

# Planning Sub-Committee Agenda



To: Councillor Paul Scott (Chair)  
Councillor Muhammad Ali (Vice-Chair)  
Councillors Chris Clark, Clive Fraser, Toni Letts, Felicity Flynn, Jason Perry,  
Scott Roche, Gareth Streeter and Oni Oviri

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 7 June 2018** at the rise of Planning Committee but not earlier than **8.30 pm** in **Council Chamber - Town Hall**

JACQUELINE HARRIS-BAKER  
Director of Law and Monitoring Officer  
London Borough of Croydon  
Bernard Weatherill House  
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www.croydon.gov.uk/meetings  
Wednesday 30 May 2018

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the righthand side.

To register a request to speak, please either e-mail

[Democratic.Services@croydon.gov.uk](mailto:Democratic.Services@croydon.gov.uk) or phone the number above by 4pm on the Tuesday before the meeting.

N.B This meeting will be paperless. The agenda can be accessed online at [www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)

## **AGENDA – PART A**

**1. Apologies for absence**

To receive any apologies for absence from any members of the Committee

**2. Minutes of the previous meeting (Pages 5 - 6)**

To approve the minutes of the meeting held on Thursday 5 April 2018 as an accurate record.

**3. Disclosure of Interest**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted 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 those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

**4. Urgent Business (if any)**

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

**5. Planning applications for decision (Pages 7 - 10)**

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

**5.1 17/00318/FUL, Land Adjacent To 2 Fitzroy Gardens, Upper Norwood, SE19 2NP (Pages 11 - 20)**

Erection of 2 three storey three bedroom houses with basements: provision of associated parking.

Ward: South Norwood  
Recommendation: GRANT permission

**5.2 17/02057/FUL, 127 Godstone Road, Kenley, CR8 5BD**  
(Pages 21 - 30)

Demolition of the existing building and erection of 2 three storey three bedroom semi-detached houses; formation of vehicular access and provision of associated parking.

Ward: Kenley  
Recommendation: GRANT permission

**5.3 18/00953/FUL, Land at rear of 44 Kidderminster Road fronting onto Stanton Road CR0 2UE** (Pages 31 - 42)

Excavation to erect a two storey semi-detached building comprising of 2 x 2 bedroom duplex flats with accommodation at ground and basement levels ; removal of vehicle crossover to reinstate public footway.

Ward: Broad Green  
Recommendation: REFUSE permission

**5.4 18/00785/FUL, McDonalds Restaurant, 415 Purley Way**  
(Pages 43 - 52)

Alterations, Refurbishment of restaurant and patio area, alterations to elevations, erection of front/side/rear extensions, alterations to drive thru lane, installation of goal post height restrictor and two customer order displays with associated canopies.

Ward: Waddon  
Recommendation: GRANT permission

**5.5 18/01287/FUL, McDonalds Restaurant, 415 Purley Way**  
(Pages 53 - 60)

Alterations to the site access and reconfiguration of the external seating area.

Ward: Waddon  
Recommendation: GRANT permission

**6. Exclusion of the Press & Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder 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 items 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."

## Planning Sub-Committee

Meeting of held on Thursday, 5 April 2018 at 7.24 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

### MINUTES

**Present:** Councillor Paul Scott (Chair);  
Councillor Humayun Kabir (Vice-Chair);  
Councillors Sherwan Chowdhury, Sue Winborn and Chris Wright

### PART A

A28/18 **Minutes of the previous meeting**

**RESOLVED** that the minutes of the meeting held on 8 March 2018 be signed as a correct record.

A29/18 **Disclosure of Interest**

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

A30/18 **Urgent Business (if any)**

There was none.

A31/18 **Planning applications for decision**

A32/18 **18/00055/FUL 197 Godstone Road, Kenley, CR8 5BN**

Alterations; Erection of single storey rear extension and dormer extensions in the rear roof slope; Sub-division of the property to form 2x three bedroom dwellings.

Ward: Kenley

After consideration of the officer's report, Councillor Kabir proposed and Councillor Wright seconded the officer's recommendation on the grounds that the proposed design would enhance the area and create additional housing.

**RESOLVED** – That the Committee voted unanimously in favour of the officer’s recommendation, so planning permission was **GRANTED** for development at 197 Godstone Road, Kenley.

The meeting ended at 7.35 pm

**Signed:**

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**Date:**

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## PLANNING SUB-COMMITTEE AGENDA

### PART 5: Planning Applications for Decision

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#### 1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the 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 or Resident Association 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 (consolidated with Alterations since 2011)
  - the Croydon Local Plan (February 2018)
  - 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.

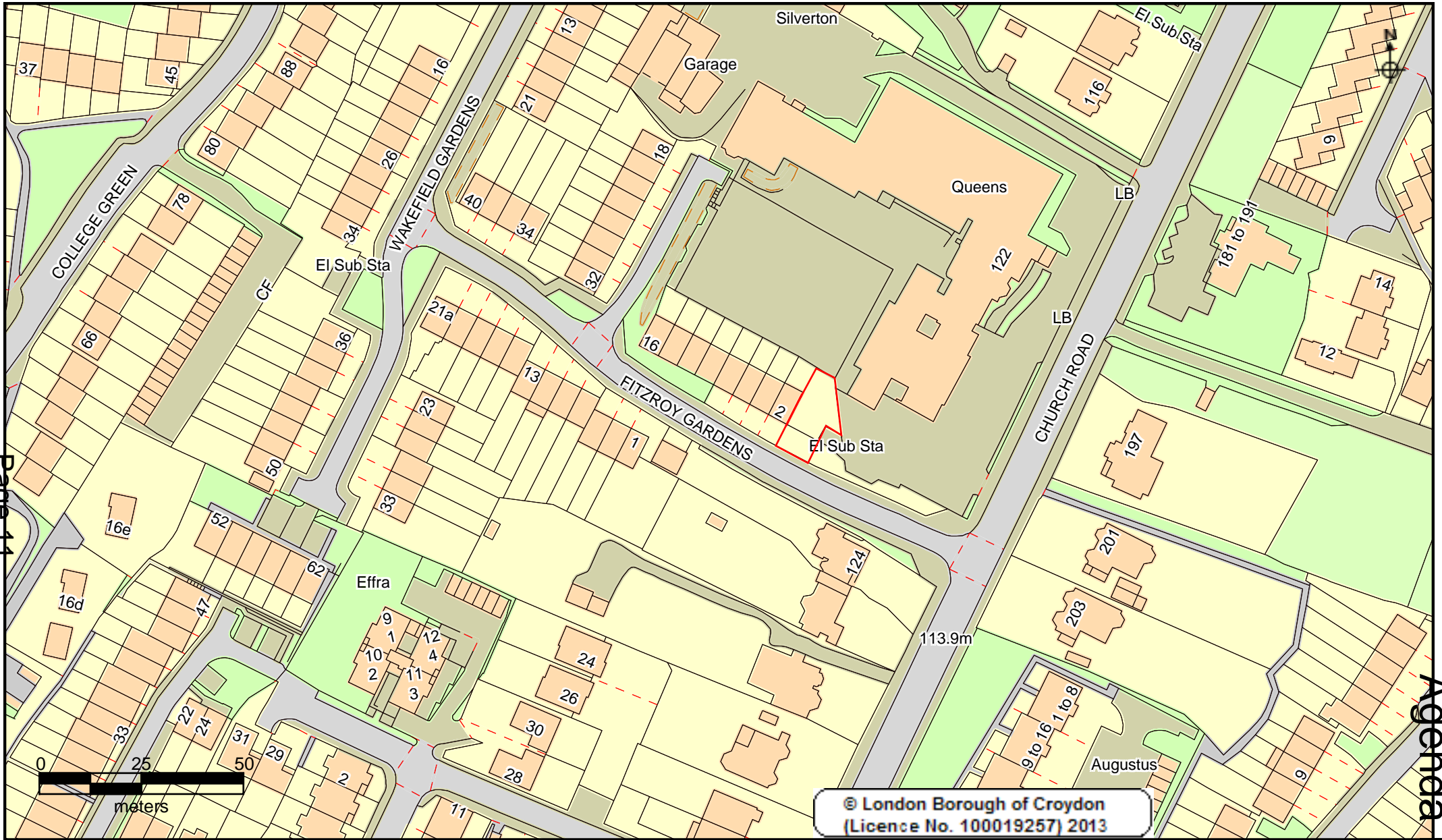
## **8. BACKGROUND DOCUMENTS**

- 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.

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**PART 5: Planning Applications for Decision****Item 5.1****1 SUMMARY OF APPLICATION DETAILS**

Ref: 17/00318/FUL  
Location: Land Adjacent To 2 Fitzroy Gardens, Upper Norwood, SE19 2NP  
Ward: South Norwood  
Description: Erection of 2 three storey three bedroom houses with basements:  
provision of associated parking  
Drawing Nos: 2472/PL/21, 2472/PL/20 Rev D and un-numbered site location plan  
Applicant: SPJ Holdings Ltd  
Agent: Angus Brown Architects  
Case Officer: Katy Marks

- 1.1 This application is being reported to Sub-Committee because representations over the threshold for Committee consideration were received.

