

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 22/00831/HSE  
Location: 29 The Ruffetts, South Croydon, CR2 7LS  
Ward: Selsdon and Addington Village  
Description: Erection of single/two storey side/rear extension, rear dormer and front porch (Retrospective)  
Drawing Nos: PL.00 Rev A, PL.01 Rev D, PL.02 Rev D, PL.03 Rev A, PL.05 Rev D, PL.06 Rev D, PL.07 Rev D  
Applicant: Mr Anwar Hossain  
Case Officer: Nathan Pearce / Chris Stacey

1.1 This application is being reported to committee because:

- Objections above the threshold in the Committee Consideration Criteria have been received.
- Croham Valley Residents Association made representations 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 Sustainable Regeneration 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. Installation of a water butt and soak away within 3 months of permission
3. In accordance with Fire Statement.
4. Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration.

**Informatives**

1. Party Wall Act 1996.
2. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.

### 3 PROPOSAL AND LOCATION DETAILS

- 3.1 Retrospective planning permission is sought for the erection of a single/two storey side/rear extension, rear dormer, front porch and changes to the existing fenestration. This is separated into the following elements:
- Single storey front porch
  - Single/two storey side extension
  - Single storey rear extension
  - Rear dormer roof extension
  - Fenestration changes to the roof and rear elevation.
- 3.2 Amended plans were received during the course of the application to ensure the retrospective application reflected what is in situ on site. As a result, a second round of public consultation took place on the amendments.
- 3.3 A roof plan was received after the second round of consultation; as this shows what already exists on site given the scheme is retrospective in nature, a further consultation was not considered necessary.



*Figure 1:  
photograph of the  
front of property  
from The Ruffetts  
(note this image  
was taken more  
recently than  
Figure 2 below)*



*Figure 2: photograph showing the rear of 29 The Ruffetts (note this is an older photo)*

- 3.4 Planning permission was granted under 20/04170/HSE (see history section below) for the erection of single/two storey front/side/rear extension. This permission was implemented, but changes during construction have led to the need for this new application for consideration.
- 3.5 The key differences between the already granted 20/04170/HSE scheme and the current application are as follows:
- Height of the side extension roof is lower
  - Different roof arrangement to the front porch
  - Ground floor and first floor front setbacks have increased
  - Sloped roof now proposed to the single storey rear extension
  - Window location and sizes (including roof lights)
  - Omission of Juliet balcony to rear of the property

### **Site and Surroundings**

- 3.6 The application site concerns a two-storey semi-detached house. It is situated on the west side of The Ruffetts. The area is primarily residential and comprises similar dwelling houses with large rear gardens. The site is not within a conservation area and is not a listed building.



*Figure 3: Aerial Street view highlighting the proposed site within the surrounding street scene*

## **Planning Designations and Constraints**

3.7 The site is subject to the following formal planning constraints and designations:

- Area at risk of surface water and
- Critical drainage flooding.

## **Planning History**

3.8 In terms of recent planning history the following applications are relevant:

- |                |   |
|----------------|---|
| 16/03626/P:    | Erection of part single/two storey side and single storey rear extension – Granted 03.10.2016   |
| 17/01823/HSE:  | Erection of single/two storey front/side/rear extension – Granted 23.08.2017  |
| 20/02197/GPDO: | Erection of a single storey rear extension projecting out 6 metres from the rear wall of the original house with a height to the eaves of 3 metres and a maximum overall height of 3 metres – Prior Approval Refused 03.07.2020 |
| 20/02898/GPDO: | Erection of a single storey rear extension projecting out 6 metres from the rear wall of the original house with a height to the eaves of 3 metres and a maximum overall height of 3 metres - Prior Approval Refused 14.08.2020 |

20/04170/HSE:	Erection of single/two storey front/side/rear extension – Granted 18.12.2020.
21/00051/NBI	Alleged not built in accordance with 20/04170/HSE. Investigate whether what is being built is in accordance with applications.
23/00114/DEV	Alleged erection of a new porch which is being extended further out.

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

- Given the character of the surrounding area and the planning history of the site, the design and appearance of the development is appropriate.
- There would be no unacceptable impact on the living conditions of adjoining occupiers.
- The sustainability aspects of the application are considered to be acceptable.

