

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 19/04395/HSE  
Location: 12 Brickwood Road, Croydon CR0 6UL  
Ward: Addiscombe West  
Description: Erection of a single storey outbuilding in the rear garden (Retrospective).  
Drawing Nos: 12-1, 12-2, 12-3  
Applicant/Agent: Mr J Patel  
Case Officer: Sera Elobisi

- 1.1 This application is being reported to committee because the ward councillor, Councillor Fitzpatrick has made a representation in accordance with the Committee Consideration Criteria 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) Built in accordance with approved plans
- 2) No windows in the eastern elevation of the outbuilding for as long as the building remains in existence.
- 3) No windows other than specified in the Northern and Southern elevations
- 4) All existing external work and work of making good shall be carried out in materials to match the host dwelling.
- 5) The use of the outbuilding be incidental to the main dwelling house
- 6) Sustainable water drainage (water butt to be installed within the 3 months of the date of permission)
- 7) Commence within 3 Years

Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

**Informative**

- 1) Any [other] informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.3 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

### 3 PROPOSAL AND LOCATION DETAILS

#### Proposal

- 3.1 The application seeks retrospective planning permission for the outbuilding in the rear garden of 12 Brickwood Road.
- 3.2 Planning permission was previously granted for erection of an outbuilding in the rear garden which was 3.0 metres high and 8.7 metres wide (Ref. 18/00746/HSE). The current proposal shows an outbuilding measuring 3.2 metres high and 8.92 metres wide.

#### Site and Surroundings

- 3.2 The site is a semi-detached building located on the eastern side of Brickwood Road. The building has recently been extended at the rear, side and roofspace under planning permission and permitted development.
- 3.3 The site is not subject to any statutory or local plan listings. There are no protected trees identified on the site or in the immediate surroundings. The site is located within an area of low surface water drainage flood risk (1:1000yrs).



3.4 Brickwood Road is residential in character, comprising of semi-detached and detached properties.

### **Planning History**

3.5 The following planning decisions are the most relevant to the application:-

- 18/01948/HSE – Permission was granted on 25<sup>th</sup> May 2018 for the erection of a single/two storey side/rear extension to the dwelling. Implemented
- 18/00746/HSE -Permission was granted on 05<sup>th</sup> April 2018 for erection of an outbuilding in the rear garden ancillary to the main house for use as a gym/outhouse.
- 17/04615/HSE - Permission was granted on 11<sup>th</sup> December 2017 for erection of front porch and single storey side/rear extension (17/04615/HSE).
- 17/03725/GPDO Prior approval (larger home extension) refused on for erection of a single storey rear extension projecting out 5 metres with a maximum height of 3.7 metres. Refused on grounds of intrusion and loss of outlook on residential amenity
- 17/03711/LP - Certificate of lawful development was granted for the erection of a gable end roof extension with dormer extension in rear roofslope and installation of rooflights on front roofslope.

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

4.1 The height of the outbuilding is only minimally above the approved 3.0 metres height. The development would preserve the character of the area and would not harmfully affect the appearance of the immediate surroundings.

4.2 The outbuilding would not have a detrimental effect on the residential amenities of the adjoining occupiers.

## **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 neighbour consultation letters. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 5            Objecting: 5    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:

<b>Summary of objections</b>	<b>Response</b>
<i>Overdevelopment</i>	
Development too high for the rear garden. The building has not been finished at the rear and is an eyesore.	The principle of development in the rear garden was assessed and considered acceptable on the previously approved application 18/00746/HSE. The design is of a modest scale and massing and is not considered to be overbearing in its siting within the property. The additional 200mm height and width to the outbuilding is not considered to result in overdevelopment of the land. The rear of the building has not been rendered. The applicant states attempts have been made by the builder to access the dwelling/garden at the rear in order to make good the external wall and roof but access has not been granted. This has not been disputed by the neighbours who insist on the development reverting back to the approved 3.0 metres height.
<i>Amenity, intrusion, outlook, light</i>	
Loss of light. Building too tall and intrusive when viewed from rear garden.	The development is minimally over the approved 3.0 metres high outbuilding and is considered to be acceptable with regard to impact on surrounding neighbouring amenity. The neighbouring dwelling at the rear is well setback from the application boundary and the development whilst noticeable, is not considered to result in unacceptable levels of light or intrusion.
<i>Noise</i>	
The use of the outbuilding would result in noise to neighbouring dwellings.	As with the previous application (18/00746/HSE) Officers consider that the outbuilding would be ancillary to the existing residential use and would not lead to an unacceptable level of noise and disturbance given the existing single family residential use.
No sustainable drainage system on the development. rainwater from the roof falling onto neighbouring wall and garden -	The provision of a sustainable drainage system would be secured by a condition.
<i>trees</i>	
Development harmful to trees in rear garden	As with the previous application, the development is not considered to have a harmful effect on trees.
<i>No neighbour notification</i>	
Notification not received prior to the construction of the outbuilding.	Neighbour consultation was undertaken as part of the processing of the previous planning application 18/00746/HSE and representations received. The current application has been submitted as the development has not been built in accordance with the approved plans.

