



PART 6: Planning Applications for Decision

Item 6.2

1. APPLICATION DETAILS

Ref: [17/03542/FUL](#) (*link to associated documents on Planning Register*)
Location: 98 Hyde Road, South Croydon, CR2 9NQ
Ward: Sanderstead
Description: Demolition of existing building, erection of two storey building with basement and accommodation in roof space comprising of 2 x one bedroom and 6 x two bedroom flats. Formation of vehicular access and 8 parking spaces, cycle and refuse storage
Drawing Nos: BX05-S2-101A, BX05-S2-102, BX05-S2-103A, BX05-S2-104A, BX05-S2-105, BX05-S2-106A, BX05-S2-107A, BX05-S2-108, BX05-S2-109A, Design & Access Statement, Detailed Design Review, Surface Water and SuDs Assessment Rev0, Internal Daylight Factor Report, BS5837 Arboricultural Report 22nd September 2017
Applicant: Mr Rafael Porzycki
Case Officer: Louise Tucker

- 1.1 This application is being reported to committee because the Ward Councillor (Cllr Lynne Hale) and a Resident Association (Riddlesdown Residents' Association) made representations in accordance with the Committee Consideration Criteria and requested committee consideration. Furthermore, objections above the threshold in the Committee Consideration Criteria have been received. The Chair of Planning Committee (Cllr Paul Scott) in accordance with the Committee Consideration Criteria also requested committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 Planning permission has previously been granted for a similar flatted development on the site. The development would provide additional housing and would not adversely impact the appearance of the street-scene, nor the residential amenities of the adjoining occupiers. The proposed development would provide an acceptable living environment and would also have an acceptable impact on parking and highway conditions.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 That the Director of Planning and Strategic Transport is delegated authority to issues the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- (1) In accordance with approval drawings
- (2) Tree protection measures stated in Arboricultural Method Statement/Tree Protection Plan to be installed prior to any demolition/construction works
- (3) Materials to be submitted for approval
- (4) No additional windows to be inserted in either of the flank elevations other than as specified
- (5) No use of flat roof as terrace or any other form of sitting out area
- (6) Finished floor levels to be provided prior to commencement of development – including building, communal garden areas, refuse and cycle storage and car parking area
- (7) Details to be provided –
 - Hard and soft landscaping – including species/size
 - Boundary treatment – including private amenity space enclosures and retaining walls
 - Disabled parking
 - Electric vehicle charging points
 - Details of roof lights
- (8) Demolition and construction method statement
- (9) In accordance with recommendations of SUDs assessment; Submission and approved of Sustainable Drainage Strategy for the site/development
- (10) 19% reduction in carbon emissions
- (11) 110 litre water consumption target
- (12) Parking to be provided before the buildings are occupied
- (13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of Site Notices
- 2) Community Infrastructure Levy
- 3) Refuse storage requirements – bin numbers
- 4) Code of Practice regarding small construction sites
- 5) Demolition and construction method statement – link to guidance document
- 6) Highways works to be made at developer's expense
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Full planning permission is sought for:

- Demolition of the existing dwelling

- Erection of a building comprising 8 flats (6 x two bedroom, 2 x one bedroom units)
 - The proposed building footprint would be a maximum of 13.1m in width and 16.8m in depth (including the front and rear gables), and would be 8.4m in height (to the top of the flat section of the pitched roof).
 - A new vehicular access would be created
 - Rear parking area providing 8 off-street parking spaces (one for each unit), 8 cycle parking spaces and refuse store
- 4.2 Planning permission has previously been granted for the demolition of the existing building and the erection of a building with provision of a rear parking area (see paragraph 4.5 below). The physical scale, form and massing of would be largely the same as this previously approved scheme, other than the addition of a small flat roofed ground/lower ground floor rear projection. The private amenity area serving the lower ground floor units has been set back further into the site as a result, with land levels graded towards the rear. The number of flats has been increased by 1 unit (from 7 to 8 flats) with an associated increase of 1 car and 1 cycle parking space at the rear. The mix of units has also changed, with 6 x two bedroom and 2 x one bedroom units proposed instead of the 7 x two bedroom units previously granted.