**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) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) Materials to be submitted with samples
- 3) Car parking, refuse and cycle parking to be submitted
- 4) Removal of permitted development rights for enlargements and outbuildings
- 5) Landscaping scheme to be submitted including hard/soft landscaping, retaining walls, balustrades/screens, boundary treatments
- 6) Tree protection plan
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Commencement of development within three years of consent being granted
- 11) Development to be carried out entirely in accordance with submitted tree report including protection measures
- 12) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- 1) Site notice removal
- 2) CIL liability
- 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:

- Erection of a pair of three storey, 3-bedroom houses with basements.
- Two new access points would be created off Fitzroy Gardens, serving two off street parking spaces for each dwelling with associated refuse storage, cycle storage and landscaping to the frontage.
- Each house would have a small private garden and basement courtyard

3.2 Amendments and additional information has been received during the course of the application, comprising the following:

- Clarification of the application site boundary in relation to the ownership and boundary with the adjacent Queens Hotel site
- Submission of a daylight and sunlight report
- Clarification as regards trees affected by the development
- Alterations to improve access to the private gardens from the properties

3.3 These changes have not altered the description of development, nor increased its impact. It has therefore not been necessary to advertise these amendments.

#### **Site and Surroundings**

3.4 The application site is a vacant area of land adjacent to 2 Fitzroy Gardens. The land slopes down away from the road and contains a number of trees. It is bounded to the east by an existing sub-station structure and to the west by the end of terrace property (2 Fitzroy Gardens) To the north and north east, the site is bounded by the Queen's Hotel. The main building of the hotel is a locally listed building. To the south on the opposite side of the road is the Grade II listed 124 Church Road (which faces onto Church Road).

3.5 The surrounding area is residential in character. Fitzroy Gardens comprises 3 storey terraces houses constructed in the 1960s.

3.6 The site adjoins the Church Road Conservation Area to the north, east and south. There are no other designations for the site.

#### **Planning History**

3.7 11/02007/P: Permission granted for erection of three bedroom attached house at side; formation of vehicular access and provision of associated parking; installation of light wells at rear ground level

3.8 15/02255/P: Permission granted on appeal for erection of 2x2 bedroom three storey attached houses; formation of vehicular access and provision of associated parking; provision of bin and cycle stores

3.9 The adjacent Queens Hotel has relevant planning history as follows:

- 14/03472/P: Permission granted with legal agreement for erection of four storey front/side extension (including lower ground, ground, first and second floors) to provide an additional 24 rooms; alteration of car parking arrangement and associated landscaping works
- 17/04332/FUL: Permission granted for erection of a ground and lower ground floors rear extension, to accommodate additional ancillary hotel space, and associated works
- 18/00831/FUL: Application pending for the demolition of existing buildings to the centre and rear of the site and existing extensions to the roof, and the construction of a new spine building including a glazed link to part retained mews building, an extension from the southwestern facing elevation of the existing locally listed building, a single storey extension to the restaurant, five subterranean levels which provide parking, a swimming pool and servicing space, to create a total of 495 hotel rooms and 207 vehicle parking spaces, the re-cladding of the 1970's extension, provision of enhanced landscaping across the site including 5 coach parking spaces to the front, and the adaption of existing entrance to the hotel

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

- 4.1 The principle of residential development on the site is acceptable given the established residential character of the area
- 4.2 The design and appearance of the development reflects the character of the street scene and would preserve the setting of the conservation area
- 4.3 There would be no undue harm to the residential amenities of adjoining occupiers
- 4.4 The living standards of future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the Local Plan
- 4.5 The parking provision for the development would be acceptable
- 4.6 Sustainability aspects of the development would be acceptable and is able to be controlled through the use of planning conditions.

#### **5 CONSULTATION RESPONSE**

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 Site notices were erected to advertise the application. 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: 27    Objecting: 27    Supporting: 0    Comment: 0

- 5.3 North Croydon Conservation Area Panel objected to the application and raised the following comments:

- The proposals would represent overdevelopment of the site

- The introduction of light wells to the street frontage would be out of keeping with the street; detrimental to the appearance of the conservation area and destructive of the unity of the terrace.
- The front light wells would provide very limited natural light and the basement room would have poor light
- Extensive basement area are not a feature of this 1960s development

5.4 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:

- Overdevelopment of the site
- Loss of green space, trees and green buffer between the hotel and Fitzroy Gardens
- Development would not preserve or enhance the conservation area
- Basement would be out of keeping with the area
- Development would spoil the uniformity of the existing row due to width and basements
- Houses would compromise the architectural integrity of the estate
- Insufficient information about the materials and detailing [Officer Comment: These details would be secured by condition]
- Proposed houses do not appear to have same roof line as neighbours [Officer Comment: The proposed elevations confirm that the roof line is designed to be the same as the adjacent neighbour].
- Cycle and bin stores would be at odds with current street layout
- Loss of light and invasion of privacy to houses along Fitzroy Gardens
- The houses would be very close to the hotel car park and substation, providing very little amenity for residents
- Basement rooms would provide poor living accommodation
- New hotel development would harm the living conditions of occupiers
- Inadequate parking which will lead to further congestion in the cul-de-sac
- Not clear how many trees to be removed [Officer Comment: A tree plan has been provided which confirms which trees are proposed for removal]
- Not clear how this development would relate to the hotel scheme. Some buffer zone should be maintained to stop erosion of green spaces and loss of trees
- Quality of the drawings which does not show the relationship between the houses and proposed hotel development

5.5 The following matters were raised in representations which are not material to the determination of the application:

- This use is for multiple occupancy not family houses [Officer Comment: The application is for 2 houses; HMO use is not part of the scope of the application]
- Basement concerns regarding drainage, stability and subsidence and pressure on utilities e.g. drainage, sewers [OFFICER COMMENT: This is not a material consideration and outside the scope of planning remit]

## **6 RELEVANT PLANNING POLICIES AND GUIDANCE**

6.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with



the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

6.2 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, including requiring good design that takes the opportunities available for improving the character and quality of an area and the way it functions.

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

Consolidated London Plan 2011 (LP):

- 3.5 - Quality and design of housing developments
- 6.13 - Parking
- 7.4 - Local Character
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology

Croydon Local Plan 2018 (CLP):

- SP2 - Homes
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM18 - Heritage assets and conservation
- DM23 - Development and construction
- DM28 - Trees
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

## **7 MATERIAL PLANNING CONSIDERATIONS**

7.1 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 of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and transport
6. Environment and sustainability
7. Trees and landscaping

### **Principle of Development**

- 7.2 The principle of development is acceptable. The development would provide two additional family homes in an established residential area. The homes would both be 3 bedroom homes which the Local Plan identifies a need for in the Borough. The other material considerations are discussed below.

### **Townscape and Visual Impact**

- 7.3 Planning Permission was granted in 2016 (on appeal) for the erection of 2x3 bedroom houses. The appeal decision concluded that whilst the width of each proposed dwelling would have been slightly narrower than other dwellings present in the terrace, the difference would have been limited and would not have been immediately recognisable when viewed from the street frontage. The Planning Inspector noted that the land changes and staggered height of the terrace split the uniform appearance of the terrace and would have reduced any perceived difference between it and the proposed development. The decision also noted that several properties had refuse containers to the front and the proposal would not have been out of keeping with the street frontage. Finally, the Inspector concluded that the buildings would not be visually discernible when viewed from the Church Road Conservation Area to the east and south. He also noted that to the north, the terrace had a more varied appearance. Overall, he was satisfied that the scheme would have preserved the character and appearance of the adjoining conservation area.
- 7.4 The current scheme is similar in design and layout to the extant permission. The only difference is the inclusion of a basement room for each property and associated courtyard space to the rear and light wells to the front elevation.
- 7.5 The light wells to the front elevation would result in limited intervention to the front elevation with short railings around the light wells. The land level changes would reduce the visibility of the light wells and railings within the street scene. To the rear, two basement courtyard areas would be created for each house. The proposed basement courtyards would not be visible from the street-scene and would have a limited impact upon the character and appearance of the area. It would be visible from neighbouring upper floor windows and from the neighbouring Queen's Hotel but boundary treatment and landscaping would limit the impact.
- 7.6 It is therefore felt that the development would not appear out of keeping with the character and appearance of the street scene and would preserve the setting of the adjoining conservation area and the listed and locally listed buildings nearby.

