

PART 5: Planning Applications for Decision

Item 5.2

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/03814/FUL
 Location: Development site adjoining 2 Fitzroy Gardens, Upper Norwood, SE19 2NP
 Ward: South Norwood
 Description: Erection of 2no. three bedroom houses with basements with associated parking and landscaping.
 Drawing Nos: 2472/PL/21, 2472/PL/20 Rev D and un-numbered site location plan
 Applicant: SPJ Holdings Ltd
 Agent: Adam Shephard, GVA
 Case Officer: Katy Marks

Proposed Houses	2 x 3 bedroom
Cycle Parking	2 per dwelling
Car Parking	1 per dwelling

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
- 7) 19% reduction in carbon emissions
- 8) Water usage restricted to 110 litres per person per day
- 9) Development to be carried out in accordance with the flood risk assessment, including the installation of a rain water harvesting system for each house prior to occupation.
- 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 accesses would be created off Fitzroy Gardens, serving one off street parking spaces for each dwelling with associated refuse storage, cycle storage and landscaping to the frontage
- Each house would have a small garden and basement courtyard

Site and Surroundings

3.2 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 of 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, no.124 Church Road (which faces onto Church Road) is a grade II listed building.

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

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

Planning History

3.5 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

3.6 15/02255/P: Permission granted on Appeal for erection of 2 three bedroom three storey attached houses; formation of vehicular access and provision of associated parking; provision of bin and cycle stores

3.7 17/00318/FUL: Application withdrawn for Erection of 2 three storey three bedroom houses with basements: provision of associated parking

3.8 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: Permission refused (Appeal 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 are acceptable and compliant with the Nationally Described Space Standards and the Local Plan
- 4.5 The parking provision for the development is acceptable
- 4.6 Sustainability aspects of the development can be controlled by condition

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: 18 Objecting: 18 Supporting: 0 Comment: 0

- 5.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:
 - Overdevelopment of the site
 - Loss of green space, trees and buffer between the hotel and Fitzroy Garden

- 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
- 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].
- Loss of light and invasion of privacy to houses along Fitzroy Gardens
- Clutter from bins and cycles to the front gardens
- The houses would be very close to the Hotel car park and substation, providing very little amenity for residents
- Basement rooms would be overshadowed by hotel scheme if it gets approval
- New hotel development would harm the living conditions of occupiers
- Inadequate parking
- Not clear how many trees to be removed [Officer Comment: A tree plan has been provided which confirms which trees are proposed for removal]
- Loss of trees will increase pollution [Officer comment: The existing trees to be removed are not considered to be high quality; soft landscaping within the gardens of the properties would be secured by condition]
- Poor physical boundaries around the site with adjacent hotel scheme and impact upon quality of accommodation for future residents [Officer comment: Details of landscaping would be secured by condition, this would include details of boundary treatment].
- Basement concerns regarding connection to sewers, stability and subsidence and pressure on utilities e.g. drainage, sewers [OFFICER COMMENT: Issues relating to the connection to sewers and pressure on utilities are outside the scope of planning remit; with regards to subsidence, the National Planning Policy Framework (NPPF) states that, where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.]

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

- A number of objections raised related to the demolition of the existing terrace buildings. [Officer comment: These buildings are not due to be demolished as part of this application]
- This use for multiple occupancy not family houses and use by the hotel which is in the same ownership; the use of the neighbouring property as an HMO has caused anti-social behaviour [Officer Comment: The application is for 2 houses; House in Multiple Occupancy (HMO) use is not part of the scope of the application; planning permission would be required to convert either of the properties into a large HMO]

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 2016, 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), reissued 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, 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 Committee are required to consider are:

Consolidated London Plan 2011 (LP):

- 3.4 – Optimising housing potential
- 3.5 - Quality and design of housing developments
- 6.13 - Parking
- 7.4 - Local Character
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.21 – Trees and woodlands

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 for the erection of two 3 bedroom houses. The appeal decision concluded that whilst the width of each proposed dwelling would be slightly narrower than other dwellings in the host terrace the difference would be minor and it would not be immediately recognisable when viewing the terrace frontage. The Planning Inspector noted that the land changes and staggered height of the terrace splits the uniform appearance of the terrace and would reduce any perceived difference between it and the proposed development. The decision also noted that several properties have refuse containers to the front and the proposal would not be 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 and he noted that to the rear (north), the terrace has a more varied appearance and the development would preserve the setting of the Conservation Area.



Proposed street elevation from the Appeal Scheme

- 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. It is considered that further details of these elements could be secured by condition.



Proposed front elevation (showing land levels of front garden)

- 7.6 Therefore the development would not appear out of keeping with the character and appearance of the street scene and would preserve the setting of the 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 with it to 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 living conditions of neighbours.

Residential amenity of future occupiers

- 7.8 The proposed dwellings are 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 rooms. 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 be 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. Overall, 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 Crystal Palace 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 condition is recommended to secure details for cycle storage structure design to ensure that it meets policy requirements.
- 7.12 It is not considered that 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.
- 7.14 The site is not located within an area with surface water flood risk but it is located within a critical drainage area. A flood risk assessment has been submitted with the application which confirms that the development would not result in an increase in surface water run-off. The report proposes the introduction of a rainwater harvesting system for each dwelling to promote rainwater reuse. This is considered acceptable and it is recommended that this detail be secured by condition.

Trees and landscaping

- 7.15 There are trees and shrubbery on site, mostly to the boundaries of the site. 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.
- 7.16 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 and provide further information about the location of proposed tree protection fencing. 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

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