and the rooms should receive good levels of sunlight and daylight. The proposal would include good internal layout and excellent stacking of rooms, good circulation space with the ground floor living area making the most of the garden access.

- 8.17 The flats would each have access to a private garden space in excess of Mayoral minimum guidelines, (albeit access outside and along the side of the building for the top floor flat. The proposal would include landscaping and planting, the details of which would be secured by condition. The proposal would therefore be in accordance with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies, CLP1 policy SP2.6 quality and standards; UDP policies UD3 scale and design, UD14 landscape design.

Transport

- 8.18 The site is located in an area with a PTAL of 1b, which is very poor. A parking area is provided on the front forecourt to the property, which is of sufficient size to accommodate 2 cars and this is considered acceptable given the poor accessibility of the site. It should be noted that there is a large mature street tree fronting the property and the vehicle crossover will have to be located at least 1m from the tree. A condition requiring details of mean of protection of this tree would need to be added to safeguard any proposed works to create the vehicle access
- 8.19 The proposed level of parking and cycle provision is considered to be acceptable in view of the sites requirements. The layout of parking and access arrangements are considered acceptable.
- 8.20 The proposal is therefore considered to be in accordance with London Plan policies 6.3 assessing effects on development capacity, 6.9 cycling, 6.13 parking; CLP1 policies SP8.1 transport and communication, SP8.8 sustainable travel choice, SP8. Parking; UDP policies T2 traffic generation, T3 pedestrians, T4 cycling, T8 and T9 parking, T11 road safety.

Sustainability

- 8.21 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy 5.2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. The development would need to achieve a reduction in carbon dioxide emissions of 19% beyond the 2013 Building Regulations and demonstrate how the development will achieve a water use target of 110 litres per head per. Subject to condition the proposal would be in accordance with NPPF guidelines on meeting climate change; London Plan Policy 5.2 minimising carbon dioxide, 5.3 sustainable design, 5.14 water quality and waste water infrastructure; CLP1 policies SP6.1 environment and climate change, SP6.2 energy and carbon dioxide reduction, SP6.6 sustainable design construction; UDP policies EP5-EP7 water.

Waste

- 8.22 The proposed plans indicate the location for the waste storage facilities to be contained within the building within a reasonable distance for collection. It is

considered that the proposed bin storage is acceptable and should provide suitable housing for 2x240 ltr landfill, 4x55 ltr recycling boxes, 2x23 ltr external food caddy 2x9 ltr internal food caddy,. In order to ensure that a suitable level of bin provision is provide a condition requiring details of this space should ensure that the proposal is in line with the principles of London Plan policy 5.17 waste capacity; CLP1 policy SP6.6 waste management and UDP policy UD15.

Flooding:

- 8.23 The property has been identified as being located within an area subject to surface water flooding (1 in 1000yrs). The proposed development would therefore need to ensure that suitable SUDS measures are introduced to safeguard against potential flooding. The details of such measures would be controlled subject to condition in order to ensure that the proposal complies with the principles of the NPPF in meeting flooding requirements; London Plan policy 5.12 flood risk management; CLP1 policy SP4.2 flooding and UDP Policies EP5-EP7 flooding/drainage and conservation.

Conclusions

- 8.24 The recommendation is to grant planning permission.
- 8.25 All other relevant policies and considerations, including equalities, have been taken into account.



PART 6: Planning Applications for Decision

Item 6.2

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/01706/HSE](#) (*Link to associated documents on Planning Register*)
Location: 20 Mapledale Avenue, Croydon CR0 5TB
Ward: Fairfield
Description: Alterations and erection of single/two storey front/rear extensions
Drawing Nos: 059 DWG P 01A, 059 DWG P 02, 059 DWG P 03, 059 DWG P 04, 059 DWG P 05A, 059 DWG P 06A, 059 DWG P 07A, 059 DWG P 08A, 059 DWG P 09A, NL 01
Applicant: Mr and Mrs Patel
Agent: Miss Joanne Lingwood
Case Officer: Sera Elobisi

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

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) No window at or above first floor elevation shall be provided in the eastern and western elevations of the extension.
- 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 Mapledale Avenue and Upfield to be removed by the applicant.
- 3) Any [other] informative(s) considered necessary by the Director of Planning

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application proposes:

- Erection of porch to the front elevation
- Single storey rear extension to existing garage/annexe
- Part Single/part two storey rear extension from the original rear wall
- The existing conservatory would be demolished and replaced with the proposed single/two storey rear development.

