

PART 5: Planning Applications for Decision

Item 5.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 17/04074/FUL
Location: 40 Violet Lane, Croydon, CR0 4HF.
Ward: Waddon
Description: Erection of a detached two storey, one bedroom residential (C3) property on the northern side of 40 Violet Lane.
Drawing Nos: OS Map, VL/03, VL/04, VL/05 all received by the council on 25/10/2017.
Applicant: Miss L Sjodin
Agent: Planners & Architects, 17 Cambria Court, E17 6GS.
Case Officer: Barry Valentine

- 1.1 This application is being reported to Planning Sub-Committee because the Ward Councillor (Cllr Andrew Pelling) made representations in accordance with the Committee Considerations Criteria and requested committee consideration.

2.0 RECOMMENDATION

- 2.1 That the Planning Sub-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. In accordance with the approved plans.
2. Development to be implemented in three years.
3. Samples and details of materials as appropriate to be submitted and approved.
4. Details on landscaping and boundary treatments.
5. The development to be carried out in accordance with Flood Risk Assessment, and installation of permeable paving.
6. Further details on refuse and cycle parking.
7. Removal of permitted development rights in regards to extensions.
8. Development on hardstanding not to commence until work on dropped kerb is complete.
9. Development to meet M4 (2) Accessibility standards.
10. Water use target.
11. Carbon Dioxide 19% reduction beyond 2013 Building Regulations.
12. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives

1. Community Infrastructure Levy.
2. Control of Pollution and Noise.
3. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The applicant seeks planning permission for the following:

- Erection of a detached two storey, one bedroom self-contained residential (C3) property on the northern side of No.40 Violet Lane.

3.2 The difference between the current application and the previously refused scheme reference 17/02720/FUL are summarised as follows:

- Design changes including changing the roofslope style of the property from gable roof to a hipped roof, simplification of buildings footprint, greater separation gap between the northern flank wall of the development and side boundary.
- Alterations to layout of the property and occupation levels changing the property from a potential two bed, three person unit into a one bed, two person unit. Slightly larger garden areas for property due to reduction in building's footprint.
- Change in location of proposed car parking space for the proposed units so that it utilises existing dropped kerb.

Site and Surroundings

3.3 No. 40 is a semi-detached two storey property located on the western side of Violet Lane. To the northern side of No.40, where the proposed two storey dwelling is to be located, there is a garden that until recently contained a single storey garage. To the front of the former garage area there is a dropped kerb. To the north of the former garage area there is a pedestrian footpath that links Violet Lane and Hillside Road.

3.4 The surrounding area is predominantly residential in character, with a mixture of property types that are between two and four storeys in height.

3.5 There are no direct policy constraints identified in the Croydon Local Plan Strategic Policies 2013. The site and the immediately surrounding area is modelled as being at risk from surface water flooding on a 1 in 30 year basis.

Planning History

3.6 The following planning decisions are relevant to the application:

17/02720/FUL - Erection of a two-storey one bedroom house at side
Refused on basis of being harmful to visual amenity of street scene, increased sense of enclosure to neighbouring properties, harm to highway and pedestrian safety.

06/02494/P - Alterations; conversion to form 1 two bedroom and 2 one bedroom flats; erection of single/two storey side/rear extension, formation of vehicular accesses and provision of 3 parking spaces

Refused on the basis of loss of small family house, creation of sub-standard accommodation and impact on visual appearance.

Appeal Dismissed on loss of small family house. The inspector did not agree with council's concern on visual appearance and substandard residential accommodation. The inspector did not agree with objectors concerns on loss of on street car parking.

06/00076/P - Alterations; conversion to form 3 two bedroom and 1 one bedroom flats; erection of single/two storey side/rear extension, formation of vehicular access and provision of associated parking

Refused on basis of creation of sub-standard accommodation, impact on visual appearance and impact on neighbouring privacy.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The design and appearance of the development is considered appropriate and would not cause harm to the appearance of the site or surrounding area.
- The development would create a good quality residential unit that would make a positive contribution to the borough's housing stock.
- The development would not have an adverse impact on neighbouring properties living conditions.
- The development would not have an adverse impact on flooding and has an acceptable impact in terms of parking and on the highway.
- Previous reasons for refusal in connection with planning application reference 17/02720/FUL have been sufficiently overcome.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of letters. 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: 4 Objecting: 2 Supporting: 0 Neutral: 2

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:

- Out of keeping with other semi-detached properties.