### **Residential Amenity of Adjoining Occupiers**

- 7.7 The development would respect the building line of the existing neighbours and it would therefore not result in any harm to the living conditions of the adjacent property. The development would overlook the Regency Gardens to the rear with a similar relationship as the existing terrace. The development is not considered to have any impact upon the amenity of Queen's Hotel as there is no direct overlooking for the hotel building due to orientation. Overall, the development is not considered to result in any harm to the amenities of immediate neighbours.

### **Residential Amenity of Future Occupiers**

- 7.8 The proposed dwellings would be three bedroom dwellings and the proposed floorspace for each unit would exceed the minimum requirements of the Nationally

Described Space Standards for units of this type. The internal rooms are considered to be of acceptable sizes, with adequate light and outlook provided. A daylight assessment has been submitted which confirms that the main habitable rooms on ground floor and above would all provide high levels of daylight exceeding the BRE guidelines. The basement rooms for each house would not meet the guidelines, but the report concludes that the light wells allow for daylight and sunlight from the front (south facing) façade and large windows to the rear lighten the room. The proposed use of the rooms is as 'cinema rooms' which is likely to have a low expectation for daylight. Furthermore, the proposed dwellings would have a number of other well sized rooms which would all receive light well in excess of the BRE guidelines.

- 7.9 Each property would have a split level private garden which would meet the standards set out in the Local Plan for amenity space. The space would be constrained by the shape of the site but would provide useable space and the daylight report confirms that they would meet BRE guidance in terms of overshadowing. The development is considered to be acceptable in terms of living conditions for future occupiers.

### **Highways and Parking**

- 7.10 The location for the proposed development has a PTAL level of 3, which indicates a moderate level of accessibility to public transport links. Each new dwelling would benefit from one off street parking space to the frontage. This is considered acceptable as the site is located in walking distance to main bus routes along Church Road and within close proximity to the Upper Norwood District Centre.
- 7.11 Cycle parking is proposed to the front of the buildings together with waste storage. The cycle storage should provide 2 spaces for bicycles for each house in line with London Plan standards. A planning condition is recommended to secure details for cycle storage structure design to ensure that it meets policy requirements.
- 7.12 It is not considered the addition of the two new dwellings would have a significant impact on local parking facilities, congestion or the flow of traffic due to its small scale and proposed parking provision. The development is considered acceptable in this respect.

### **Environment and Sustainability**

- 7.13 Conditions would secure a 19% carbon dioxide emission reduction and a water use target of 110L per head per day thereby meeting sustainability targets.

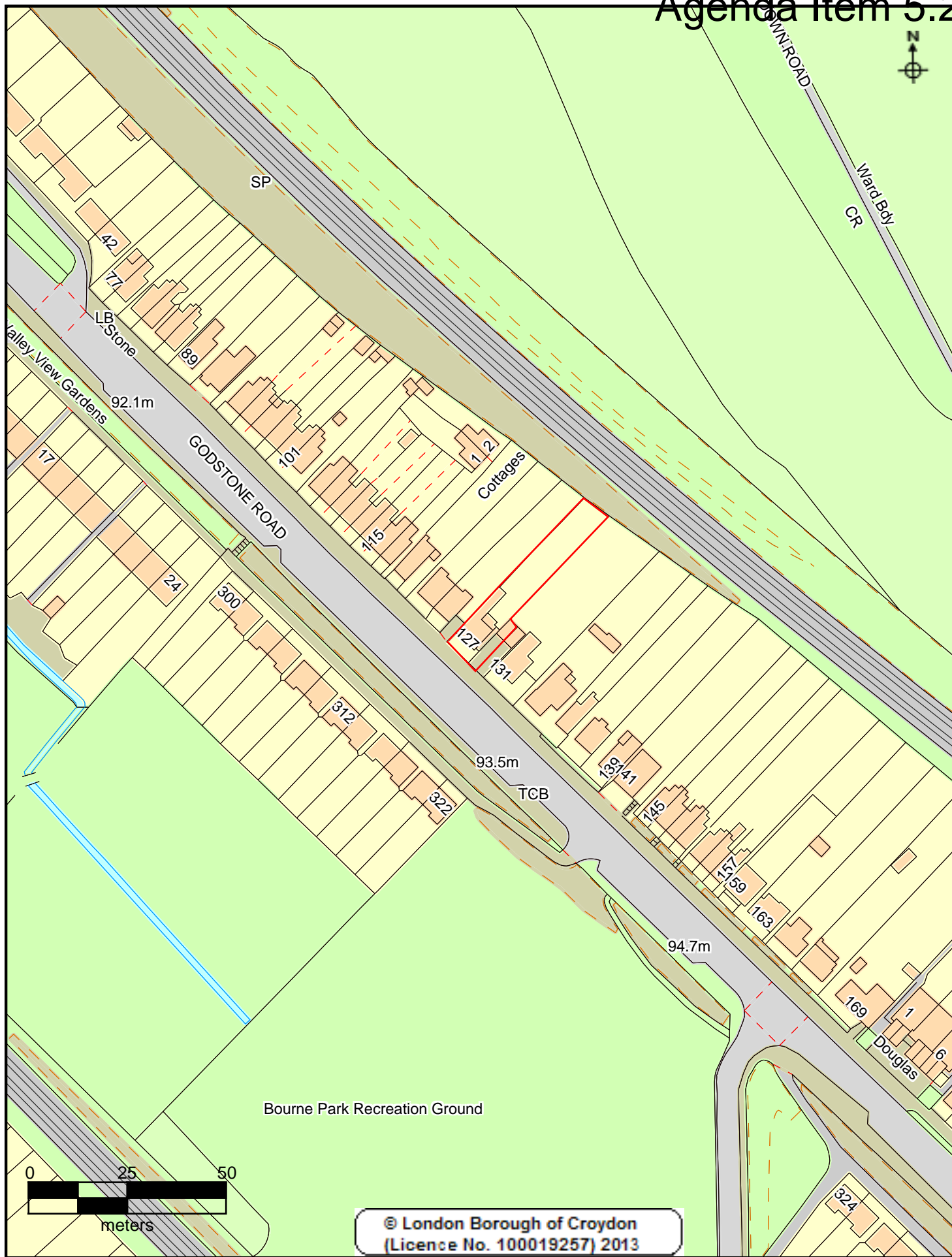
### **Trees and Landscaping**

- 7.14 There are trees and shrubbery on site, most of which appears to be self-seeded. The proposals seek to retain the larger trees to the rear boundary and to the side of the site which will assist in retaining the green character of the street scene. The trees proposed for removal have been assessed and are not of high quality and would not warrant a tree preservation order.
- 7.15 A tree protection plan (for the trees to be retained) has been provided but needs to be updated to reflect the introduction of the basement courtyards. A condition is recommended for submission of an updated tree protection plan to ensure the works, including protection measures and methods during construction, are carried out to required standards. A condition for comprehensive landscaping for the site is also

recommended to ensure that suitable landscaping to the basement courtyards and rear gardens is provided.

### **Conclusions**

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



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**1 APPLICATION DETAILS**

Ref: 17/02057/FUL  
Location: 127 Godstone Road, Kenley, CR8 5BD  
Ward: Kenley  
Description: Demolition of the existing building and erection of 2 three storey three bedroom semi-detached houses; formation of vehicular access and provision of associated parking.  
Drawing Nos: 996-01 Rev A, 996-02, 996-03 Rev D & 996-04 Rev D  
Agent: Doulla Western of Design Company Group  
Case Officer: Georgina Betts

- 1.1 This application is being reported to Planning Sub-Committee because Councillor Steve O'Connell made representations in accordance with the Committee Consideration Criteria and requested committee consideration

**2 RECOMMENDATION**

- 2.1 That the Planning Sub-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 wholly in accordance with the approved plans
- 2) Flood mitigation required
- 3) Submission of Construction Logistics Plan
- 4) Prior to the occupation the visibility splays, finished floor levels, cycle and refuse stores shall be submitted for approval
- 5) Samples of external facing materials to be submitted
- 6) Hard and soft landscaping to be submitted
- 7) Water usage and Carbon Dioxide Reduction
- 8) No windows at or above first floor in the south-eastern or north-western elevations
- 9) Removal of permitted development rights
- 10) Commence within 3 years of the date of the permission
- 11) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

**Informatives**

- 1) Community Infrastructure Levy – Granted
- 2) S278 with TFL required

- 3) Control of noise and pollution from construction sites
- 4) Any informative(s) considered necessary by the Director of Planning & Strategic Transport

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 The applicant seeks full planning permission for the:

- Demolition of the existing bungalow;
- Erection of a pair of three bedroom three storey semi-detached houses;
- Formation of vehicular access;
- Provision of associated parking, refuse and cycle stores;
- Associated hard and soft landscaping works.

