

**PART 5: Planning Applications for Decision****Item 5.1****1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 18/01541/FUL  
Location: 130 Church Road, Upper Norwood, London, SE19 2NT  
Ward: Crystal Palace and Upper Norwood  
Description: Demolition of existing single storey side extension and erection of two storey side extension to create 4 additional consulting rooms.  
Drawing Nos: P/01; P/03 (amended drawing uploaded to the register 18 October 2018); Heritage Statement.  
Applicant: Dr Yogesh Patel, Upper Norwood Group Practice  
Agent: Mr Charles Park, Plans Ink Ltd  
Case Officer: Kate Edwards

- 1.1 This application is being reported to Planning Sub-Committee because more than 12 objections have been received.

**2.0 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 the approved plans
2. Tree protection plan to be submitted prior to works
3. Samples of materials to be submitted including render colour and texture
4. A series of typical bay sections through various points along the external façade detailing façade treatments, key junctions and openings. Drawing should show build ups with enough detail to enable clear definition of material junctions and depth. Indicative scale of 1:10/1:20.
5. Detailed drawings in plan and section at 1:5 through all typical external elements/details of the facades including all openings in external walls including all window-types including reveals, heads and cills;
6. Details and locations of mechanical ventilation systems or other ducts or extracts (where they appear on any of the development's elevations). These should not exit the building to the front elevation or any other prominent location.
7. Details of any rainwater goods.
8. Details of landscaping
9. Commence within 3 years
10. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- 1) Community Infrastructure Levy
- 2) Site notice removal

- 3) Code of practice for construction sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

### 3.0 PROPOSAL AND LOCATION DETAILS

#### Proposal

3.1 The applicant seeks full planning permission for the following:

- Demolition of existing single storey side extension
- Erection of two storey side extension to create 4 additional consulting rooms.

3.2 The extension would have a lower ground floor level and upper ground floor level, with a flat roof above, as per figure 1 below. It would be 3.5m wide and set back from the main front wall of the existing building (excluding the bay window) by 1.5m at both levels.

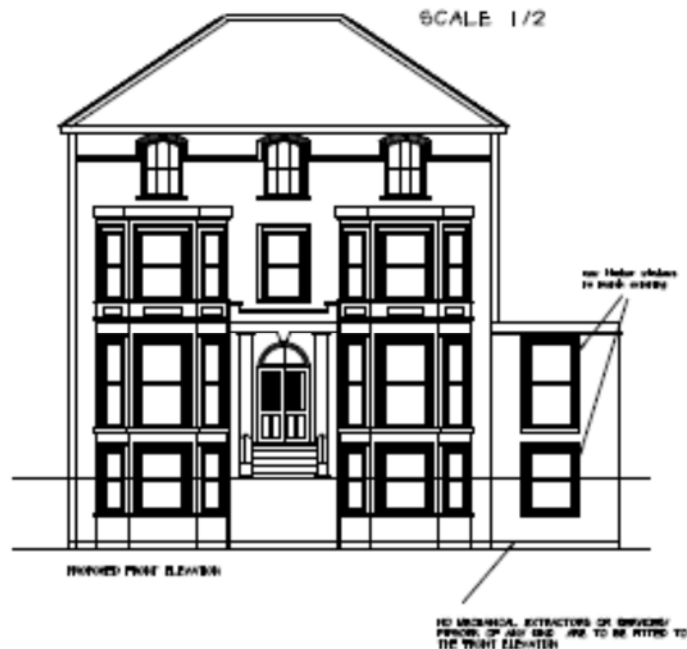


Figure 1 – Proposed front elevation.

#### Site and Surroundings

3.3 The application site lies on the north western side of Church Road and is occupied by a large detached building in use as the Upper Norwood Group Practice GP surgery. The building is on the Local List of Buildings of Special Architectural or historic merit. It is within the Church Road Conservation Area, which is in predominantly residential use. The adjacent building to the north east (on the side of the proposed extension) is Rockmount (128 Church Road), which is Grade II Listed.

## Planning History

- 3.4 18/01559/FUL – Concurrently submitted application which has subsequently been withdrawn for the erection of a single storey detached building at the rear to create 4 additional consulting rooms a reception area and WC.