Site and Surroundings

3.2 The application site is occupied by a large two storey detached house situated on the south-western side of Mapledale Avenue. The surrounding area is wholly residential, characterised by large detached houses of varying styles and sizes on similarly sized plots.

3.3 Site Policies and Constraints;

- Flood Risk 1000 year surface water
- Gas Pipes Low Pressure

Planning History

3.4 The site has not been the subject of any previous planning applications of relevance to this proposal.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 The development would not detract from the visual character of the building and the character of Mapledale Avenue.

4.2 The development would not harm residential amenity

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: 8 Objecting: 8 Supporting: 0

6.2 The Whitgift Estate Residents Association is objecting to the development proposal.

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>	
Morning sunlight from the main living area of 18 Mapledale Avenue would be blocked out by the proposed two storey development.	The daylight assessment submitted as part of the application demonstrates the proposed two storey development would be at an angle of 25° from the ridge and 20° from the proposed eaves when measured from the nearest sensitive window at 18 Mapledale Avenue. The adjacent dwelling at 18 Mapledale Avenue would not be materially affected as a result of the two storey rear extension.
<i>Overlooking and loss of privacy</i>	
1 st floor rear windows would very easily allow viewing into the rear garden of 18 Mapledale Avenue because of the centre line of application property (from front to back) being angled at about 20 degrees towards 18 Mapledale Avenue	Given the plot orientation (south facing rear garden) and the proposed siting of the first-floor rear windows, there would be no undue overlooking into the rear gardens of the adjacent dwellings or loss of privacy to warrant a refusal on these grounds.
<i>Overdevelopment of the site</i>	
	The proposed development would be largely contained within the existing footprint of the dwelling and would not result in overdevelopment of the site. The property is situated within a large plot.
<i>Obtrusive design, bulk overshadowing</i>	
2 storey development would have an overbearing effect at very close proximity to 18 Mapledale Avenue as it would be built on land about 2 feet higher.	It is noted that there are land level changes between the application site and that of 18 Mapledale Avenue with a difference of approximately 600mm. The single storey part of the extension would be setback 4.0 metres away from the boundary of 18 Mapledale Avenue and would be on a single level with a maximum height of 3.025 metres from the ground floor of this neighbouring property. The first-floor extension would have a minimum setback of 9.0 metres from the boundary of 18 Mapledale Avenue and would be setback from the rear wall of this neighbouring property. Whilst the development would be noticeable from the rear gardens of the adjacent dwellings, it would not have an overbearing effect on the occupiers and in particular, the occupiers of 18 Mapledale Avenue.

<p><i>Not in keeping with the Whitgift Estate and corner plotted properties</i></p>	<p>The proposed development would be largely contained at the rear of the site and whilst it would be visible in places from the street it would not significantly alter the openness of the area. The proposed erection of a porch is acceptable in terms of design and scale and would not detract from the building or the streetscene.</p>
<p><i>Proposal is similar to 26 Mapledale Avenue which has been refused planning permission and dismissed by the Planning Inspectorate.</i></p>	<p>Whilst each planning application should be determined on its individual merits, this proposal has a number of key differences compared to the proposal at 26 Mapledale Avenue (including the primary element of the proposal being a two-storey rear extension rather than a two storey side extension) ensuring the majority of the development is at the rear of the property. Importantly, the proposal would not project beyond the established building line facing Mapledale Avenue.</p>

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.
- 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):
- 7.4 Local character, public realm and streetscape
 - 7.6 Good quality environment
- 7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):
- SP4.1 Design
 - SP4.2 Residential amenity

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

- UD2 Layout and Siting
- UD3 Scale and Design
- UD8 Protecting residential amenity

7.7 There are relevant adopted Guidance as follows:

- Supplementary Planning Document note 2 on Residential Extensions and Alterations (SPD2).

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Townscape and visual impact
2. Residential amenity/Daylight & Sunlight for neighbours

Townscape and visual impact

8.2 The proposed alterations to the front elevation, namely the enclosed porch would be acceptable in terms of design. The proposed single storey extension to the rear of the attached garage/annexe would not be visible to the street-scene and would remain a subservient addition to the main dwelling.