6.3 The following issues were raised in the representations and are not material planning considerations

- Loss of a view.

[Officer Comment - There are is no right to a view under planning legislation or policy.]

6.4 The following procedural issues were raised in representations, and are addressed below:

- Not clear from description of development where development would be located.

[Officer Comment - The description of development was altered and neighbours were re-consulted with the revised description on the 13/10/2017.]

6.5 Councillor Andrew Pelling stated the following in his referral of the application 'This is a limited site and I am concerned that the development would be out of keeping with the character of the locality and detrimental to the visual amenity of the street scene.'

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 Consolidated London Plan 2016, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan, to 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 from the London Plan 2016 raised by the application that the Committee are required to consider are:

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

7.4 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP2 Homes
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 Regarding character
- SP6.4 Flooding, urban blue corridors and water management
- SP8 Transport and Communication

7.5 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD7 Inclusive design.
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD15 Refuse
- T2 Traffic generation from development
- H2 Supply of New Housing
- H5 Backland and Back Garden Development

7.6 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. The examination took place between 18th May and 31st May 2017. Consultation has also taken place on Inspector's proposed Main Modifications and Further Main Modifications. At present it is hoped that a new Plan would be adopted by late February. At this stage in the process no policies are considered to outweigh the adopted policies listed above to the extent that they would lead to a different recommendation.

Policies of most relevance to the application in CLP1.1 are SP2 (homes), SP4 (urban design and local character) and SP8 (transport and communication).

Policies of most relevance to the application in CLP2 are DM11 (design and character), DM14 (refuse), DM26 (SuDS and flood risk), DM30 (sustainable transport and reducing congestion) and DM31 (car/cycle parking).

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development and quality of residential unit created.
- Impact on the appearance of the site and surrounding area.
- Impact of the development on neighbouring properties living conditions.
- Impact of the development on parking and the highway.
- Impact of the development on flooding.
- Other planning issues.

Principle of Development and Quality of Residential Unit Created.

- 8.2 The site is currently part of the garden of No.40 Violet Lane, and formerly contained a garage. No.40 Violet Lane would continue to have a sufficient sized rear garden measuring approximately 95 sq.m after the development was complete. The proposed development would utilise underused land and would make a small positive contribution to the council achieving its housing target set out in the London Plan 2016. The principle of the development in land use terms is acceptable.
- 8.3 The proposed development would provide a good quality residential unit that would make a positive contribution to the borough's housing stock. The proposed development at 59 sq.m, exceeds the recommended minimum floor area of 58 sq.m for a two storey, one bed, two person unit that is set out in the London Plan 2016. The proposed unit would achieve good levels of sunlight and daylight, as the unit would be dual aspect, with windows facing east and west, and with key habitable rooms served by good sized windows. The proposed development would have access to a generous sized garden, with the rear garden measuring approximately 80 sq.m. The shape of the garden is slightly irregular, but this in itself is not considered sufficient reason to justify refusal of planning permission. Condition (9) is recommended to ensure that the unit meets M4 (2) accessibility standards.
- 8.4 Concerns that were raised in the previously refused scheme under planning permission reference 17/02720/FUL regarding the quality of the residential unit being created, have been sufficiently overcome by changing the unit's layout and occupancy level, so that the unit now complies with London Plan's minimum floorspace standards.

Impact on Appearance of Site and Surrounding Area

- 8.5 The proposed development would preserve the appearance of the site and the surrounding area. The proposed development would be two storeys high, with the eaves and ridge line of the development appropriately corresponding with eaves and ridge height of no.40. The front building line aligns with that of no.40, and would be set back from no.40's main rear building line. The hipped roof profile echoes the roof profile of the adjoining semi-detached property. The proposed development is set sufficiently away from its side boundaries ensuring that the site and surrounding area does not appear overdeveloped. The simple shape and design of the building corresponds with the simple detailing of adjoining properties to the south, ensuring that the development blends in with its setting. The proposed building would be rendered, which is considered acceptable in this context given the presence of other rendered properties in the area. Condition (3) is recommended to be attached to the planning permission to ensure that materials used on the development are to an appropriate standard.

