

PART 5: Planning Applications for Decision

Item 5.4

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/03254/FUL
 Location: Garage Block Adjoining 24 Balfour Road, South Norwood, SE25 5JY
 Ward: Woodside
 Description: Demolition of existing garages, erection of two bedroom detached house
 Drawing Nos: P2.3085.GA.PS.100, P2.3085.GA.PS.200 Rev A, P2.3085.GA.PS.201, P2.3085.GA.PS.202 and P2.3085.OS.PS.001
 Applicant: Mr & Mrs C & M Martell
 Agent: Ms N O’Neil, Stijl town Planning
 Case Officer: Mr White

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

Number of car parking spaces	Number of cycle parking spaces
0	2

1.1 This application is being reported to Planning Sub-Committee because objections above the threshold in the Committee Consideration Criteria have been received.

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) Materials (including samples)
- 2) Details regarding landscaping, refuse/cycle storage, boundary treatment, solar panels and sedum roofs (including maintenance)
- 3) Restrict use of the roof
- 4) Restrict enlargement without permission
- 5) Existing access to be closed
- 6) Water consumption limit
- 7) Carbon emission reduction
- 8) Contamination report / relevant mitigation
- 9) Drainage scheme
- 10) In accordance with drawings
- 11) Commencement time limit
- 12) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) CIL
- 2) Thames Water asset nearby
- 3) Croydon Code of Construction
- 4) Party Wall
- 5) Any other informative(s) considered necessary by the Director of Planning

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The scheme proposes the demotion of the existing building and the erection of a 2 bed house, with the lower floor at basement level.

Site and Surroundings

- 3.2 The site is almost a rectangular shaped parcel of land located to the north east of No.24 Balfour Road and to the rear of numbers 24 and 26 Stanger Road.
- 3.3 The site is currently occupied by a single storey garage block comprising two spaces. The garage is in a poor state of repair. Vehicular access is from Balfour Road. The site also includes a strip of land (adjacent to No.24 Balfour Road) which leads from the Balfour Road to end of the rear garden serving No.22 Stanger Road.
- 3.4 The site is relatively flat and bordered to the side and rear by close-boarded wooden fencing. There is hardstanding to the front of the garages and overgrown vegetation to the rear and south east side.
- 3.5 The site is surrounded by two-storey semi-detached and terraced buildings, many converted into flats, with rear gardens ranging from 8m to 16m in depth. The properties display a mix of gable-end and hipped roof forms. The surrounding area is wholly residential in character.

Planning History

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

12/01976/P - Demolition of existing garages; erection of detached two bedroom house and provision of associated parking.
Refused on the 10.09.2012 on the grounds of inadequate floor areas (5 sq m below prescribed standard).

13/00653/P - Demolition of existing garages; erection of a two bedroom detached house; provision of associated parking.
Refused on the 17.05.2013 for the following reason;

1.The proposal would result in an overdevelopment of the site out of keeping with the character of the area and detrimental to the appearance of the street scene, by reason of poor design, lack of amenity space and an adverse impact on adjoining occupiers by reason of dominance and overshadowing; the development would thereby conflict with Policies 7.4 and 7.6 of the London Plan 2011, Policy SP4.1 of the Croydon Local Plan: Strategic Policies and Policies UD2, UD3, UD8 and H2 of the Croydon

Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies.

This decision was appealed and dismissed by PINS on the 3.12.2013.

14/02268/P - Demolition of existing garages; erection of one bedroom detached chalet bungalow and provision of associated parking.

Refused on the 18.08.2014 for the following reasons;

1.The proposal would result in an overdevelopment of the site out of keeping with the character of the area and detrimental to the appearance of the street scene, by reason of poor design, lack of amenity space and an adverse impact on adjoining occupiers by reason of dominance and overshadowing; the development would thereby conflict with Policies 7.4 and 7.6 of the London Plan 2011, Policy SP4.1 of the Croydon Local Plan: Strategic Policies and Policies UD2, UD3, UD8 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies.