8.3 The area comprises of detached houses, set within spacious plots which makes an important contribution to the area's character. The proposed two storey rear extension would be visible from public vantage points in Mapledale Avenue but the first floor element of the extension would not project beyond the side elevations of the existing dwelling or the established building line to the front of the properties. This would ensure that the sense of openness within the area is not significantly eroded. The maximum depth of the rear first floor projection would be 3.8 m which, combined with the design consisting of twin gables and suitable materials, would result in an extension that would not harm the overall appearance and character of the host dwelling and the immediate neighbourhood. The development would be acceptable in terms of its impact on the visual amenity of the street scene and the character of the area in accordance with the intentions of policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policies SP1.2, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013, Policy 7.6 of the London Plan 2015 and Supplementary Planning Document No 2 on Residential Extensions and Alterations.

Residential Amenity/Daylight & Sunlight for neighbours

8.4 The proposed ground and first floor extensions to such a large detached dwelling such as the application site is considered acceptable and in accordance with the Council's SPD2 which allows for a deeper projection on detached dwellings on large plots.

8.5 Whilst the development would be noticeable from the rear gardens of the adjacent dwellings, it would not have an overbearing effect on the occupiers (in particular the occupiers of 18 Mapledale Avenue). The proposed single storey rear extension would

have a minimum separation of 4.0 metres from the flank wall of the single storey side extension to 18 Mapledale Avenue and 9.0 metres at first floor level. The degree of separation between the proposed development and neighbouring dwelling at 18 Avenue would be sufficient enough to ensure no undue impact on the residential amenities of the adjoining occupiers. There are no windows proposed in the eastern and western and given the plot orientation and the proposed siting of the first-floor rear windows, there would be no undue overlooking into the rear gardens of the adjacent dwellings or loss of privacy to warrant a refusal on these grounds.

- 8.6 The daylight assessment submitted as part of the application show the proposed two storey development would be at an angle of 25° from the ridge and 20° from the proposed eaves when measured from the nearest sensitive window at 18 Mapledale Avenue. The adjacent dwelling at 18 Mapledale Avenue would not be materially affected by the two storey rear extension.
- 8.7 In relation to the proposal's impact upon 20 Mapledale Avenue, it is considered that sufficient distance exists between the rear elevation of the extension and boundary of the site to mitigate against any unacceptable overlooking or overshadowing. Given the orientation of the properties and siting of the proposed development within the application site, it is not considered harmful in relation to visual amenity.
- 8.8 The proposed development, by reason of its scale, form, design and siting would not result in harm to the living conditions of neighbouring residential occupiers so as to warrant a refusal in this instance.
- 8.9 Consequently, it is considered that the proposal complies with the objectives of Policies 7.4 and 7.6 of the London Plan, Policy 4.2 of the CLP-SP and Policy UD8 of the Croydon Plan (2006) Saved Policies that seek to protect existing occupiers from undue visual intrusion, loss of daylight and sunlight and loss of privacy.