17/02781/FUL – Permission refused for demolition of existing single storey entrance hall and erection of single storey rear and side extensions. The proposed rear extension extended by the same depth as the existing building to the rear. It was refused due to: 1. Unacceptable appearance and impact on heritage assets; and 2. Detrimental to the amenity of adjoining occupiers.

16/02650/P – Permission refused for erection of single storey detached building due to: 1. Unacceptable appearance and impact on heritage assets; and 2. Detrimental to the amenity of adjoining occupiers.

16/02542/P – Permission refused for demolition of existing single storey entrance hall and erection of 2/3 storey side extension. It was refused due to 1. Unacceptable appearance and impact on heritage assets. The principle differences between the refused application and the current proposal are: 1. The refused extension had three storeys; 2. The fenestration of the proposed extension did not comfortably model that of the existing building; 3. The refused extension has a complex lean to pitched roof design and variable height, as can be seen in figure 2 below.

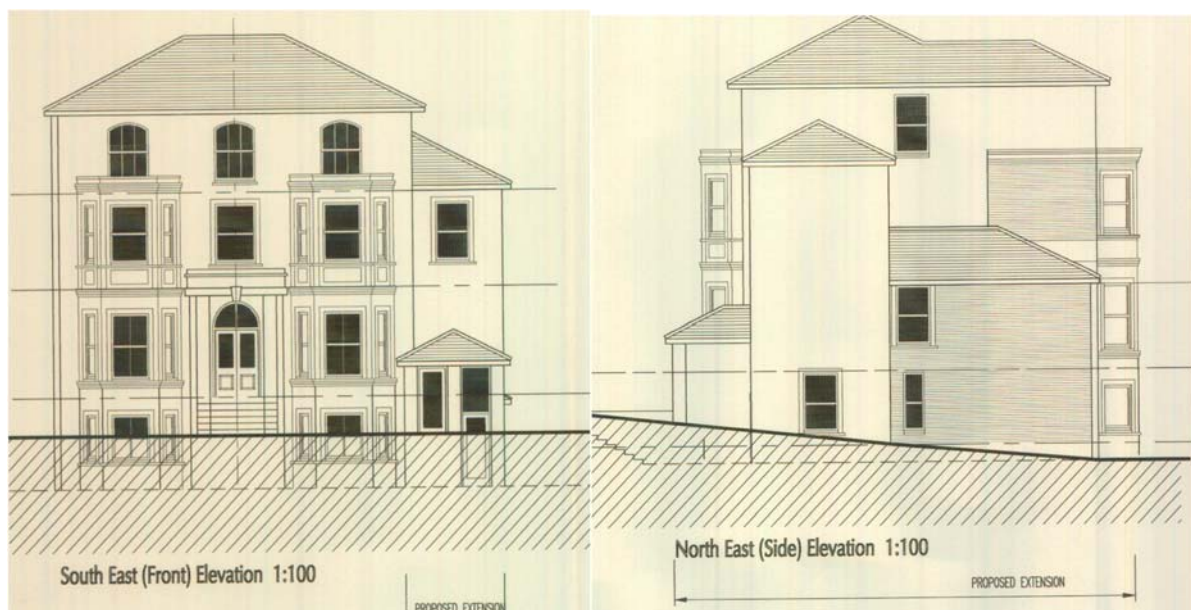


Figure 2 – Front and flank elevation of the previously refused side extension ref 16/02542/P

15/04205/P – Permission refused for single storey detached building due to 1. Unacceptable appearance and impact on heritage assets; 2. Detrimental to the amenity of adjoining occupiers; and 3. Inaccurate plans.

14/00397/P – Permission granted for formation of vehicular access at the side and provision of 2 disabled parking spaces in the rear garden. Consent implemented.

12/03639/P – Permission refused for installation of replacement windows due to 1. Unacceptable appearance and impact on heritage assets.

04/00375/P – Permission granted for alterations; use as doctors' surgery with ancillary services; erection of 1-4 storey side and rear extensions; provision of associated parking.

### **3.5 History of enforcement investigations**

Between 2006 and 2015, 5 enforcement complaints were received. These related to non-compliance with landscaping conditions, adverts and the scale of the rear parking area. All investigations have subsequently been closed and are not the subject of this application.