2.The development would result in sub-standard accommodation by reason of inadequate floor areas and would thereby conflict with Policies 3.5B&C of the London Plan (July 2011), Croydon Local Plan - Strategic Policies Policy SP2.6 and the Housing Supplementary Planning Guidance (November 2012)

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of residential development on the site is acceptable given the established residential character of the area.
- The scale and design of the development is appropriate.
- There would be no significant harm to neighbours' living conditions.
- The living standards of future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the London Plan.
- The impact upon highway safety and efficiency is acceptable.
- Environmental impacts are satisfactory.
- Sustainability aspects of the development can be controlled by planning condition.

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 9 letters were sent to adjoining occupiers. 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: 15 Objecting: 14 Supporting: 1

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

Summary of objections	Response
<i>Principal</i>	
Housing not needed in the area	The site is located in an area suitable for new housing.
<i>Townscape</i>	
<ul style="list-style-type: none"> • Obtrusive by design / Not in keeping with the area / Out of character / Overdevelopment 	See paragraphs 8.6-8.8
<i>Neighbouring amenity</i>	
<ul style="list-style-type: none"> • Overlooking • Noise/Disruption during construction 	See paragraph 8.10 See paragraph 8.11
<i>Quality of accommodation</i>	
<ul style="list-style-type: none"> • Amenity and light for house poor 	See paragraph 8.12
<i>Highways</i>	
<ul style="list-style-type: none"> • Parking and traffic impacts 	The development would not significantly alter the safety and efficiency of the surrounding highways network. Paragraph 8.14 expands on this.
<i>Environment</i>	
<ul style="list-style-type: none"> • Some neighbours have suffered flooding – this will increase it • Habitat for wildlife destroyed and impact on trees 	See paragraph 8.17 See paragraph 8.19
<i>Non-material issues</i>	
<ul style="list-style-type: none"> • Potential damage to boundary fence possibility of any damage caused to neighbour properties due to excavation/construction. Owners should be liable for any damage caused 	These are civil matters and covered by separate legislation. See paragraph 8.17
Summary of support	Response
<ul style="list-style-type: none"> • Clean up area • Provide housing 	

7 RELEVANT PLANNING POLICIES AND GUIDANCE

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

Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the revised National Planning Policy Framework (NPPF), 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, including requiring good design that takes 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:

7.4 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 emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

7.5 Croydon Local Plan 2018 (CLP)

- SP2 Homes
- SP2.7 Mix of Homes by Size
- SP2.8 Quality and Standards
- SP4 Urban Design and Local Character
- DM10 Design and character
- DM13 Refuse and recycling
- SP6 Environment and Climate Change
- SP6.3 Sustainable Design and Construction
- DM23 Development and construction
- DM24 Land contamination
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Protecting and enhancing our biodiversity
- DM28 Trees
- SP8 Transport and Communication
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

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
3. The impact on adjacent occupiers
4. Quality of accommodation for future occupiers
5. Transport
6. Sustainability, Energy, and Environment

Principle of development

8.2 The Council's housing policies seek to maximise the re-use of previously developed land and buildings. Although the new dwelling would not assist the strategic target for 30% of all new homes in the borough to be 3 beds, housing policies also require a balance to be struck between developing land for more efficient housing use and protecting residential amenity. Given this the proposal is acceptable and would still assist in meeting overall housing targets and is therefore acceptable in principle.