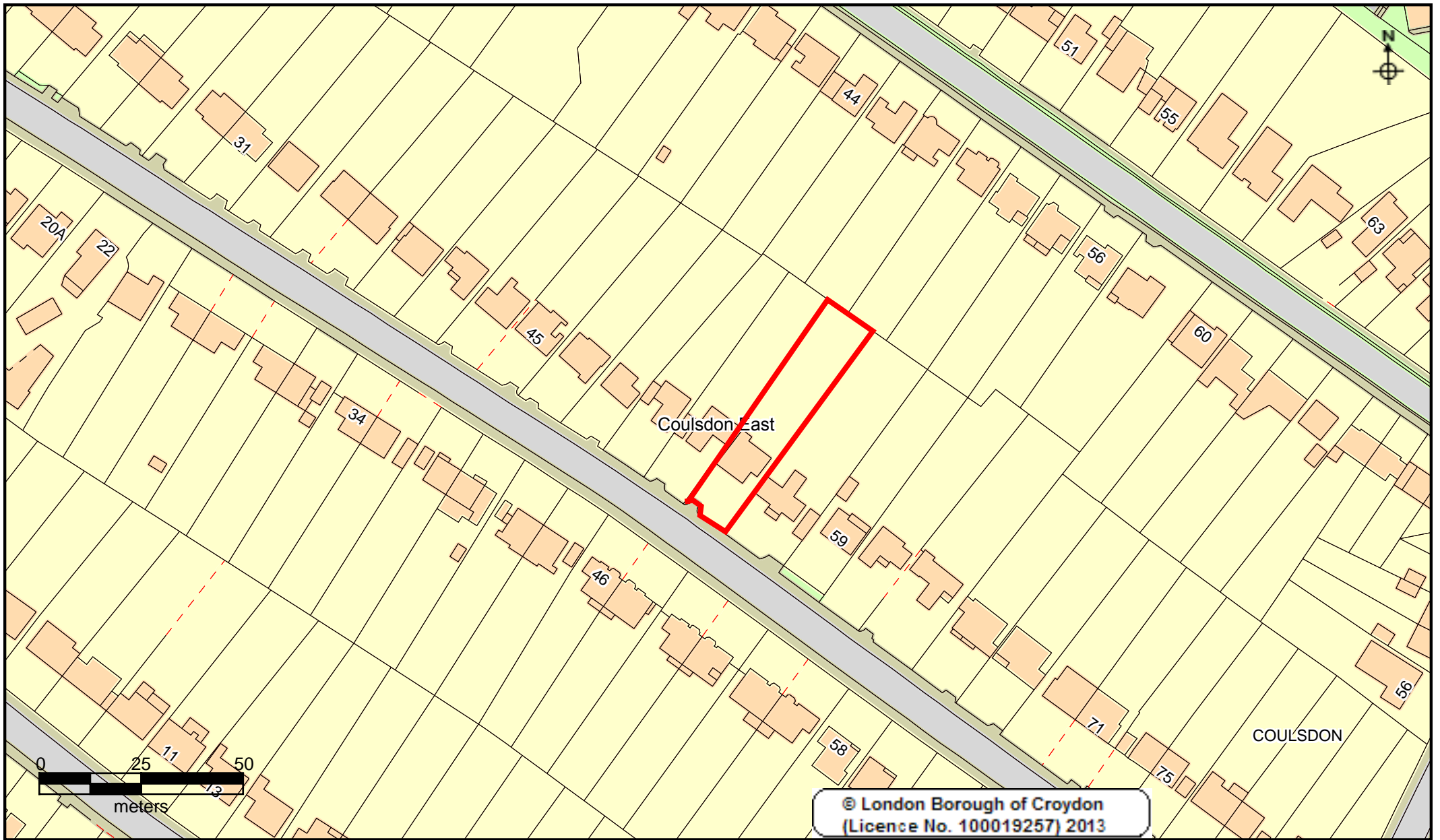
Highway safety and efficiency

- 8.10 The proposal does not seek to make any changes to the existing access and car parking arrangements for the application site. It is therefore considered the proposal does not have an unacceptable impact upon the highway network.

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 considered.

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PART 6: Planning Applications for Decision

Item 6.3

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/03656/HSE](#) (*Link to associated documents on Planning Register*)
Location: 55 Marlpit Lane, Coulsdon, CR5 2HF
Ward: Coulsdon East
Description: Erection of single storey side, single storey rear, two storey side and rear extension
Drawing Nos: 01 Rev A, 02 Rev A, 03, Rev A, 04 Rev D, 05 Rev E, 06 Rev E and 07 Rev C.
Applicant: Mr Sunil Gupta
Agent: Mr Shailender Nagpal
Case Officer: Peter Korankye-Gyabong

1.1 This application is being reported to Committee because a Ward Councillor (Cllr Margaret Bird) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the 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) In accordance with approved plans
- 2) Materials to match the existing dwelling
- 3) No windows at/above first floor level in south-eastern or north western elevations other than specified on approved plans
- 4) Windows in north western elevation be obscure glazed
- 4) Commencement of development within three years
- 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
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal comprises the following:

- Demolition of existing rear conservatory
 - Erection of first floor and two storey side and rear extension
 - Erection of single storey side and rear extension
- 3.2 Amended plans have been received during the course of the application. These moved the single storey and the two storey side/rear extensions away from the boundary line by a further 650mm, and reduced the proposed roof heights of all the proposed extensions.

Site and Surroundings

- 3.3 The application site is a two-storey detached dwelling located to the north east side of Marlpit Lane. The dwelling has a flat roof garage attached to the northwest side. It has brick to the elevations under a tiled roof. Ground levels rise significantly from the front to back of the site and from west to east meaning that the adjacent dwelling No.53 sits on a significantly lower grounds level whilst the No. 57 sits on a significantly higher ground.
- 3.4 The surrounding area is largely residential in character, comprising mostly of detached properties of varied character (but many in the same style as the application property) in generous plots. The site falls within a Surface Water Critical Drainage Area and a 1 in 1000 year Surface Water Flood Risk Area, according to the Croydon Local Plan: Strategic Policies (2013) map. Hayes Lane is a Local Distributor Road. The site sits within the Farthing Downs Croydon Panorama.