- 6.3 Councillor Jerry Fitzpatrick referred the application to planning committee on the basis that the building is “extremely high and ugly and sited “in front of the back boundary of the property”, significantly impairs the ability of the adjoining occupiers of (in particular the occupants of 11 Bisenden Road) to obtain reasonable enjoyment in their back gardens.

## **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)

- 7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) February 2019. 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

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

- 5.3 Sustainable Design and Construction
- 7.4 Local character
- 7.6 Architecture

### Croydon Local Plan: Strategic Policies 2018:

- SP4 Urban design and local character
- SP6.3 Sustainable Design and Construction

### Croydon Local Plan Policies 2018:

- DM10 Design and character
- DM25 Sustainable drainage systems

### Supplementary Planning Guidance as follows

- Suburban Design Guide SPD Adopted April 2019

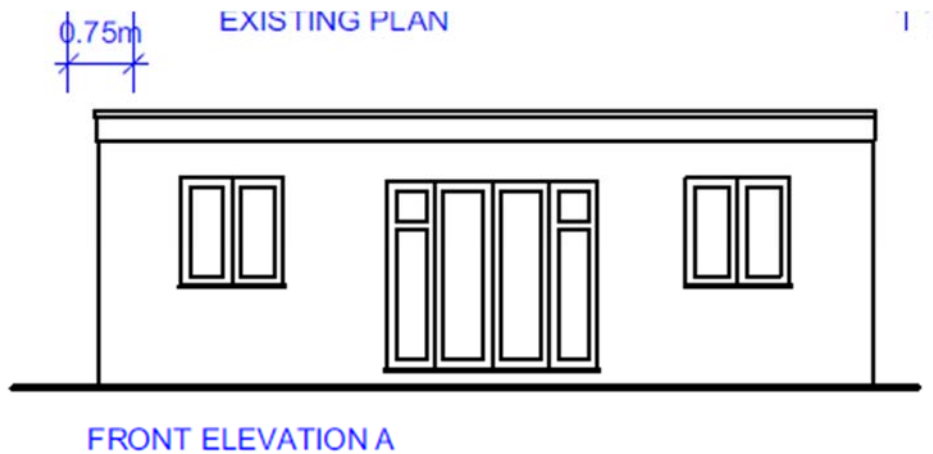
## **8 MATERIAL PLANNING CONSIDERATIONS**

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

1. The impact of the development on the character and appearance of the site and surrounding area
2. The impact on the residential amenity of adjoining occupiers.
3. Trees
4. Flooding

### **The impact of the development on the character and appearance of the site and surrounding area**

- 8.2 The Council's newly adopted Supplementary Planning Document - Suburban Design Guide requires outbuildings to be of a scale that is subservient to the main house. The maximum height and footprint of an outbuilding is determined on a case by case basis, dependent on the size of the plot, scale of the host building and impact on neighbouring amenity.