Townscape

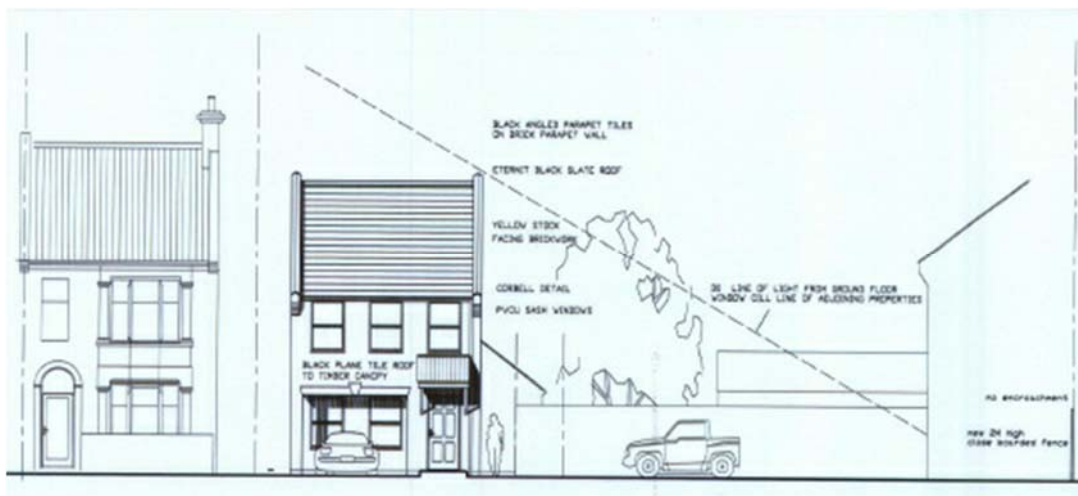
8.3 The proposed scheme is markedly different to the previously refused schemes. Although accommodation remains over two floors, one of the levels is below ground, the building also has a contemporary appearance.

8.4 Both the two previous refused applications had a townscape based reason for refusal. In addition the Inspectors comments from the appeal decision are also relevant. There are a number of pertinent points raised on the appeal decision notice that are relevant to any future application as they focus on both the importance of the site and scheme that is still relevant. They are as follows;

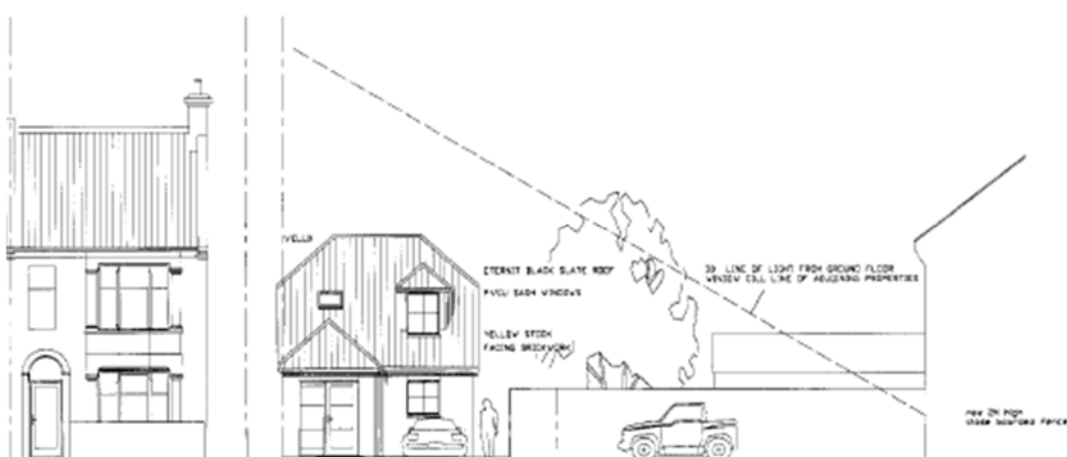
- Paragraph 3. 'The instances of wider spacing between properties and the generous rear gardens assume a significant role in defining the attractive residential character of the area.'
- Paragraph 4. 'the site creates an important break between the side wall of No. 24 and the rear gardens and elevations to Nos. 24 and 26 Stanger Road.'
- Paragraph 5. 'The garage block occupies most of the appeal site frontage, but only at a low level; therefore, along with the rear gardens of the Stanger Road terrace the appeal site provides an important sense of openness at higher level between No. 24 Balfour Road and the terrace....When viewed from the street the two storey element would unreasonably reduce the open aspect across the gap between the properties. This would seriously harm the character and appearance of the street scene.'