#### **Site and Surroundings**

- 3.2 The application site is located on the north-eastern side of Godstone Road, Kenley and is occupied by a detached bungalow in single family occupancy.
- 3.3 The north-eastern side of Godstone Road is characterised by mainly Victorian terraced houses of two-stories interspersed with a few more individually designed houses such as bungalows or small detached houses.
- 3.4 Land levels rise towards the north-east so this side of the road is characterised by houses set at a higher level to the road with rear gardens rising beyond.
- 3.5 The opposite south-western side of the road is characterised by post-war style terraces houses set far below road level.
- 3.6 Godstone Road forms part of the Transport for London road network. The rear of the site adjoins a railway line and land designated for Nature Conservation and Archaeological Priority.

#### **Planning History**

- 3.7 16/01979/P – An application was withdrawn for the demolition of the existing building; erection of 2 three storey three bedroom semi-detached houses; formation of vehicular access and provision of associated parking.
- 3.8 08/02772/P- Planning permission was refused for the demolition of existing building; erection of three storey building comprising 1 one bedroom and 2 studio flats.
- 3.9 07/04667/P – Planning permission was refused for the Demolition of existing building; erection of three storey building comprising 2 one bedroom and 1 studio flats.



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

- a. The proposal would provide an addition family, the principle of development can be supported
- b. The development would have limited impact upon the character and appearance of the surrounding area
- c. The development would have an acceptable relationship with neighbouring residential properties.
- d. The standard of accommodation for future occupiers is satisfactory
- e. Access, parking and turning arrangements are acceptable
- f. Flooding matters can be appropriately managed through condition.

#### **4 CONSULTATION RESPONSE**

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 Transport for London were notified regarding this application and has raised no objection subject to relevant planning conditions.

#### **5 LOCAL REPRESENTATION**

- 5.1 The application has been publicised by way of letters sent to neighbouring occupiers 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: 2      Objecting: 2

- 5.2 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:

- Over development
- Loss of privacy/light
- General noise and disruption (building works)
- Parking layout not practical nor sufficient

- 5.3 The following issues were raised in representations, but they are not material to the determination of the application:

- Impact on sewer pipes and soakaways [Officer Comment: this is not a material planning consideration and the application would need to seek advice from the relevant authorities]
- Asbestos removal [Officer Comment: this is not a material planning consideration and would be addressed under the Environmental Health Acts]
- Not site notices erected [Officer Comment: the Councils procedure has changed and letters were sent advising the public of the application]

- 5.4 Councillor Steve O'Connell has made the following representations:

- Overdevelopment of site
- Detrimental effect on amenities of neighbouring properties
- Poor design
- Insufficient parking

## **6 RELEVANT PLANNING POLICIES AND GUIDANCE**

6.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

6.2 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.
- 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

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

### Consolidated London Plan 2015 (LP):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

### Croydon Local Plan 2018 (CLP):

- SP2 on homes
- SP4 on urban design and local character
- SP6 on environment and climate change
- SP8 on transport and communications
- DM1 on housing choice for sustainable communities
- DM10 on design and character
- DM13 on refuse and recycling
- DM16 on promoting healthy communities
- DM19 on promoting and protecting healthy communities
- DM23 on development and construction

- DM24 on land contamination
- DM25 on sustainable drainage systems and reducing flood risk
- DM27 on biodiversity
- DM28 on trees
- DM29 on promoting sustainable travel and reducing congestion
- DM30 on car and cycle parking in new development
- Applicable place-specific policies

## **7 MATERIAL PLANNING CONSIDERATIONS**

7.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

- 1) Principle of the development
- 2) Townscape and visual impact
- 3) Impact on neighbouring amenity
- 4) The standard of accommodation for future occupiers
- 5) Access, parking and turning arrangements.
- 6) Flooding

### **Principle of Development**

- 7.2 The application site is currently occupied by a detached bungalow which is in single family occupancy. The current GIA is 148sqm and so would not result in the loss of a small family dwelling house.
- 7.3 The proposed development results in the net gain of one additional small family home (2 in total) and therefore the development can be supported in principle.

### **Townscape and Visual Impact**

- 7.4 The application site is occupied by a detached bungalow with accommodation in the roofspace and due to surrounding two/three storey context appears incongruous. This section of Godstone Road is characterised by irregular building forms, rhythm and architectural styles and therefore the proposed building would sit well in this context.
- 7.5 While it is noted that some excavation would need to take place to accommodate for a pair of three storey semi-detached houses the overall scale and massing of the building is comparable with that of the wider street scene. Separation distances to side boundaries vary in the area and it is noted that the new building would be closer in part than the existing property. However, this would not result in substantial harm to the character and appearance of the surrounding area.
- 7.6 The brick and tile hung detailing is considered to represent the wider Kenley character and therefore the indicative materiality is acceptable. To ensure that high quality materials are used in the construction of the building it is recommended that the applicant is required to submit samples.

### **Impact on Neighbouring Residential Amenity**

- 7.7 The new building would not project beyond the rear of 131 Godstone Road due to the depth of the flank wall of No131. No windows are proposed in the south-eastern elevation of the new building and therefore no overlooking or loss of privacy would result. The relationship between the development and 131 Godstone Road is therefore acceptable.
- 7.8 It is noted that there is a sloping driveway and two garages at both the application site and 131 Godstone Road. To facilitate the new houses this would be removed within the application site; this will require careful construction and liaison with the adjoining occupiers outside of the application process
- 7.9 The development would project approximately 3.5 metres beyond the rear of 125 Godstone Road with a separation distance of 2.9 metres between flank walls. An existing single storey extension at a higher land level currently projects further than 3.5 metres beyond the rear of Number 125.
- 7.10 There are windows in the flank of 125 Godstone Road facing the application site which require careful consideration. At ground floor there are windows serving a dining room/kitchen. At first floor 2 windows serve a landing and a bathroom, so are non-habitable. It is acknowledged that the 3.5m projection at three stories would cause some harm to this adjoining occupier, but it is considered on balance, bearing in mind the existing structures on site, the roof profile proposed, the 2.9m separation and orientation to the sun that a grounds for refusal could not be substantiated.
- 7.11 No windows are proposed in the north-western flank wall and therefore the development would not result in a loss of privacy. The relationship between the development and 125 Godstone Road is therefore acceptable.
- 7.12 Given the presence of the railway line to the north-east and the separation distance to the properties of the opposite side of Godstone Road, no other properties are considered to be affected by this development.
- 7.13 General noise and disturbance as a result of the building works could be adequately addressed through a construction logistics plan and management strategy condition.

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

- 7.14 Both units would provide a good standard of accommodation and would contribute to the Borough's need for three bedroom homes. Both unit would meet the minimum space standards set out in the "Technical Housing Standards March 2015" for 3 bedroom 5 person dwellings over three floors achieving a GIA of 108sqm and 110sqm; the standards is set at 90sqm.
- 7.15 A generous garden comparable with its neighbours would be provided for each dwelling in excess of the minimum requirement of the Local Plan. Details of boundary treatments, hard and soft landscaping would be secured via condition.
- 7.16 Level access is provided.

7.17 It is therefore considered that the proposals would result in a good standard of accommodation that would meet the needs of the borough and can be supported.

### **Access, parking and turning arrangements**

7.18 Most properties locally do not have on-site parking, although the site has access to a garage and tandem parking space. The PTAL is rated 1b which indicates poor accessibility to public transport.

7.19 The proposals include the provision of 3 parking spaces however it is the LPA's view that one bay would be required for a turning area; allowing vehicles to exit the site in a forward gear. The LPA therefore consider in highway safety terms that the site is only capable of providing two designated bays on site.

7.20 Given the presence of nearby bus stops, local centre or amenities while also bearing in mind the need to encourage sustainable transport choice the provision of two bays is acceptable. In addition, cycle storage in accordance with the London Plan would be secured through condition

7.21 Transport for London have not raised an objection to the application, but require a condition is attached securing a Construction Logistics Plan/Management Strategy. Subject to conditions to secure visibility splays to the access and a suitable bin store arrangement (the current siting is highly visible and this must be relocated). The scheme is acceptable from a transport perspective.

### **Flooding**

7.22 The application site does not lie within a designated flood zone, although is at risk of surface water flooding. It is acknowledged that the wider Kenley area flooded in recent years and this needs to be accounted for as part of this application. The applicant has been in extensive dialogues with the Local Lead Flood Authority and a satisfactory conclusion has been reached. Subject to a condition in relation to flood mitigation measures the development would be acceptable.