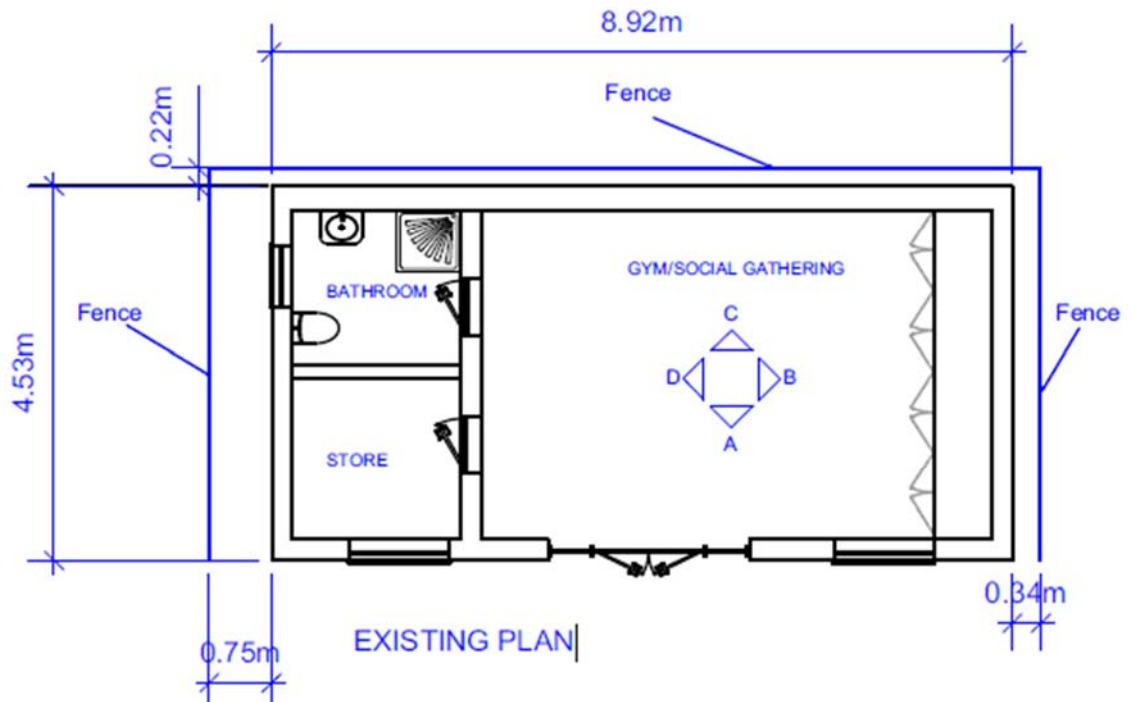


- 8.3 The outbuilding is not considered to be significant in scale. The height at 3.2 metres minimally exceeds the approved 3.0 metres height of the outbuilding approved under Ref. 18/00746/HSE and the footprint largely occupies the approved development. The development would respect the character of the application dwelling and its locality and accord with the aims of the Council's adopted SPD – Suburban Design Guide. The proposed development is therefore supported in terms of design, form and massing.

### **Residential Amenity**

- 8.4 The Council will not support development proposals which would have adverse effects on the amenities of adjoining, nearby properties or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure.
- 8.5 The development as per the previously approved application is not considered to adversely affect the living conditions of the adjoining and neighbouring occupiers in terms of loss of light, outlook or intrusion.

- 8.6 The building is only partly visible from the rear garden of 11 Bisenden Road and whilst the upper part is visible as a result of the low rear boundary fence at the neighbouring site, it is not considered that the development would have an unacceptable impact on the light or outlook, overbearing or intrusion of adjoining occupiers beyond that of the existing boundaries. Privacy of neighbours would also be unharmed.
- 8.7 There are no windows proposed in the rear (eastern) elevation and the side and front windows would look out directly in to the application site.



- 8.8 The applicant has stated that the building is for use as a gym/gathering space which would be incidental to the use as a single family dwelling house. It is not considered that this use would generate a level of noise and general disturbance which would be substantially above that of the existing dwelling use.
- 8.9 In view of the existing residential setting and the ancillary use of the building to the application dwelling, it is not considered that the development would result in undue loss of noise and disturbance in line with policy DM10.6 of the Croydon Local Plan.

### Flooding

- 8.10 The site is located in an area at low risk of surface water flooding. Due to the nature of the proposal involving household development and the low level risk of flooding it is considered that the proposal would be unlikely to result in an increased risk of flooding compared to the existing situation. However, to minimise any impact from surface water run-off a condition for the installation, retention and maintenance of a water-butt on site would be imposed should the Committee be minded to grant permission.

## **Trees**

8.11 The previous proposal approved permission was not considered to negatively impact on trees.

## **Conclusions**

8.12 The principle of a development in the rear garden is considered acceptable subject to recommended conditions. The erection of an outbuilding has been established by planning permission Ref. 18/00746/HSE and the scale and form is considered to respect the character of the surrounding area and neighbouring amenity.