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

- The principle of the development is acceptable subject to detailed design considerations given that the building would provide important services to the community
- The design and appearance of the development would be appropriate with sufficient high quality detailing to respect the historical integrity of the Local List Building itself and other heritage assets
- The living conditions of adjoining occupiers would be protected from undue harm.
- The highway impact would not be materially different from the existing situation and would be acceptable.

### **5.0 CONSULTATION RESPONSE**

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

### **6.0 LOCAL REPRESENTATION**

6.1 The application has been publicised by way of consultation letters sent to the properties which are adjacent to the application site, and by site and press notice. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 24      Objecting: 12      Supporting: 12

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:

Objecting:

- Not in keeping with the character of the Conservation Area and detrimental to the appearance of this row of similar houses, the Local List building and the adjacent Listed building.
- Contrary to the Church Road Conservation Area Appraisal and Management Plan (CRCAAMP) and local policies.
- Adverse impact on symmetry and deliberate design spacing between buildings
- Detrimental to adjoining occupiers
- Overdevelopment, especially when combined with proposal in concurrent application (Officer comment – The concurrent application has now been withdrawn,

but whether the level of development is suitable in scale for the site is none the less a material planning consideration which is discussed below).

- There are currently problems with on street parking and the application should include additional staff and patient parking in light of this.
- Will add to traffic congestion, causing air and noise pollution and poor health
- The development will impact on trees but no tree survey is provided.
- Reduction in permeable surfaces and increase in run-off and sewer overload.
- Does not adhere to the principles of a 'Green city'

Supporting:

- Will address significant need for accommodate more patients at this high quality surgery
- Will support Croydon NHS goals (reducing hospital admissions etc) and the Croydon economy

6.3 The following comments have been received but are not material to the determination of this application and will require no further assessment:

- Elimination of the garden is not acceptable (Officer comment – Development on the rear garden land is not proposed in this application. The concurrently submitted application proposing this has been withdrawn).
- The applicant is seeking to gain consent by attrition (Officer comment – An applicant is entitled to resubmit amended proposals following refusals, and provided that they are materially different from previous proposals (which is the case here) a Local Planning Authority is required to give these full consideration. Each case is judged on its own merits).
- Previous compliance issues at the surgery regarding landscaping and rear parking (Officer comment – That there have been previous unrelated compliance concerns is not a factor in the determination of a fresh application.)
- Will set a precedent for development for commercial purposes (Officer comment – The proposal is for expansion of a building in which health services are provided. The impacts of the proposal need to be assessed thoroughly regardless of proposed use.)
- The surgery is used for private as well as NHS practice (Officer comment – The provision of health services is considered a community facility whether or not a fee is paid for all or any services provided.)
- The hours of opening are increasing (Officer comment – there are no hours of use restrictions on the original consent for use as a doctors surgery. No hours are indicated on the application form).
- History of inaccuracies on plans, and with current application (Officer comment – the plans submitted with previous applications have not been submitted with this application and are not material in this regard. The detailed inaccuracies described in this representation related to the depth of garden shown on the concurrently submitted application (18/01559/FUL), which is not of relevance to this case).
- For this site and others in the locality the Council has shown a disregard for the views of local residents in relation to planning decisions. (Officer comment – All representations are considered by the planning decision makers when undertaking a professional assessment of a case. That local residents express objections does not mean automatic refusal of planning permission if this is not warranted following assessment.)

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

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

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), re-issued in July 2018. 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.
- The preservation of the heritage assets
- The provision of community facilities

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

- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment

7.4 Croydon Local Plan 2018:

- SP5.2, SP5.3, SP5.4 and SP5.5 - Provision of community facilities
- SP1.1 Sustainable development
- SP1.2 Place making
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 regarding character
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.17 Parking
- DM10: Design and character
- DM16: Promoting Healthy Communities
- DM23: Development and construction
- DM25: Sustainable Drainage Systems and Reducing Flood Risk
- DM29: Promoting sustainable travel and reducing congestion
- DM30: Car and cycle parking in new development

7.5 There is relevant additional guidance as follows:

- Church Road Conservation Area Appraisal and Management Plan (CRCAAMP)
- Conservation Area General Guidance Supplementary Planning Document (CAGG)

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

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

- Principle of development
- Impact on character and appearance and heritage assets
- Residential amenity for neighbours
- Transport
- Flood risk
- Other planning issues

### **Principle of development**

8.2 The proposed extension would allow for the expansion of a community facility with growing demand. The provision of such facilities are supported by local and national policy. The site is very sensitive in heritage terms as discussed below, but this does not preclude the consideration of a side extension in principle, as it is noted that the CAGG that “(within Conservation Areas) Side extensions can sometimes be considered as acceptable. Each planning application will be judged on its own merits.”(p.23).