### **Conclusions**

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

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**PART 5: Planning Applications for Decision**

**Item 5.3**

**1 SUMMARY OF APPLICATION DETAILS AX10+15-53-101**

Ref: 18/00953/FUL  
 Location: Land at rear of 44 Kidderminster Road fronting onto Stanton Road CR0 2UE  
 Ward: Broad Green  
 Description: Excavation to erect a two storey semi-detached building comprising of 2 x 2 bedroom duplex flats with accommodation at ground and basement levels ; removal of vehicle crossover to reinstate public footway  
 Drawing Nos: 005, 006, 007, 008, 009, 010, 011, 012  
 Applicant: Daniel Lach Roseacre Enterprise Ltd  
 Agent: Matt Lindley  
 Case Officer: Christopher Grace

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Houses</b>	0	0	0	0
<b>Flats</b>	0	2	0	0
<b>Totals</b>	0	2	0	0

<b>Type of floorspace</b>	<b>Amount proposed</b>	<b>Amount retained</b>	<b>Amount lost</b>
Residential	140Sq.m	0Sq m	0Sq m
<b>Number of car parking spaces</b>		<b>Number of cycle parking spaces</b>	
0		2	

1.1 This application is being reported to Planning Committee because it has been referred by Cllr Paul Scott who made representations in accordance with the Committee Consideration Criteria for committee consideration.

**2 RECOMMENDATION**

2.1 That the Planning Committee resolve to refuse planning permission for the following reasons:

The proposal would be an overdevelopment of the site by reason of the buildings position, siting and layout resulting in full site coverage which would fail to integrate successfully within the immediate surroundings contrary to policy DM10 of the Croydon Local Plan (2018).

The proposed development would result in overshadowing of the neighbouring gardens, would create a sense of enclosure and would dominate neighbours outlook to the detriment to the visual amenity of neighbouring properties at no.44 and 46 Kidderminster Road resulting in an unneighbourly form of development contrary to policy DM10 of the Croydon Local Plan (2018).

The proposal would result in a cramped form of development with limited outlook to the proposed bedroom windows of the two houses and create a poor standard of amenity space at basement level, resulting in a poor standard of accommodation for potential occupiers of the building contrary to Policy 3.5 of the London Plan and Policies SP2 and DM10 of The Croydon Local Plan (2018).

### **Informative**

- 1) CIL – refusal

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 3.1 The proposal would involve excavation of ground level to enable the construction of a pair of two-storey semi-detached buildings (maximum of 6.5m high (3.5m above ground), extending the entire width of the site 10m; and length 8m. The proposed building to form 2 x two- bedroom (3 person) houses (70sq.m each).
- 3.2 The proposal would include a new high level front boundary wall and door which would enclose a front garden and courtyard approach to each house which will also enclose refuse storage and cycle parking. The proposed building would be constructed of the following materials:- brickwork elevation; sedum roof; timber panelling timber gate and brick front boundary wall.

### **Site and Surroundings**

- 3.3 0.01ha site which formerly formed part of the rear garden of no.44 Kidderminster Road which is a three-storey corner building divided into five flats with the rear garden fronting Stanton Road. To the west of the site is a single-storey electrical substation building and beyond that is a three-storey semi-detached building no.8 Stanton Road. The surrounding area is residential in character; rear gardens to three-storey properties to the north and garages and three storey houses opposite to the south.
- 3.4 The site is located within a Surface Water Flood Risk Area (1:1000yr). There are no protected trees identified and no other designations for the site identified on the Croydon Local Plan Policies map.

### **Planning History**

- 3.5 The following information is relevant to the application:-
  - 87/02199/B Planning permission granted for conversion of 44 Kidderminster into 5 flats.
  - 88/03082/P Planning permission granted for a block of three garages and formation of access onto Stanton Road
  - 94/00049/p Planning permission granted for a block of three garages and formation of access onto Stanton Road.
  - 17/03486/pre Pre-application enquiry from new building with lower ground accommodation to provide 3 flats (concern expressed over scale, massing design, private amenity space, impact on neighbours, outlook privacy and light for potential occupiers).

#### 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed building would fail to respond positively to the local context or reinforce the existing predominant character of the area leading to a sense of enclosure to the detriment of the outlook for neighbouring properties and is therefore considered to be unacceptable.
- 4.2 The proposed development would result in a cramped form of development leading to a poor standard of accommodation for potential occupiers

#### 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 neighbour letters. 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

Cllr Paul Scott in capacity as Chair of the Planning Committee referred this application to the committee for the following reasons:

- 1. The potential to meet housing need through the provision of new homes, responding to the governments National Planning Policy Framework and the Mayor for London’s housing targets
- 2. Amenities for future occupiers

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:

<b>Summary of objections</b>
<i>Scale, massing appearance</i>
Not in keeping with the area will dominate neighbours garden.
<i>Daylight and sunlight</i>
Loss of light to neighbouring garden.
<i>Outlook</i>
Neighbours windows (kitchen, bathroom and bedroom) face the site and our garden falls between our back wall and the proposal site
<i>Noise</i>
Increase in noise and disturbance
<i>Other</i>

Permitted development rights should be removed from any building on site
--

## 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 (2018)

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).

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 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication

Croydon Local Plan Policies 2018 :

- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM46 South Croydon

There is relevant Supplementary Planning Guidance as follows:

- The Council's Supplementary Planning Document 2 'Residential Extensions and Alterations' (SPD2), formally adopted by the Council on 6 December 2006

## **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/Daylight & Sunlight for neighbours
4. Housing/Mix
5. Housing Quality/Daylight & Sunlight for future occupiers
6. Transport
7. Sustainability

- 8. Waste
- 9. Flooding

### **Principle of Development**

- 8.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes in favour of sustainable development in line with the principles of paragraph of the NPPF, Policy 3.3 of the London Plan relating to increase housing stock; policies SP2 of CLP in providing a choice of housing for all people at all stages of life in line, and DM1 in supplying new housing.
- 8.3 This site area was effectively the rear garden of the no.44 Kidderminster Road and was subdivided a number of years ago with the intention to provide garages in association with residential use. The previous lawful use of this land was residential. In principle there is no objection to the use of the land for residential purposes subject to a development meeting other Policy requirements of the Development Plan.
- 8.4 The principle of development of this site was discuss at pre-application stage in Sept 2017. At the time the provision of 3 flats on this site was considered to be excessive. While the current proposal is of a smaller scale and of alternative design to that originally commented upon; serious concerns remain associated with massing, design, relationship with surroundings and standard of accommodation proposed. Residential development on this small site would only be acceptable subject to the proposal providing adequate separation, being of suitable scale, design, appearance and would provide a suitable standard of accommodation in terms of light, outlook and amenity space for potential occupiers. Therefore while the principle of residential activity on this site is considered to be acceptable this would be dependent on the extent of the proposal.

### **Townscape and visual impact**

- 8.5 In townscape terms the surrounding area is residential in character and comprise of detached and semi-detached dwelling houses of various heights predominantly 3 storeys maximum with reasonable sized gardens as originally built. The proposed building has been designed to reflect the single storey level associated with the previously approved garages for this site and therefore in height terms would be subsidiary to the buildings and properties either side. It is acknowledged that the character in most areas of the borough will evolve over time through the recycling of existing plots with denser forms of development still within keeping of local character, the subdivision of larger properties, infill development and the development of the largest back gardens in the borough.
- 8.6 However, this is a very small tight site. In terms of policy the objective of the evolution of local character is to achieve an intensification of use without major impacts on local character. The proposal would need to be well integrated and respect and enhance the Boroughs natural and historic environment.
- 8.7 Objection has been raised over the form and layout of the proposed development. The proposed buildings would occupy the full width of the site and when compared with the previous approved garages resulting in almost 100% site coverage with the exception of a small approach area to the front. Contextually the building would

create an awkward relationship with the neighbouring adjoining properties in terms of site coverage. Current policy identifies a distance of 10m separation from the main building as a guide for backland development. The extent of the building 3.5m high directly along the boundary (1.8m high) with neighbouring garden at no.44 (4m separation distance) and southern boundary with 46 Kidderminster Road would create a sense of enclosure to the rear of these properties. As a result the proposal would fail to create the right balance in optimising housing provision and preserving the existing character and would result in an inappropriate development in what was part of the residential garden of no.44 causing harm to local setting. Council policy identifies that poorly planned piecemeal development of garden land can have significant negative impacts on local biodiversity, amenity, and character. The proposed development would not integrate successfully into the natural built and historic environment. The proposal would fail to enhance or preserve street setting to the rear of 44 therefore in terms of design and appearance the proposal is considered to be unacceptable.

- 8.8 As a result of extensive site coverage, the proposed layout would offer no significant external space for potential occupants. While the entrance point could work with the front approach the building would be forced to be concealed behind the proposed high wall where there is a lack of presence on the street. Further refinement to the gates and how they work as entrances on the street would need to be provided. It should also be noted that due to the arrangement of the two separate dwellings the separate entrances, bin and cycle stores would take up significant space that could be given over to more generous internal accommodation if the plan was rationalised. The proposed materials would be complementary of a modern contemporary building however this does not overcome the concerns of the extensive site coverage.
- 8.9 Overall the extent of the proposal means that it would not be in line with NPPF requirements of sustainable development, good design and conserving the natural environment. The proposal would be contrary to London Plan policies 3.5 quality and design of housing, 7.4 Local character and 7.6 Architecture; and CLP Policies SP2, SP4, DM10.