- Paragraph 7. 'The proposed amenity space would not be visible from the street scene, nevertheless it would be significantly smaller than nearby rear gardens. Whilst the space would be adequate for the level of accommodation proposed, the fact that such a locally uncharacteristic small area of amenity space is proposed is indicative of the cramped development proposed for the site.'
- Paragraph 9. 'positive elements of the scheme do not outweigh the fact that the building would be significantly lower at both ridge and eaves level relative to the substantial scale of nearby properties. It would also incorporate inappropriate design elements including an uncharacteristic partially recessed ground floor frontage, relatively small scale window proportions, and the use of an inappropriate door canopy. The building would therefore appear as an incongruous and squat structure in an otherwise attractive and harmonious street scene.'

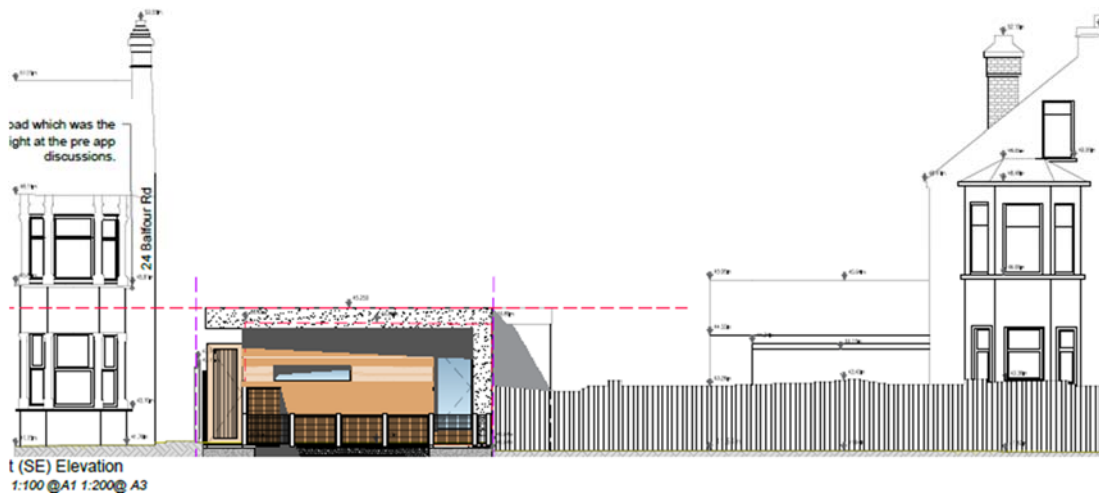
8.5 The first application, 13/00653/P, was for a two storey house (see below)



and the second, 14/02268/P, for a chalet style house (see below)



8.6 The current submission is unashamedly contemporary and only the ground floor level would be readily visible from the public realm and neighbouring buildings.



- 8.7 This innovative and original design provides a unique solution that responds to the context of the site through contemporary use. The modern design and very unobtrusive height are acceptable and would overcome points raised by the Inspector in paragraphs 3, 4 and 5. The frontage is sufficiently active, and a vast improvement on the current arrangement. The success of such a proposal would partly rest on the building being constructed of highly quality robust materials, which could be secured by condition.
- 8.8 In terms of outdoor amenity space the Inspector was clear in that whilst the outdoor space may be adequate for the needs of occupiers it reflected an overly cramped development. In this case the outdoor amenity space is split across 3 locations and would be adequate for a future occupier, albeit not fit in with the prevailing form. However, whereas the previous decided cases were of a design that tried to copy surrounding development (eg. traditional appearance, two storeys with garden to the rear), the current proposal has been designed so that it is an innovative solution and therefore the split outdoor space is sufficiently unique that it is not required to follow the norm and as such acceptable in the locality.
- 8.9 A further crucial change since the previous decisions is the adoption of the Croydon Local Plan (Feb 2018) which sets out a housing target for the borough of 32,890 new homes by 2036. 10,000 of these are anticipated to be provided on windfall sites such as the subject plot. It is also important to recognise that such figures are expressed as a minimum to be exceeded where possible. It is insufficient just to meet the target figure and therefore, all proposals for new housing which would contribute to the annual average target being augmented should be given credit for the contribution which they will make towards housing land supply. The weight afforded to the provision of an additional dwelling and optimising a redundant brownfield site is considered to be greater than the impact of the open space provided in the context of being in keeping with the local frame of reference.