Site and Surroundings

- 4.3 The application site is located on the northern side of Hyde Road at its junction with Copthorne Rise and is currently occupied by a two storey detached house which has previously been extended. As with all houses in Hyde Road, the existing property is situated in an elevated position, in recognition of the rising land levels (rising south to north). The existing property has a rear garage situated close to the boundary with 20 Copthorne Rise, with generally level access into the garage off Copthorne Rise. The wider surrounding area is mainly residential in character, comprising detached and semi-detached properties.
- 4.4 The site falls within an area at high risk from surface water flooding.

Planning History

- 4.5 16/05057/FUL – Planning permission was granted in February 2017 for the demolition of existing dwelling; erection of a building with lower ground floor and accommodation in roofspace comprising 7 two bedroom apartments; formation of revised vehicular access and provision of associated parking spaces, bicycle storage and refuse store. This scheme has yet to be implemented.

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 was advertised by site notices in Hyde Road, Copthorne Rise and Westfield Avenue. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 21 Objecting: 20 Supporting: 1

6.2 The following issues were raised in representations that are material to the determination of the application and are addressed in substance in the next section of this report:

Objections

- Overdevelopment of the site
- Out of character with the area
- Impact on highway safety
- Inadequate parking provision
- Harm to residential amenities – loss of light, outlook, privacy, additional noise and disturbance from flats
- Impact on trees
- Obtrusive by design
- Local infrastructure won't cope with additional residents
- Noise and disturbance from construction
- Sets precedent for further flats in the road
- Increased density
- Impact on flood risk
- Poor access for disabled users

6.5 The following issues were raised in representations that are not material to the determination of the application but are addressed below:

- Harm caused to the Green Belt [OFFICER COMMENT: The application site is not designated as Metropolitan Green Belt]
- There are inaccuracies in the submitted design and access statement [OFFICER COMMENT: This is noted; consideration of the application by officers is informed by a number of methods including a site visit, mapping systems, scrutiny of policies etc. not solely from the design and access statement]
- Loss of view [OFFICER COMMENT: This is not a material planning consideration]
- Devaluation of neighbouring properties [OFFICER COMMENT: This is not a material planning consideration]
- Risk of ground disturbance/subsidence [OFFICER COMMENT: This is not a material planning consideration]

- Party wall issues [OFFICER COMMENT: This is not a material planning consideration]

6.6 The following procedural issues were raised in representations, which are addressed below:

- Application is pre-determined so there is no point consulting neighbours [OFFICER COMMENT: This is inaccurate]
- Objections for planning applications are not taken notice of [OFFICER COMMENT: This is inaccurate]
- Council officials should visit the site as part of any application [OFFICER COMMENT: Officers undertake site visits for all planning applications]
- Decision will be made on political grounds [OFFICER COMMENT: This is not a material consideration]

7 MATERIAL PLANNING CONSIDERATIONS

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

- 1) The principle of development
- 2) The design and appearance of the development and its effect upon the character and appearance of the area
- 3) The impact of the development upon the residential amenities of the adjoining occupiers
- 4) The living conditions of future occupiers
- 5) Parking and highways
- 6) Trees and landscaping
- 7) Other planning matters

Principle of Development

7.2 Chapter 6 of the National Planning Policy Framework (NPPF) indicates that housing applications should be considered in the context of a presumption in favour of sustainable development and that it is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy 3.3 of the London Plan 2011 (as amended) recognises the pressing need for more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy H2 of the Croydon Plan (2006) Saved Policies 2013 permits housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. Policy SP2.1 of the Croydon Local Plan: Strategic Policies (2013) states that in order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon the Council will apply a

presumption in favour of development of new homes, provided applications for residential development meet the requirements of Policy SP2 and other applicable policies of the development plan.

- 7.3 The principle of the demolition of the existing building and the erection of a building for provision of flats has already been established with reference to the previous grant of planning permission. There has been no change in policy since the previous consent which would alter the approach adopted at the time. Therefore the principle of development is acceptable. Detailed consideration of the other material planning considerations is given below.