#### **Residential Amenity Daylight/Sunlight for neighbours.**

- 8.10 London Plan Policy 7.1 seek to protect the amenities of existing occupiers when considering new residential development. CLP policy DM10 in particular, considers the form and layout of existing and adjacent buildings; privacy and amenity of adjoining occupiers, the provision of amenity space for residents; and maintenance of sunlight and daylight for adjacent occupiers.
- 8.11 The neighbours impacted by this development would be those at Nos. 44 and 46 Kidderminster Road. The proposed building would be constructed directly on the boundary with the ground floor one bedroom flat at no.44 Kidderminster Road 4m from the rear elevation. The proposed building would increase the height along this neighbour boundary by a minimum of 1.7m from 1.8m to 3.5m for length of 8m. The occupier of 44 has objected to the impact of the proposed building directly on the boundary in terms of outlook, light and extent of development with the creation of the new basement level. The proposed building would be built directly along the east boundary line of no.44 and extend cross the majority of garden area for this property. The building would result in some overshadowing of this neighbours

garden, but more importantly create a sense of enclosure for this neighbour and dominant the main useable space of the occupiers small garden seating area.

- 8.12 The proposed building would be constructed directly on the south facing boundary with no.46 Kidderminster Road. The proposed building would increase the height along this neighbour boundary by a minimum of 1.5m from 2m to 3.5m for a length of 10m. The proposal would create a sense of enclosure for this neighbour and overshadow part of this neighbours garden which would impact on the light and outlook for users of this property.
- 8.13 Overall the combination of total site coverage, the proximity to the neighbours boundary and the extent of the proposal, would result in an unneighbourly form of development detrimental to the amenity of the adjoining occupiers by way of outlook and sense of enclosure. The proposal is not considered acceptable in line with London Plan policy 7.6 Architecture for good design and Council policy DM10.
- 8.14 Neighbours have raised concern over potential noise and disturbance. In view of the residential setting it is not considered that the proposal would result in undue loss of amenity in terms of noise disturbance. It is acknowledged that there will be increased activity to the site with some noise and disturbance during the construction process, with pollution also a concern expressed by neighbours. Details of construction through a construction management plan would need to be submitted. Any proposed external lighting would need to be in accordance with guidance from the Institution of Lighting Professionals, as light from the proposed illuminations should not cause a nuisance to local residents. However these issue would no overcome the fundamental problems associated with the proposal.

### **Housing Tenure**

- 8.15 CLP Policy SP2.7 sets out a strategic target for 30% of all new homes to have three or more bedrooms The proposed mix of flats does not meet this strategic target as none of the proposed flats would have three bedrooms. The proposed development would provide 2 two bedroom (3 person) accommodation. However this is an aspiration determined on a case by case basis.

Overall the proposal would deliver a choice of homes and therefore would be in line with the principles of the NPPF, however this would not overcome the concerns identified above.

### **Housing Quality/Daylight and sunlight for future occupiers**

- 8.16 Policy SP2.8 of the Croydon Local Plan: Strategic Policies states: 'The Council will seek to ensure that new homes in Croydon meet the needs of residents over a lifetime and contribute to sustainable communities with the borough. This will be achieved by: a) requiring that all new homes achieve the minimum standards set out in the Mayor of London's Housing Supplementary Planning Guidance'.
- 8.17 The proposed houses would meet the floorspace requirements as identified within the Mayor of London's Housing Supplementary Planning Guidance' for split level two bedroom (3 person). Each of the houses would need to meet environmental standards in respect acoustic design and air ventilation.
- 8.18 There is however concern in respect to the bedrooms for each house which would be at basement level. Over half of the floorspace to be created for the proposed



flats (42sq.m each) would be at basement level. Light to the basement level would be from a roof lightwell through the building to a small sunken courtyard. In particular bedroom 2 would only have a small area of glazing onto the sunken courtyard which would face northwards. The applicants have submitted a light report which identifies that this would receive sufficient light. Bedroom 1 of both units would be located deep into the plan where the plot is sheltered by neighbouring buildings and trees. Officers consider that the light reaching these rooms would be compromised.

- 8.19 The proposed ground floor living space appears cramped and this would only add to the poor enclosed outlook which potential occupiers would have. The proposed development would provide a minimum of amenity space for each unit with quality of the sunken courtyard area significantly compromised and restricted while the front garden approach would be hampered by the entrance and cycle storage. Overall the proposal would result in a cramped form of development leading to a poor standard of accommodation to the houses, with poor outlook and quality of amenity space. The proposal would not be in accordance with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies.

### **Transport**

- 8.20 The site is located in an area with a PTAL rating level of 6b which is “Excellent” in terms of accessibility to public transport. The proposal would be a car-free development which his acceptable. Cycle storage for 4 bicycles would need to be provided in compliance with London Plan. The proposal includes cycle storage and a condition to provide adequate enclosed secured space would be necessary however the overall the imposition of such conditions would not overcome the general concerns associated with this proposal overall.

### **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; CLP policies SP6.1 environment and climate change, SP6.2 energy and carbon dioxide reduction, SP6.3 sustainable design construction.

### **Waste**

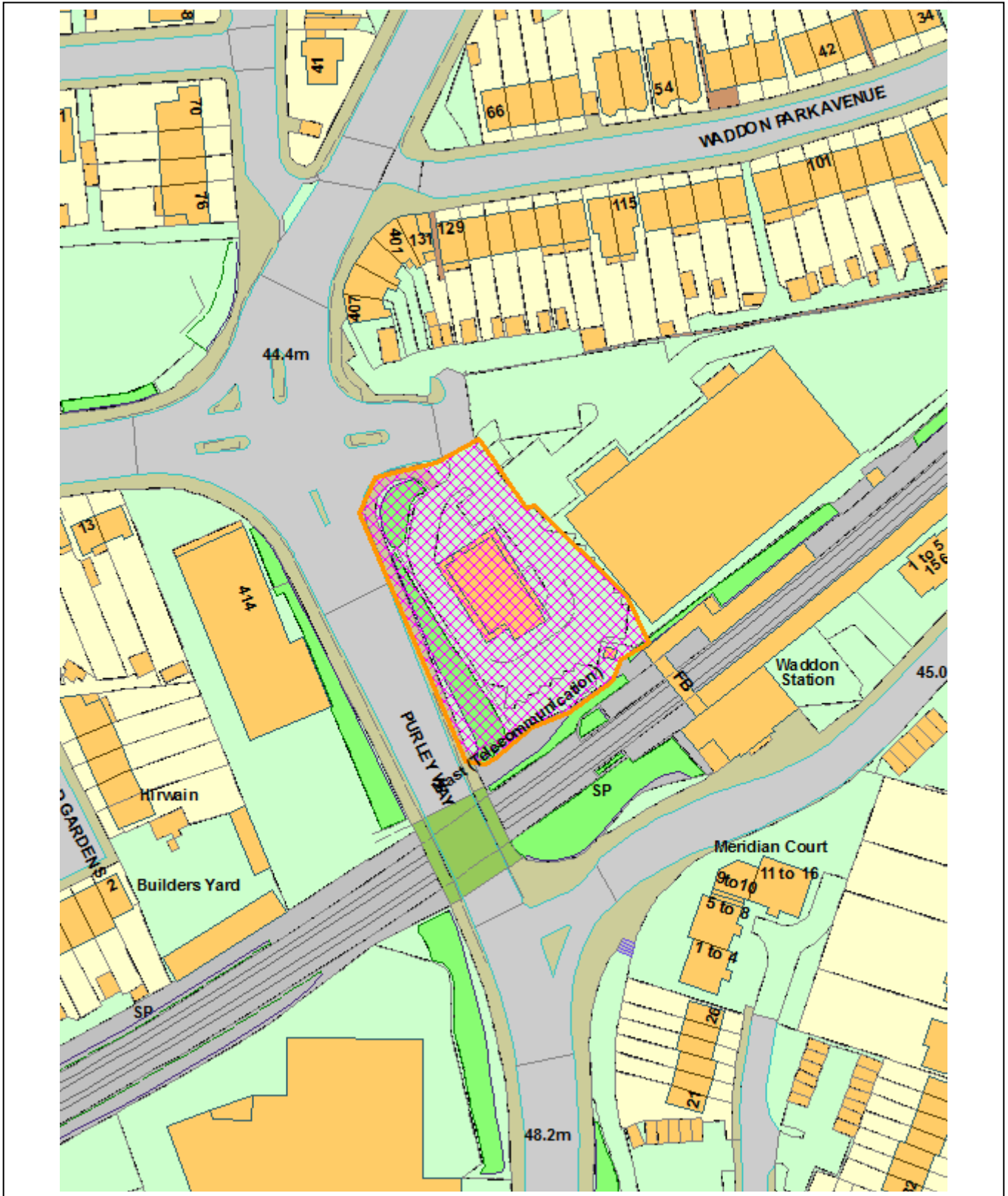
- 8.22 The proposed plans indicate the location for the waste storage facilities with the building with access from Stanton Road. It is considered that the proposed bin storage should provide housing for 2x240ltr landfill, 4x55ltr recycling boxes, 2x23ltr external food caddy and 2x9ltr internal food caddy. However, while details confirming this provision would need to be secured by condition to ensure that the proposal would be in line with the principles of London Plan policy 5.17 waste capacity; CLP policies SP6 and DM13; this would not overcome the concerns expressed above.