#### **5 CONSULTATION RESPONSE**

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

#### **6 LOCAL REPRESENTATION**

##### **First Round of Consultation**

6.1 The application was publicised by 7 letters of notification to neighbouring properties in the vicinity of the application site. 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: 36            Objecting: 35            Supporting: 1

6.2 The following local groups/societies made representations which are summarised below:

##### **Croham Valley Residents' Association (Objection and Referral to Committee):**

- This application is all about the owner of this property building what he wants and not what was approved.
- The front and rear of the property has numerous changes to what was approved in the planning application.
- Concern regarding the pitched roof on the rear extension which impacts light and outlook of the neighbouring property.

- Depth of rear extension is not compliant with drawings.
- Proposal would not be compliant from a Building Control perspective.
- The lower roof height to the side extension gives it a visually unacceptable profile.

6.3 The following Councillor made representations which are summarised below:

Councillor Helen Pollard (Comments):

- Have requested Planning Enforcement to review the proposals as the next door neighbour believes the work not be consistent with the retrospective application.
- That the Council gives due consideration to the impact of this development on neighbours.

**Second Round of Consultation**

6.4 The number of representations received from the second round of consultation are as follows:

No of individual responses: 39                  Objecting: 39                  Supporting: 0

6.5 The following local groups/societies made representations which are summarised below:

Croham Valley Residents' Association (Objection):

- This application is all about the owner of this property building what he wants and not what was approved.
- The front and rear of the property has numerous changes to what was approved in the planning application.
- Concern regarding the pitched roof on the rear extension which impacts light and outlook of the neighbouring property.
- Depth of rear extension is not compliant with drawings.
- Proposal would not be compliant from a Building Control perspective.
- The lower roof height to the side extension gives it a visually unacceptable profile.

6.6 The following Councillor made representations which are summarised below:

Councillor Robert Ward (Objection):

- This application is all about the owner of this property building what he wants and not what was approved.
- The front and rear of the property has numerous changes to what was approved in the planning application.
- Concern regarding the pitched roof on the rear extension which impacts light and outlook of the neighbouring property.
- Proposal may not be compliant from a Building Control perspective.

6.7 The following issues were raised in representations received in total. 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>
Loss of light	Due to their design, size and siting the proposed extensions would not harm the daylight of neighbouring occupants.
Not in keeping with area / out of character and obtrusive by design	The proposed extensions would appear subservient to the existing dwelling and would be constructed in similar materials with the result that the proposal would not harm the appearance of the area.
Overdevelopment	The proposed extensions would appear subservient to the existing dwelling.
Residential amenity	Due to their design, size and siting the proposed extensions would not harm residential amenity.
Impact on trees	Due to the distance from the nearest mature trees, the siting the proposed extensions would not harm neighbouring trees.
Flood risk	In order to ensure that any impacts of the development in flood risk terms are mitigated against, a condition is recommended requiring the applicant to install a water butt and soak away within 3 months of permission being granted.
Traffic or highways	The extensions would not result in a detrimental impact on traffic or highways.
Overhanging of boundary	The overhanging roof tiles have been removed since the submission of the application. Officers are satisfied that the development no longer overhangs the boundary with no27 and that the correct Certification has been provided with the application.
Sets a precedent for other development	Extensions to existing residential properties are common in suburban areas, it is not considered to lead to a precedent for increased development. Furthermore, officers consider the extensions to be acceptable as covered in the main body of the report below.
Works are retrospective / construction impact	This is a retrospective application where the works are substantially complete, the majority of construction noise will have already taken place.
The submitted drawings do not accurately portray what has been built on site	The Council's enforcement team have been to site and measured the extension as built and are content that the drawings submitted for determination accurately depict what has been built on site. Amended plans were received during the course of the application.
Issues regarding Council Tax	This is not a material planning consideration
No asbestos removal teams attended the demolition of the garage	This is not a material planning consideration

Not adhering to building regulations or health and safety	These matters are dealt with under separate regulatory controls and are thus not material to the determination of the planning application.
Rights of Light matters	This is not a material planning consideration.
<b>Summary of support</b>	<b>Response</b>
No comments raised	N/A