The impact on adjacent occupiers

- 8.10 When deciding the 13/00653/P application the Inspector concluded that 'harm would be caused to the living conditions of the occupiers of Nos. 24 and 26 Stanger Road through unreasonable loss of sunlight to and outlook from their gardens.' The 14/042268/P application was reduced in scale, but also refused on neighbouring impact due to the above ground floor level massing. The current proposal is lower in height and would not extend above single storey from ground level and therefore not detrimental to neighbouring light, outlook or privacy.

- 8.11 The completed development would not result in any significant noise or disturbance impact to adjacent occupiers. Whilst they may be some potential disturbance during construction works this would only be for a temporary period of time and not sufficient to warrant a refusal reason. The Council does have a 'Code of Practice on the Control of Noise and Pollution from Construction Sites' and it is recommended that this is brought to the attention of the applicant by way of informative.

Quality of accommodation for future occupiers

- 8.12 There is a requirement of 79 sq m for a 2 bed 4 person duplex building and 5 sq m of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant. With an internal floor area of 130sq m (as defined within the D&A and cross referenced with plans) and one of the outdoor spaces (ground floor rear) measuring 11.5 sqm, both these requirements are met. The house has been designed so that the bedrooms, which rely less on the need for light, are located at the lower level and the main large lounge is at ground floor. This layout and the large lightwells to the front and rear would result in a building that provide sufficient levels of light and outlook to the occupiers.

Transport

- 8.13 The site currently comprises a twin bay garage, with hardstanding to the front, which is presently used for parking, sufficient for two vehicles.
- 8.14 The demolition of these garages and introduction of the house would result in a decrease of parking spaces, however, the site is within a PTAL 5 and is well located for Norwood junction and all the facilities offered by South Norwood District Centre. Accordingly there is no objection to a car free development, providing the existing vehicle crossover is reinstated, which can be secured by condition.
- 8.15 A covered secure cycle store would be required for 2 cycles. Space has been made to the rear which could provide for adequate storage, further details of which can be secured by condition. Refuse storage is shown covered to the front, which is acceptable and can also be secured by condition.

Sustainability, Energy, and Environment

- 8.16 A new build residential dwelling is required to achieve a 19% reduction in CO2 emissions produced by the development (beyond the 2013 Building Regulations) and a water use target of 110 litres per head per day, both of which can be secured by condition.
- 8.17 Representations received have referred to flooding within their basement, however, the site is not within a Flood Zone nor at risk of surface water flooding. As a result, no Flood Risk Assessment would be required for this development. The issue of basement flooding in nearby properties was addressed by the planning inspector in the appeal decision 13/00653/P who considered that surface and foul drainage could be controlled by planning condition and as such is recommended in this case. Notwithstanding the above, a subterranean structural statement has been submitted and reviewed by the Council Building Control team, who state that the report and method statement is reasonable. They also highlight that the relationship with the adjacent foundation, although dealt with by building regulations, will also be considered under the Party Wall agreement. In addition there is a 150mm Thames Water foul

sewer on or about the boundary with No.24 and a build over agreement will be necessary with Thames Water. It should be noted that temporary support and construction methods employed by the developer are influenced and governed by separate legislation e.g. Party Wall Act, Construction Design and Management regulations and civil law.

- 8.18 Given the use of the site it is recommended that a desk top contamination assessment is secured to establish the presence or otherwise of contamination onsite. A condition can secure further investigation / mitigation works should the presence of contamination be likely.
- 8.19 The site is not in or near a site of nature conservation importance, and predominantly covered in hard standing, given this there is no anticipated harm to flora, fauna or trees, as was the case on the previous applications.

Conclusions

- 8.20 All other relevant policies and considerations, including equalities, have been taken into account.