The Impact on the Character and Appearance of the Area

- 7.4 Policy 3.5 of the London Plan 2011 (consolidated with amendments since 2011) requires housing development to be of the highest quality. London Plan Policies 7.1, 7.4, 7.5 and 7.6 state that development should have regard to the character of the area, and that architecture should make a positive contribution to the public realm and streetscape. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) (CLP) reiterate this and state that development should be of high quality design, enhance Croydon's varied character and be informed by the Places of Croydon. Furthermore, the relevant Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 (the UDP) include UD2 which covers "the layout and siting of new development" and UD3 which covers "the scale and design of new buildings". Policy UD13 states that "car and cycle parking must be designed as an integral part of a scheme and not be allowed to dominate or determine the urban form". Policy UD15 seeks to safeguard the street scene and neighbouring occupiers in respect of the siting and appearance of refuse facilities.
- 7.5 As stated above, planning permission has already been granted for the demolition of the existing building and the erection of a building with provision of a rear parking area. The physical scale, form and massing of the building would be largely the same, apart from the addition of a small flat roofed ground/lower ground floor rear projection. The private amenity area serving the lower ground floor level of the two rear duplex units would be set back further into the site as a consequence, with land levels graded towards the rear. The amendments (compared to the previously consented scheme) would result in an additional units (from 7 to 8 flats) with an associated increase of 1 car and 1 cycle parking space located towards the rear of the site. The mix of units has also changed, with 6x2 bedroom and 2x1 bed units proposed (compared to the previously consented 7x2 bedroom units).
- 7.6 Given the changes in land levels and landscaping, the introduction of the flat roofed rear projection would not be prominent in views from Copthorne Rise and would not be visible from the Hyde Road streetscene. Its inclusion would not significantly increase the massing of the building to an unacceptable degree. The increase in hardstanding would only be to accommodate an additional parking space to the rear of the parking area as approved which would similarly have minimal additional impact in character terms. This would be a similar situation for the additional cycle

store, which would be adjacent to the approved cycle parking area resulting in minimal visual impact to that already approved. The addition of one residential unit to that already consented would not significantly increase the residential density in this suburban location to a degree that would result in a refusal of planning permission.

- 7.7 The site is located on sloping land that rises fairly steeply towards the far end of the rear garden. It is acknowledged that a large degree of land would need to be excavated to allow for the garden area to be a truly useable space and for a level car parking area to be provided. As was considered previously, it is acknowledged that excavation and land level changes would be required, given the steep land slope towards the rear of the site. As before, it is therefore recommended that a planning condition be imposed in relation to finished floor levels for the main building, communal garden areas, refuse and cycle storage structures and the car parking surface. Furthermore, details of any retaining walls should be included as part of a boundary treatment condition. Subject to the imposition of these planning conditions, it is not considered the development would have an acceptable impact on the character and appearance of the area.

The Residential Amenities of the Adjoining Occupiers

- 7.8 The London Plan (consolidated with amendments since 2011) Policy 7.6 states that amongst others that development should “not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”. Policy UD8 of the Croydon UDP concerns “privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy...and will have regard to the “maintenance of sunlight or daylight amenities for occupiers of adjacent properties”. Policy EP1 of the Croydon UDP concerns development which may be liable to cause or be affected by pollution.
- 7.9 As noted earlier in the report, a development of a similar scale and with a similar relationship to the neighbouring properties has already been accepted, following the previous grant of planning permission (LBC Ref 16/05057/FUL). However the impact of the changes made, including the added rear projection, requires consideration. The main neighbouring properties that would be affected would be the adjacent house at 96 Hyde Road and the bungalow to the rear at 20 Copthorne Rise.
- 7.10 The corner of the proposed development, nearest to 96 Hyde Road, would project 4 metres (at two storeys) with the further 1.7 metre ground floor projection beyond the rear building line of this house. However in view of the 6 metre separation distance between the proposed building and this neighbouring property, this set back is considered acceptable, with rear facing windows continuing to enjoy acceptable outlook and north facing daylight. Whilst there are four existing side windows positioned in the west facing flank elevation to this neighbouring property,

two of these windows are obscure glazed and the other windows appearing to serve a landing area/hallway. Given that the rear garden of the properties along this section of Hyde Road are northwards facing, there would also be no objections in terms of significant loss of daylight and sunlight.