## 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 London Plan 2021, the Croydon Local Plan 2018 and the South London Waste Plan 2022.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2021. 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

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

### London Plan 2021

The main policies that are relevant are:

- GG2 Making the best use of land
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D12 Fire safety
- D14 Noise
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage

### Croydon Local Plan 2018



The main policies that are relevant are:

- SP1 The Places of Croydon.
- SP4 Urban Design and Local Character.
- DM10 Design and Character.
- DM25 Sustainable Drainage Systems and reducing flood risk
- DM28 Trees

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Impact on the building and character and appearance of the area
3. Residential amenity for neighbouring occupants
4. Flood risk
5. Fire safety

### **Principle of development**

8.2 The application site comprises a semi-detached residential dwelling and is located within a residential area. This application does not propose to change the use of the property.

8.3 The site is located within an existing residential area and as such providing that the proposal accords with all other relevant material planning considerations, whilst also giving weight to the 20/04170/HSE permission, the principle of residential extensions to the property is supported.

### **Impact on the building and character and appearance of the area**

8.4 Croydon Local Plan (2018) policies SP4 and DM10 concern urban design and local character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities.

8.5 The single/two storey side extension would be around half the width of the original property, the ground floor would not project forward of the main front elevation, and the first floor front elevation would be set back by 1.5 metres. On this basis the overall scale of the proposed extension and its siting is such that it would read as being subservient to the host dwelling. The two-storey side extension would have a gable end which whilst not common along this section of The Ruffetts is a commonly found roof form in suburban neighbourhoods such as this and is therefore not objected to. There is a small area of flat roof at eaves level, though this is at the rear of the property and is not clearly visible within the street scene. Although this type of roof form is not a feature of the existing dwelling, it is considered that this would

not warrant refusal of the development given the modest scale and limited visibility when viewed from the public highway.

- 8.6 The single-storey rear extension is 3.55m deep, has an eaves height of 2.7m and an overall a height of 4m at the top of the pitched roof. It is subservient in appearance due to its scale and design and would have limited visibility from the wider area. Given the limited visibility of the rear extension and residential nature of the extension this aspect of the development is not considered to harm the character and appearance of the surrounding area.

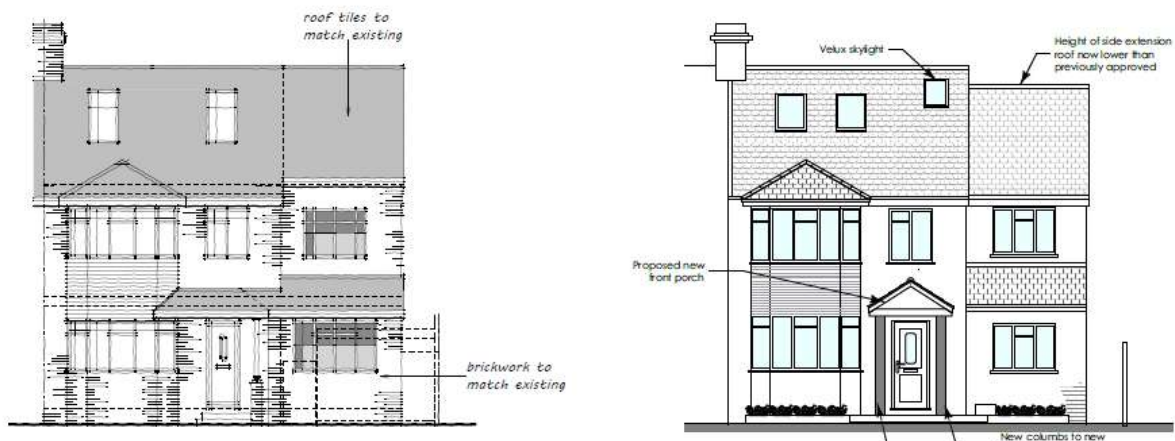


Figure 4: previously approved front elevation (left) and proposed front elevation (right)