### **Impact on character and appearance and heritage assets**

8.3 The host building is on the Local List of Buildings of Special Architectural or historic merit. It is within the Church Road Conservation Area, and the adjacent building to the north east (on the side of the proposed extension) is Rockmount (128 Church Road), which is Grade II Listed. It is therefore essential that any proposed development has a high quality appearance and responds appropriately to the rich historical context. Overall, it is considered that the proposed extension will preserve the character and appearance of the Local List Building, Conservation Area and setting to the Listed Building. This is because:

- The application has been amended following its receipt in line with Conservation Officer advice. The proposed side extension does create a level of asymmetry in the frontage and partially infill a space between buildings which is a general feature of the conservation area. However, the reduced scale of the proposal means that it is kept to minimal dimensions and therefore appears subservient and proportionally has reduced impact on the character of the building.
- It is set back from the main front elevation (excluding the prominent bay windows) by 1.5m at lower and upper ground floor levels, increasing the subservience to the original building.
- The proposed flat roof is suitable for the period of the property and has an uncluttered appearance.
- The pattern of window openings suitably respects that of the existing building
- Timber windows are proposed to match those of the original building, and details have been submitted to demonstrate that the profile, reveal and cill details of the windows will match the existing building.

- Stucco (render and moulding) is proposed for the extension, to match that of the original building. Moulding details have been submitted to demonstrate continuation of the moulding profiles on the existing building, and the exact colour and texture of the render can be secured by condition.
- Finally, a not insignificant gap of in excess of 3m would still be maintained within the site separating the extension from the adjacent Listed Building.

### **Impact on the residential amenity of adjoining occupiers**

- 8.4 It is noted that a number of previous applications on the site have proposed extensions that projected into the rear garden by significant depths and which would have had a significant adverse impact on neighbours. The proposed extension, however, would not project beyond the existing rear building line and would be separated from number 128 (The Listed building, Rockmount) by in excess of 3m. It is not considered that the light levels, outlook, or privacy of adjoining occupiers would be harmed. It is noted that the principle is also established by the refusal of side extension application 16/02542/P, which did not include a refusal reason relating to residential amenity. Representations have raised concern regarding noise and general disturbance. It is not considered that the use of the premises would be increased to such an extent as to generate an unacceptable level of noise and general disturbance.

### **Transport**

- 8.5 The application site is located in an area with a PTAL of 1B, which is poor. However, it is noted that the practice serves a local, high density catchment area and the majority of patients walk to the surgery. The proposal would not increase the level of parking serving the surgery. It is not considered that the proposal would harm the safety or efficiency of the Highway. It is also noted that this principle is established by the history of refused applications on the site, given that although significant numbers of additional consulting rooms have previously been proposed, refusal reasons in relation to transportation have not been included.

### **Flood risk**

- 8.6 The site is within an area which is of very low risk of surface water flooding and is not within a river flood risk area. It is not considered that flood risk mitigation is therefore required.

### **Other Planning Issues**

- 8.7 A representation has raised concerns regarding air and noise pollution due to additional traffic visiting the site. It is unlikely that there will be a material change in pollution levels as a result of a proposal of this scale.
- 8.8 It is noted that there is a mature specimen tree in the garden, which is not highly prominent within the street scene. Although this is some distance from the extension, as the tree is worthy of retention it is recommended that a condition is attached to any consent requiring the submission of a Tree Protection Plan prior to any materials being brought on to site.
- 8.9 It is not considered that the proposal represents an overdevelopment of the site in line with the detailed assessment of impacts outlined above. It is noted that the proposal



will be constructed on existing garden land, but this does not mean that there is a blanket policy restriction on any development.

### **Conclusions**

- 8.10 The proposal would result in the provision of valuable community facilities and, with suitable design detailing secured by condition, would preserve the character of the Local List building, Conservation Area and adjacent listed building. The proposal would also preserve the amenity of adjoining occupiers, and Highways safety and efficiency.
- 8.11 All other relevant policies and considerations, including equalities, have been taken into account.