Planning History

- 3.5 95/01245/P Erection of conservatory. Granted August 1995.
- 3.6 17/01971/HSE - Erection of single/two storey side/rear- Permission refused on 16.06.2017 for the following reasons:
1. *By reason of its siting, scale, massing and design, the development would form a dominant and incongruous addition which would detract from and be out of keeping with the character of the existing dwelling and detrimental to the visual amenity of the street scene.*
 2. *The side and rear extension, by reason of its location, depth and scale would have a significantly detrimental impact on the amenities of the adjacent residential dwelling 53 Marlpit Lane by way of being unduly overbearing and causing loss of outlook and light.*

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The previous grounds for refusal have been overcome
- The proposed extensions would be in accordance with residential design guidance set out in Supplementary Planning Document 2 (SPD2) and would be of an acceptable scale, massing and design. There would not be a harmful impact on the character of the dwelling, or the streetscene.

- The siting and layout of the development including the degree of separation between the existing buildings would be sufficient to ensure no undue impact on residential amenities of the adjoining occupiers
- There would be no changes to the existing parking arrangements, and as a result there would be no harmful impact to the local highway network or local on street parking provision.

5 CONSULTATION RESPONSE

- 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: 1 Objecting: 1 Supporting: 0

- 6.2 The following Councillor made representations:

- Cllr Margaret Bird [objecting]

- 6.3 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:

- Loss of light
- Overlooking and
- Obtrusive by design

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.

- a. 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
- Delivering a wide choice of high quality homes
- Providing a good standard of amenity for existing and future occupants of buildings and land
- Promoting sustainable transport

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

Consolidated London Plan 2015 (LP):

- 6.13 Parking
- 7.4 Local Character
- 7.5 Public Realm
- 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
- T2 Traffic Generation from Development
- T8 Car Parking Standards in New Development

7.2 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017 and the examination took place in May/June this year. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

8 MATERIAL PLANNING CONSIDERATIONS

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

1. The design and appearance of the development and the impact on the character of the area
2. The impact of the development on the residential amenities of adjoining occupiers
3. Other planning issues

The design and appearance of the development and the impact on the character of the area

- 8.2 This application is a resubmission following refusal of planning application reference 17/01971/HSE for the following:
- Demolition of existing rear conservatory
 - Erection of first floor and two storey side and rear extension
 - Erection of single storey side and rear extension
- 8.3 The main differences between the refused application and the current scheme are:
1. The first floor side element of the refused scheme spanned almost the entire depth of the original side elevation, whereas the current scheme proposes a reduced depth of 2.8 metres from the front
 2. The first floor rear element of the refused scheme was sited 600mm from the common boundary with No. 53 whereas the current scheme proposes a set in of 1250mm from the shared boundary with No. 53
 3. The first floor rear and side elements of the refused scheme proposed roof heights which matched the ridgeline of the main house whereas the current scheme proposes a set down of the ridgeline of 1m below the original ridgeline
 4. The single storey rear element has been set in an extra 650mm from the shared boundary with No. 55
 5. The single storey side and rear elements of the refused scheme proposed roof height in excess of 3m whereas the current scheme proposes a reduced height to 2.7m maximum.
- 8.4 The Council's Supplementary Planning Document Number 2: Residential extensions and alterations (SPD2) states that when assessing two storey side extensions the most important consideration is the effect of the street scene and in particular the architectural rhythm of the houses and the spaces between them. The original integrity of the design of the dwelling should normally be maintained and can usually be achieved by setting extensions back from the main front wall so that they become subordinate elements in the street scene. This set back should usually be about 1.5 metres from the main front wall of the dwelling.
- 8.5 The dwelling as existing is two-storey with front and side facing gable roofs with an attractive eaves detail. The dwellings in this row are mostly detached but the built form often extends close to the side boundaries of the plots, as in the case of No. 53 Marlpit Lane. Given the change in ground levels, the application site is significantly higher than No.53 to the northwest and sits on a significantly lower grounds than No. 57 to the southeast.
- 8.6 The amended proposal provides a drop in ridgeline of 1m and provides a setback of approximately 3.8 to closely align with the southeast wing of No. 53. The existing attractive eaves feature of the roof and window glazing detailing is also now shown to be replicated which would no longer harm the original appearance of the building. Given the differences in footprint, design and style of buildings in the locality officers consider that the current scheme adequately addresses the previous reasons for refusal, relating to visual prominence. As such the first floor side extension would be in accordance with the Council's design guidance set out in SPD2, with a 3.8m setback from the main front wall provided at first floor level, a reduced ridge height and appropriate width not more than half the width of the original dwellinghouse, would be subservient to the main dwellinghouse and is considered to be acceptable.