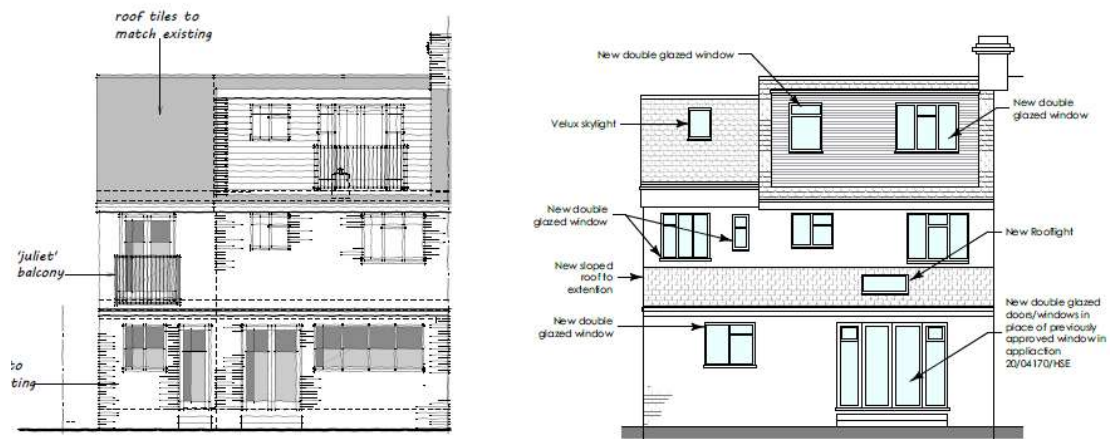


Figure 5: previously approved rear elevation (left) and proposed rear elevation (right)

- 8.7 The proposed rear dormer would be less than two thirds of the width of the house as extended and is set in from the side of the roof as well as being set down from the roof ridge. For these reasons it is therefore deemed to have a subservient appearance to the host dwelling and is acceptable.
- 8.8 The proposed front porch would have a pitched roof, would project beyond the front elevation of the house by 0.85m, and is also supported by two columns. Given its

traditional design and modest scale it is not deemed to detract from the overall appearance of the dwelling nor the street scene.

- 8.9 The proposal materials chosen are of a similar appearance to those used on the existing dwelling which ensures that the proposed extensions complement the existing dwelling and does not detract from the street scene.
- 8.10 It is important that Members give weight to the previously granted 20/04170/HSE scheme which is shown as a comparison to the current application in the figures above. Whilst the permission now being sought is for a proposal which deviates from this design in a number of areas its overall scale and extent (and thus its impacts) remains largely similar to the consented scheme.
- 8.11 The development would not be in close proximity to any mature trees, so there would be no impact from loss of trees on the character of the area.
- 8.12 Overall, the proposed works would not have a detrimental impact on the street scene or the application building and is generally consistent with the previously consented scheme. The application scheme would therefore comply with the London Plan Policies D3 and D4 and Croydon Local Plan 2018 policies SP4.1, SP4.2 and DM10.

#### **Residential amenity for neighbouring occupants**

- 8.13 Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers.
- 8.14 The principle of a single/two-storey side and rear extension has been accepted through the planning history of approvals, which form an important consideration for this application.
- 8.15 The two-storey side extension would not project beyond the rear of the adjoining occupiers at 31 The Ruffetts while the single storey rear element would have a depth of 3.55m, is set away from the common boundary by 0.79m and no windows are proposed in the side elevations.