### **Flooding:**

- 8.23 The property has been identified as being located within an area of surface water flood risk (1:1000yr). The applicants have stated that the site is not located within an area of flood risk. The applicants note that, in accordance with the building regulations and to suit the ground conditions, the proposed basement shall be designed to be fully tanked and waterproof using two separate systems ie waterproof concrete and cavity drained tanking system. The proposed development would need to provide full details of suitable SUDS measures are submitted for consideration to ensure that the proposal would introduce adequate safeguard against potential flooding. In line with the principles of the NPPF in meeting flooding requirements; London Plan policy 5.12 flood risk management; CLP policies SP6 and DM25.

### **Conclusions**

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



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**PART 5: Planning Applications for Decision****Item 5.4****1 APPLICATION DETAILS**

Ref: 18/00785/FUL  
Location: McDonalds Restaurant, 415 Purley Way  
Ward: Waddon  
Description: Alterations, Refurbishment of restaurant and patio area, alterations to elevations, erection of front/side/rear extensions, alterations to drive thru lane, installation of goal post height restrictor and two customer order displays with associated canopies  
Drawing Nos: 7151\_AEW\_0842\_0002 Rev B, Canopy Detail, Directional Sign, 7151\_AEW\_0842\_0005 Rev B, 7151\_AEW\_0842\_0045 Rev A, 7151\_AEW\_0842\_0003 Rev B, McD/0432/2013 A, 7151\_AEW\_0842\_0050 Rev C, 7151\_AEW\_0842\_0008 Rev A, 7151\_AEW\_0842\_0018, 7151\_AEW\_0842\_0004 Rev C, 7151\_AEW\_0842\_0001 Rev D  
Agent: Planware Limited  
Case Officer: Victoria Bates

- 1.1 This application is being reported to Sub Committee because the Ward Councillor (Cllr Robert Canning) made representations in accordance with the Council's Committee Constitution 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) In accordance with approved plans
- 2) Construction Logistics Plan
- 3) Details of ventilation and extraction machinery
- 4) Within 3 years
- 5) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

**Informatives**

- 1) Any informative(s) considered necessary by the Director of Planning & Strategic Transport

### 3 PROPOSAL AND LOCATION DETAILS

#### Proposal

3.1 The applicant seeks full planning permission for:

- Alterations, Refurbishment of restaurant and patio area, alterations to elevations, erection of front/side/rear extensions, alterations to drive thru lane, installation of goal post height restrictor and two customer order displays with associated canopies

#### Site and Surroundings

3.2 The site is located within a retail park. To the south of the site, is Waddon national rail station, to the west is Purley Way which is part of Transport for London's Road Network (TLRN), to the north is a car garage and residential properties, separated from the site by the car park and to the east is a large retail unit. The land level of Purley Way and Waddon national rail station is much higher than the site.

#### Planning History

3.3 The application site has been the subject of a number of applications of relevance to this proposal, including;

- 18/01287/FUL - Alterations to the site access and reconfiguration of the external seating area – Pending consideration (Item x.x for this Committee's consideration)
- 18/01288/ADV - Relocation of illuminated sign – Pending consideration
- 18/00786/ADV - Relocation of existing signs and installation of 7 illuminated signs and 1 non illuminated banner – Pending consideration
- 13/02624/P - Continued use for purposes within class A3 (food and drink) (without compliance with condition 1 - hours of use - attached to planning permission 04/04632/P) - Withdrawn
- 10/02382/P for the alterations and refurbishment to include erection of service canopy – Approved
- 10/03083/RES - Discharge of condition 2 attached to planning permission
- 10/02382/P - Alterations and refurbishment to include erection of service Canopy – Granted
- 09/03032/P - Continued use for purposes within class A3 (food and drink) (without compliance with condition 1 - hours of use- attached to planning permission 04/04632/P) – Refused
- 07/01904/P - Continued use as drive thru restaurant (without compliance with condition 11 - hours of use- attached to planning permission 95/2080/p) – Refused
- 04/04632/P- Continued use for purposes within class A3 (food and drink) (without compliance with condition 11 - hours of use attached to planning permission 95/2080/P ) – Granted
- 95/02080/P - Erection of single storey non-food retail unit; erection of single storey building for use within class a3 (food and drink); alterations to vehicular access and provision of 79 parking spaces

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

- There is no objection in principle to extensions and alterations of the existing building.
- The extension and alterations proposed would be acceptable in terms of their appearance and impact on character considering their location in a retail park
- The proposal would not have a detrimental impact on the residential amenities of adjoining occupiers from increased noise and disturbance
- The proposal would not prejudice highway safety

#### **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 letters sent to neighbouring occupiers 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: 7      Objecting: 7      Supporting: 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:

- Increase in congestion
- Noise
- Increase in litter
- The proposal should be put on hold following TfL's Fiveways project and step free access to Waddon station
- Light pollution
- Obtrusive by design
- The plans should include ramped access

6.3 Ward Councillor Robert Canning has made the following objections to the scheme:

- Increase in congestion
- Potential for conflict during construction with TfL Fiveways project
- Litter generation

6.4 Member of Parliament for Croydon South- Chris Philp has also made an objection to the scheme:

- Increase in congestion
- Deterioration in air quality
- Increase in noise and disturbance to residents

## **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 Croydon Local Plan was adopted in 2018.

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.
- 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

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

### Consolidated London Plan 2015 (LP):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

### Croydon Local Plan 2018 (CLP):

- SP4: Urban Design and Local Character
- DM10: Design and Character
- DM11: Shopfront design and security
- DM13: Refuse and Recycling
- SP8: Transport and Communication
- DM29: Promoting sustainable travel and reducing congestion

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

1. Principle of Development
2. Townscape and visual impact
3. Impact on neighbouring residential amenity
4. Transportation, access and parking



## 8.2 Principle of Development

- 8.3 At the heart of the National Planning Framework 2012 (NPPF) is a presumption in favour of sustainable development which meets social, economic and environmental needs.
- 8.4 Croydon Local Plan 2018 Policy SP1.4 states that the Council will seek to encourage growth and sustainable development, whilst Policy SP1.2 states that all development in the borough should respond to and enhance local character, the heritage assets and identity of the Places of Croydon, the Croydon Opportunity Area is identified as one of the 16 Places of Croydon.
- 8.5 Whilst alterations to the car park layout and alterations and extensions are proposed to the existing building, this proposal does not alter the existing use of the site as a McDonald's restaurant. On this basis, it is considered the proposal is acceptable in principle.

## Townscape and Visual Impact

- 8.6 Policy 3.5 of the London Plan requires housing development to be of the highest quality. Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policy DM10 of the Croydon Local Plan requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.
- 8.7 The application proposes minor extensions to the existing building and alterations to the car park layout including:
- An additional 46.6sqm of floorspace spread across small extensions to the front, side and rear of the existing building
  - The loss of two car parking spaces to facilitate the erection of an enclosed bin store
  - The creation of two ordering points with associated canopies, bollards and goal post restrictor
  - Relocation of existing car parking space on the southern side of the site by approximately 1 metres towards the boundary
- 8.8 The proposed extension and alterations would have very little visibility from Purley Way due to the land level changes between the site and the road and the location of the works mainly at the rear of the site. Given the location of the site within a retail park, it is not considered that the extension and alterations would have a detrimental impact to the streetscene as they would be in keeping with the surroundings.
- 8.9 The extensions would not significantly change the appearance of the existing building. The under eaves extensions to the north and west elevations would appear largely similar in architectural style, appropriate to the context. The extension of the freezer

and chiller on the southern and eastern elevation is different in appearance to the existing, although its form would be in keeping and not visible from the streetscene.

- 8.10 The alterations to the car park would include the erection of a timber bin store in the place of a car parking space. This is an improvement on the existing arrangement of several wheelie bins in the corner of the site. It has been confirmed with the applicant that refuse will continue to be collected by a private company. The other alterations to the car park including bollards and ordering points would be of a similar scale and design to the existing features. The appearance of the scheme would therefore be in accordance with DM10 as it would respect the character and appearance of the immediate area.