- 8.7 Given the size and detached nature of the property, it is not considered the extension would be overly dominant on the rear of the building. This is considered to be acceptable in terms of the impact on the character of the area. This is in accordance with the above mentioned policies.

Residential amenity of adjoining occupiers

- 8.8 No. 57 lies to the southeast of the site. This property sits slightly forward of the application site in the streetscene at an angle that follows the Marlpit Lane. The first floor side extension would not readily be visible from this property. The single and two storey rear extensions would only slightly project beyond the conservatory to be removed. Given the site circumstances and the orientation, it is not considered the development would result in harm to the amenities of the occupiers of No. 57, through loss of light, outlook or privacy.
- 8.9 The property at No. 53 Marlpit Lane lie to the northwest of the development. The first floor side extension would extend almost 1.6m beyond the side flank wall of the east wing of front façade of No. 53 whilst the two storey side/rear element would extend 1.4m beyond the rear flank wall of the east wing and be recessed 1.25m off the rear boundary with this property.
- 8.10 The layout of No.53 is such that it has an 'L' shape with the southeast closest to No.55 being well set back from the frontage of No.55. There are windows and openings in the setback southeast elevation of the L-shape directly facing the side flank of the existing garage and the main flank wall of No. 55. In refusing the previous application, the Council noted that the single storey rear extension element would have extended approximately 3.4m beyond the rear elevation of No.53 whilst the two storey element would have extended 1.7m beyond the rear elevation.
- 8.11 The current scheme proposes a reduced projection of 1.4m beyond the rear wall of No. 53 and recessed 1.25m off the shared boundary with this property and a reduce height of 1m. Although it is acknowledged that 1.4m of the two storey rear element would be visible from the rear garden of No. 53, these are common features in built up areas and any potential harm resulting from their presence must be demonstrable, in planning terms.
- 8.12 It is noted on the site visit that both the ground floor habitable room and the first floor bedroom in the east wing are dual aspect with front and rear windows of considerable widths and heights. In light of this and given the changes to footprint, depth and height, officers note that the proposed extensions would neither breach the 45 degrees line of sight from the rear ground floor and first floor windows nor the front ground and first floor windows in the east wing. Therefore, these habitable rooms would receive substantial levels of light in the morning due to the additional setback on the side and there would be no demonstrable harm to the amenity of this neighbouring property to justify refusal of planning permission.
- 8.13 In relation to the openings in the southeast elevation of No. 53 the amended proposal proposes to set back the first floor side extension by approximately 3.8 metres and be substantially reduced in height. These reductions combined with use of flat roof over the existing single storey side element coupled with the separation distance between the proposed and the west wing of No. 55 are sufficient to ensure there

would be no harm to the residential amenities of this property as a result of the development.

- 8.14 In respect of loss of privacy, there are existing windows in the side elevation facing No. 53. These windows do not serve habitable rooms. The amended scheme now proposes to brick up one of the existing ground floor windows and replace the other with a high level obscure glazed window. The proposed first floor window would be in a similar position as the exiting first floor window, would only serve a bathroom and proposed to be obscure glazed. If planning permission is granted appropriate planning condition can be applied to ensure that it be obscure glazed and fixed shut at 1.7m from floor level to safeguard the amenity of this neighbouring occupiers. It is therefore unreasonable to refuse planning permission based on loss privacy or perception of it where planning condition can be applied.
- 8.15 Overall, the development is considered to be in accordance with the relevant policies and would not result in harm to the residential amenities of surrounding occupiers. As such the previous reasons for refusal have been fully address and refusal of planning permission based on loss of outlook and light, can no longer be sustained.

Other planning issues

- 8.16 There would be a loss garage as a result of the development. The site would remain as a single family dwellinghouse, and there is no change of use proposed as part of the application. Therefore, the parking space within the frontage would be adequate
- 8.17 The site lies within a surface water flood risk area. However, the extension is modest and would be sited largely on existing footprint and subject to water butts conditions, no objection is raised.

Conclusions

- 8.18 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.
- 8.19 All other relevant policies and considerations, including equalities, have been taken into account.

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