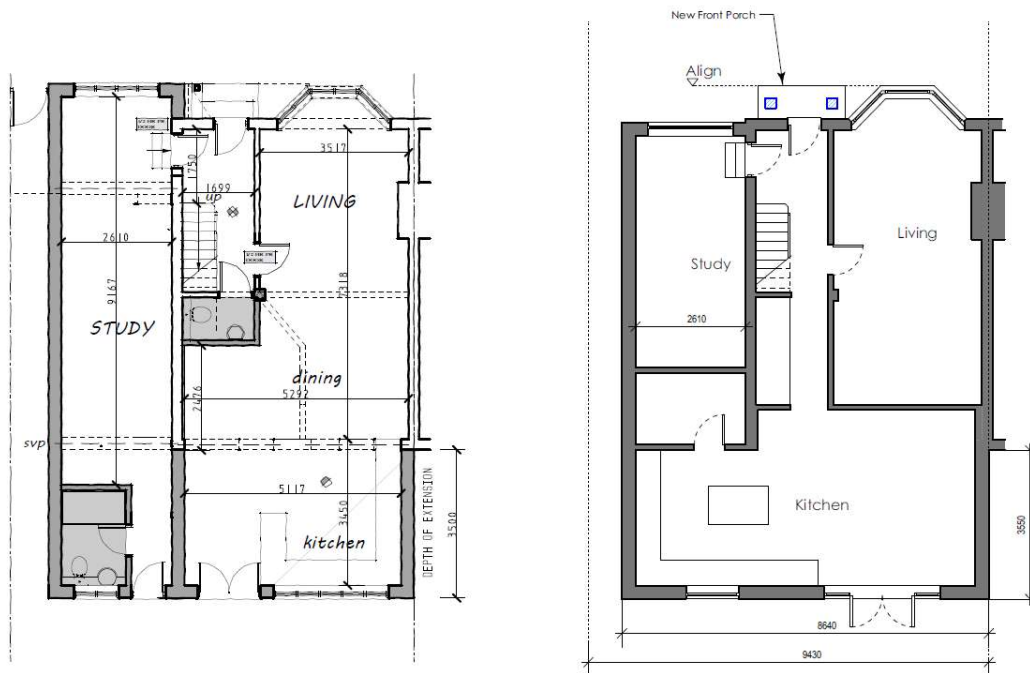


Figure 6: Previously approved ground floor plan (left) and proposed ground floor plan (right)

- 8.16 The relationship with 31 The Ruffetts is acceptable due to the presence of an existing garage and attached conservatory at the property. While it is noted that there is a change in land levels between numbers 29 and 31 this is minor and would not result in an intrusive extension when viewed from the conservatory at 31 The Ruffetts. Furthermore, the 20/04170/HSE permission included a two storey side extension which was found acceptable.
- 8.17 The nearest part of the extension adjacent to 27 The Ruffetts would be single storey, project 3.55m beyond the rear wall of number 27 and not exceed 4m in height with an eaves height of 2.7m. Although this would result in some impacts to the ground floor rear habitable room of the neighbour, it is noted that the extension sits to the north of the neighbour and given this fact coupled with the depth and height of the extension, it is not deemed that it would result in amenity impacts significant enough to warrant a ground for refusal. Furthermore, the 20/04170/HSE permission had a depth of 3.5m and was found acceptable, whilst the currently proposed scheme results in a minor increase in depth to 3.55m. It is recognised that the height of the extension has increased due to the introduction of a pitched roof resulting in an eaves height of 2.7m rising to a ridge height of 4m, comparative to the 2.7m overall height of the consented rear extension.
- 8.18 Representations have raised matters in relation to works overhanging the boundary. Officers have worked with the applicant on this and subsequently the overhanging roof tiles have been removed during the course of the application assessment. Officers are satisfied that the development no longer overhangs the boundary with 27 The Ruffetts and that the correct Certificate has thus been provided. The precise

location of the boundary and any matters in relation to the Party Wall are a civil matter between the adjoining homeowners and not a matter for the LPA. An informative is included to this effect.

8.19 The scheme would result in the loss of the existing garage serving the existing house. A parking area off street would still be retained and given the 20/04170/HSE permission also removed the garage and was found to be acceptable it is considered that this would not result in significant harm in terms of parking stress.

8.20 The development would therefore have an acceptable relationship with the neighbouring properties.

### **Flood risk**

8.21 The site is within Flood Zone 1 however there is potential for groundwater flooding to occur at surface. A Flood Risk Assessment has been submitted which proposes the installation of a water butt and a soak away. In order to ensure that the proposed development does not unacceptably increase flood risk within the local area a condition is recommended requiring the installation of a water butt and a soak away within 3 months of the date of consent, should permission be granted.

### **Fire safety**

8.22 Policy D12 of London Plan 2021 states that “In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety”.

8.23 A Fire Statement has been provided as part of the application and officers are satisfied that the extension would maintain existing fire safety arrangements for a property of this type and meet the requirements of Policy D12.

## **9 Conclusions**

9.1 In conclusion, the retrospective extensions, particularly when giving weight to the 20/04170/HSE, respects the character of the area and would have an acceptable relationship with adjoining occupiers.

9.2 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).