- 7.11 There would not be any side windows on the proposed development facing towards 96 Hyde Road, with the exception of 4 roof lights and a ground floor side window to a double bedroom. However, given the angle of these windows on the roof slope and the presence of existing boundary treatments, it is considered that any overlooking would be minimal. It is recommended that a planning condition be imposed to restrict use of the flat roof of the ground floor rear addition as a sitting out area.
- 7.13 As regards 20 Copthorne Rise, the proposed rear car park (which would be the main impact) would be positioned at a lower ground level and would be largely screened by planting. Whilst additional vehicle movements might well be noticeable (in terms of increased comings and goings and the associated noise and headlights after dark) the overall effect would not be significant enough to warrant refusal of planning permission.
- 7.14 The scheme would provide an additional 7 units on the site. The site is within an established residential location and the building is replacing a large 4 bedroom detached dwelling. Six of the units are two bedroom 3 person units and would be suitably sized for a small family (potentially two adults and a child). It is not considered the provision of flats on the site would result in additional material harm through noise and disturbance to neighbouring occupiers which would be sufficient to refuse planning permission.
- 7.15 For the above reasons, it is considered the impact on the residential amenities of neighbouring properties is acceptable and in accordance with policy EP1, UD8 and SPD2.

Living Conditions of Future Occupiers

- 7.16 The Nationally Space Standards (NDSS) prescribe minimum technical requirements for new dwellings, including minimum space standards for proposed dwellings. With regard to amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1 person dwellings, increasing by 1m² per occupant and Croydon Plan Policy UD8 requires development proposals to provide residential amenity space that is considered as an integral part of the design of the overall development concept.
- 7.17 All units would comply with the minimum GIA requirements. The two duplex units would have access to a sunken patio area, Units 6 and 7 would have access to a small terrace (overlooking the rear garden) with all units having access to a sizeable rear communal garden.

7.18 In terms of accessibility, the units would be generously sized to allow adaptations if necessary. One of the spaces is capable for provision as a disabled car parking space. This can be dealt with through discharge of the relevant planning condition.

Parking and Highways

7.19 SP8.17 of the Croydon Local Plan: Strategic Policies seeks to ensure that there is an appropriate level of car parking. Policies T2 and T8 of the Croydon Plan concerns traffic generation and parking standards.

7.20 The site is located within an area with a PTAL rating of 2 which indicates a moderately poor level of accessibility to public transport links. 8 parking spaces (1 per unit) would be provided in a parking area at the rear, which would accord with the maximum car parking standards described in Appendix 2 of the Croydon UDP, and considering the poor PTAL rating this provision is considered acceptable. The parking layout, with the additional spaces would still allow for ample soft landscaping and communal amenity space to reflect the site's existing verdant character.

7.21 As was previously consented, the existing vehicular access off Copthorne Rise would be relocated further south to provide the entrance to the parking area. Given the location of an existing vehicle access point along Copthorne Rise, this is considered acceptable subject to details of visibility splays being submitted for approval and the car parking layout complying with highways standards. The applicant will be advised by way of a planning informative that any new or access improvements associated with the development would require agreement with the Council and the associated costs would be borne by the developer. Additionally, a condition is recommended to secure the submission of a demolition/construction logistics plan and further details relating to the cycle storage (including a manufacturer's specification).

Trees

7.22 Chapter 11 of the NPPF seeks to conserve and enhance the natural environment. Saved Croydon Plan Policy UD14 states that landscape design should be considered as an integral part of any development proposals. London Plan Policy 7.21 states that existing trees of value should be retained and any loss as a result of the development should be replaced following the principle of 'right place, right tree'.

7.23 Whilst there are a number of large trees along the side boundary of the site fronting Copthorne Rise, only 1 Sycamore tree is preserved under TPO 35, 2016, which is proposed to be retained. An arboricultural report has been submitted and subject to the imposition of a tree protection condition to ensure that trees are suitably protected prior to demolition and during the construction phase in accordance with this report, officers are satisfied that the proposed development would not overly effect the existing landscape treatment of the Copthorne Rise frontage.

Other planning issues

- 7.24 The refuse storage area would be provided in the rear garden with access off the footpath. The applicant will be advised of the specific bin requirements by way of a planning informative.
- 7.25 It is recommended that a planning condition be imposed requiring a 19% reduction in CO2 emissions to be achieved and a target of 110 litres of water consumption per flat.
- 7.26 Whilst it is appreciated that there will be some noise during the construction process; this would be of a temporary nature. A planning informative is recommended to advise the applicant to follow the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites".
- 7.27 A condition is recommended to ensure the development is carried out in accordance with the submitted Surface Water and SUDs assessment, including the provision of water butts, permeable paving and infiltration tests to be carried out which can form a drainage strategy. This would make the development acceptable in terms of flood risk, given the site lies adjacent to an area at risk of surface water flooding.

Conclusions

- 7.28 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.