### **Impact on Neighbouring Residential Amenity**

- 8.11 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 8.12 The nearest residential properties from the site are located on Waddon Park Avenue. These properties are separated from the McDonalds building by the car park for the retail park and some by the car garage north east of the site. The distance between the building and the rear elevation of the properties is approximately 60 metres.
- 8.13 The works themselves involve reconfiguring and refurbishing the existing external features on the site – seating area, extending the building and improving the drive thru system within the site by creating a tandem ordering system. The aim is to streamline the ordering process so that orders can be processed more quickly. The works would not result in a significant intensification of the restaurant's operation. The overall noise levels would not significantly increase as a result of the proposal as the proposal aims to reduce the build up of cars waiting on the site and causing congestion. In terms of light pollution, there would be no additional light fittings and therefore no increase in light pollution.
- 8.14 The extensions to the existing building at the front would be located under the eaves. The minor scale of the extensions and the good level of separation of the building to the nearest residential property would not result in any significant detrimental effects to neighbour amenity, in accordance with Policy DM10.
- 8.15 In addition to the proposed development, a number of new advertisements are proposed these are being considered under a separate application (18/00786/ADV).
- 8.16 The impact on the residential amenities of the occupiers of properties on Waddon Park Avenue is considered acceptable due to the good levels of separation and the scale of the proposal to simply improve the efficiency and update the existing facilities on the site.

### **Transport**

- 8.17 The London Plan seeks to encourage a shift to more sustainable modes of transport, including walking and cycling within Chapter 6. DM29 of the Croydon Local Plan also requires that development should not have a detrimental impact on highways safety or the transport network local to the site.

- 8.18 The proposal would result in the loss of two car parking spaces at the rear of the site. This is not considered to be of scale to negatively impact the highway network. The proposal would also alter the internal drive thru system to provide a tandem ordering system where two customers would be able to order at the same time instead of one. This will streamline the ordering process, potentially reducing the number of the cars queueing. The application has been assessed by Transport for London (Borough Planning and Fiveways Project Officer) and Croydon Council's Transport officer and deemed to cause no detrimental impact on the highway network when in operation.
- 8.19 A condition is however, proposed for details of Construction Logistics to avoid a detrimental impact during the construction phase.

### **Conclusions**

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

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**1 APPLICATION DETAILS**

Ref: 18/01287/FUL  
Location: McDonalds Restaurant, 415 Purley Way  
Ward: Waddon  
Description: Alterations to the site access and reconfiguration of the external seating area  
Drawing Nos: 7151\_AEW\_0842\_0102, Directional Sign, 7151\_AEW\_0842\_0103, 7151\_AEW\_0842\_0101 Rev B, 7151\_AEW\_0842\_0108 Rev A  
Agent: Planware Limited  
Case Officer: Victoria Bates

- 1.1 This application is being reported to Sub Committee because the Ward Councillor (Cllr Robert Canning) made representations in accordance with the Council’s Committee Constitution 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) In accordance with approved plans
- 2) Unless otherwise stated materials should match the existing
- 3) Hard and soft landscaping scheme to be submitted
- 4) Construction Logistics Plan
- 5) Permission should begin within 3 years
- 5) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

**Informatives**

- 1) Any informative(s) considered necessary by the Director of Planning & Strategic Transport

**3 PROPOSAL AND LOCATION DETAILS**

**Proposal**

- 3.1 The applicant seeks full planning permission for alterations to the site access and reconfiguration of the external seating area.

## Site and Surroundings

3.2 The site is located within a retail park. To the south of the site, is Waddon national rail station, to the west is Purley Way which is part of Transport for London's Road Network (TLRN), to the north is a car garage and residential properties, separated from the site by the car park and to the east is a large retail unit. The land level of Purley Way and Waddon national rail station is elevated in comparison to the site.

## Planning History

3.3 The application site has been the subject of a number of applications of relevance to this proposal, including;

- 18/00785/FUL - Alterations, Refurbishment of restaurant and patio area, alterations to elevations, erection of front/side/rear extensions, alterations to drive thru lane, installation of goal post height restrictor and two customer order displays with associated canopies – Pending consideration (Item **x.x** for this Committee's consideration)
- 18/01288/ADV - Relocation of illuminated sign – Pending consideration
- 18/00786/ADV - Relocation of existing signs and installation of 7 illuminated signs and 1 non illuminated banner – Pending consideration
- 13/02624/P - Continued use for purposes within class A3 (food and drink) (without compliance with condition 1 - hours of use - attached to planning permission 04/04632/P) - Withdrawn
- 10/02382/P for the alterations and refurbishment to include erection of service canopy – Approved
- 10/03083/RES - Discharge of condition 2 attached to planning permission
- 10/02382/P - Alterations and refurbishment to include erection of service Canopy – Granted
- 09/03032/P - Continued use for purposes within class A3 (food and drink) (without compliance with condition 1 - hours of use- attached to planning permission 04/04632/P) – Refused
- 07/01904/P - Continued use as drive thru restaurant (without compliance with condition 11 - hours of use- attached to planning permission 95/2080/p) – Refused
- 04/04632/P- Continued use for purposes within class A3 (food and drink) (without compliance with condition 11 - hours of use attached to planning permission 95/2080/P ) – Granted
- 95/02080/P - Erection of single storey non-food retail unit; erection of single storey building for use within class a3 (food and drink); alterations to vehicular access and provision of 79 parking spaces

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- There is no objection in principle to alterations to the site access or external seating area
- The alterations proposed would be acceptable in terms of their appearance and impact on character considering their location in a retail park
- The proposal would not have a detrimental impact on the residential amenities of adjoining occupiers from increased noise and disturbance



- The proposal would not prejudice highway safety

## **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 letters sent to neighbouring occupiers 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 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:

- Increase in litter

- 6.3 Ward Councillor Robert Canning has made the following objections to the scheme:

- Increase in congestion
- Potential for conflict during construction with TfL Fiveways project
- Litter generation

## **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 Croydon Local Plan was adopted in 2018.

- 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.
- 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

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

Consolidated London Plan 2015 (LP):

- 3.5 on Quality and design of housing developments

- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP):

- SP4: Urban Design and Local Character
- DM10: Design and Character
- DM11: Shopfront design and security
- DM13: Refuse and Recycling
- SP8: Transport and Communication
- DM29: Promoting sustainable travel and reducing congestion

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee is required to consider are as follows:

1. Principle of Development
2. Townscape and visual impact
3. Impact on neighbouring residential amenity
4. Transportation, access and parking

### **8.2 Principle of Development**

8.3 At the heart of the National Planning Framework 2012 (NPPF) is a presumption in favour of sustainable development which meets social, economic and environmental needs.

8.4 Croydon Local Plan 2018 Policy SP1.4 states that the Council will seek to encourage growth and sustainable development, whilst Policy SP1.2 states that all development in the borough should respond to and enhance local character, the heritage assets and identity of the Places of Croydon, the Croydon Opportunity Area is identified as one of the 16 Places of Croydon.

8.5 Whilst alterations to the car park layout are proposed, this proposal does not alter the existing use of the site as a McDonald's restaurant. On this basis, it is considered the proposal is acceptable in principle.

### **Townscape and Visual Impact**

8.6 Policy 3.5 of the London Plan requires housing development to be of the highest quality. Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policy DM10 of the Croydon Local Plan requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.

8.7 The overall appearance would not significantly change. The furniture in the external seating area would be replaced but the size would not increase. The new seating would be in keeping within the context of area. Moreover, the reconfiguration of the access would not result in a significant change in appearance to the existing layout. The proposal therefore conforms to Policy DM10.

### **Impact on Neighbouring Residential Amenity**

8.8 Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.

8.9 The nearest residential properties from the site are located on Waddon Park Avenue. These properties are separated from the McDonalds building by the car park for the retail park and some by the car garage north east of the site. The distance between the building and the rear elevation of the properties is approximately 60 metres.

8.10 The works proposed within this application alone would not significantly change the usage of the site in a way that would harm the amenity of the nearest residential properties due to their scale.

8.11 The impact on the residential amenities of the occupiers of properties on Waddon Park Avenue is considered acceptable due to the good levels of separation and the scale of the proposal.

### **Transport**

8.12 The London Plan seeks to encourage a shift to more sustainable modes of transport, including walking and cycling within Chapter 6. DM29 of the Croydon Local Plan also requires that development should not have a detrimental impact on highways safety or the transport network local to the site.

8.13 The proposal would alter the vehicular access from the site so that two lanes are provided for vehicles to exit the site, this provides a continuation of the existing two lanes at the junction with Purley Way and improves the exit arrangements and therefore is not considered to be of scale to negatively impact the highway network. The application has been assessed by Transport for London (Borough Planning and Fiveways Project Officer) and Croydon Council's Transport officer and deemed to cause no detrimental impact on the highway network (and any future planned works to the junction as per the Fiveways scheme) when in operation.

8.14 A condition is however, proposed for details of Construction Logistics to avoid a detrimental impact during the construction phase.

### **Conclusions**

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

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