



1 SUMMARY OF APPLICATION DETAILS

Ref: 17/01562/FUL
 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.