Impact of the Development on Neighbouring Properties Living Conditions.

- 8.6 The proposed development would not have an unacceptable impact on neighbouring properties' living conditions. The development would not impact windows located on the front and rear elevation of no.40, given that the proposed development would not extend beyond the front and rear elevation of no.40. There is a window on the northern flank wall at first floor level of no.40, but this is obscurely glazed and does not serve a habitable room (bathroom). There are three windows at ground floor level

on flank wall of no.40, however the only one of these windows that serves a habitable room, is a secondary window to a kitchen. The kitchen would still receive good levels of light and outlook from the windows on the rear main wall of the property. The light and outlook of adjoining properties to the north in Downes House, would not be significantly impacted by the development, due to the separation distance of approximately 15m. Similarly properties on the opposite side of Violet Lane, light and outlook would not be significantly impacted due to the separation distance of approximately 22m. The property to the rear, no.1 Grindall Close, would not be significantly impacted due to site layout and separation distances.

- 8.7 The proposed development would not have a significant impact on neighbouring properties' privacy. To the front, properties windows on the opposite side of Violet Lane are over 20m away. To the rear, the development would face onto the rear garden, the adjoining public path and no.1 Grindall Close's front garden.

Impact of the Development on parking and the Highway

- 8.8 The site has a Public Transport Accessibility Level of 2 (poor). One off street car parking space would be provided for the development that utilises the existing crossover. The proposed development complies with the London Plan (2016) parking standards set out in Policy 6.13.

- 8.9 To the front of No.40 Violet Lane, a new hardstanding and dropped kerb is proposed. The dropped kerb would interrupt a continuous line of parking spaces. The hardstanding if built in permeable paving, could be constructed under existing permitted development rights. In addition the loss of on-street parking was previously considered by an inspector in a different scheme at this site. The inspector concluded the following:

“Satisfactory car parking could be provided in front of the proposed development, some local residents have complained that this would result in loss of two of the existing roadside parking spaces, which are intensively used. I am not convinced that this is likely to seriously reduce the amount of on-street parking in this part of Violet Lane, particularly as the adjacent flats and houses opposite have off-street provision.”

- 8.10 In light of the above, no objection is raised to the creation of a hardstanding, subject to condition (5) requiring it to be permeably paved and condition (8) for the hardstanding not to be installed until dropped kerb is in place.
- 8.11 The London Plan (2016) requires one bed units to provide one cycle parking space. An area on plan VL/01 has been indicated for cycle parking adjacent to the refuse bins in the rear garden. Further details on the proposed cycle parking are recommended to be secured by condition (6) to ensure the design is appropriate and that the cycle parking space is safe and secure.

Impact of the Development on Flooding

- 8.12 The applicant has submitted a Flood Risk Assessment with the application that appropriately identifies the flood risk and suggests appropriate mitigation measures, including the installation of a Water Butt and a Soakaway. These mitigation measures, along with a requirement for all paving to be permeable, are recommended to be secured via condition (5). Condition (10) is also recommended

to reduce water use. Subject to conditions, the proposed development is not considered to pose a flood risk.

Other Planning Issues

- 8.13 The plans indicate that refuse would be stored at the back of the house. The applicant has confirmed that the refuse would be wheeled to the front of the house on the day of collection. Condition (6) is recommended to ensure that the bin store is of appropriate bulk and design. A condition (4) is also recommended on landscaping and boundary treatments.
- 8.14 There are no trees on or surrounding the site of significant visual amenity value, as such there are no objections to this proposal on grounds of arboriculture matters.
- 8.15 Condition (11) is recommended in order to require the development to meet reduction in carbon dioxide emissions targets of 19% beyond the 2013 Building Regulations, in accordance policy SP6.3 of the Croydon Local Plan: Strategic Policies (CLP1) 2013 & Policy 5.2 of the London Plan (Consolidated with Alterations Since 2011).

Conclusions

- 8.16 The proposal is considered to be an appropriate addition to the property that would not cause harm to the appearance of the surrounding area. The proposed development would preserve the living conditions of neighbouring properties, would not cause harm to surrounding trees and would have a negligible impact on flooding. The proposed development would not have an unacceptable impact on parking and the highway.
- 8.17 All other relevant policies and considerations, including equalities, have been taken into account.