

PART 5: Planning Applications for Decision

Item 5.1

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/05738/FUL](#)
Location: 1A Gainsborough Drive, South Croydon, CR2 9AX
Ward: Sanderstead
Description: Retention of four bedroom dwelling with garage, formation of vehicular access and parking. Alterations to frontage including removal of raised pathway, relocation of front door, realignment of garage door, replacement of original front door with window; and associated landscaping
Drawing Nos: Site Location Plan, 8136 Rev L, RK2018/0001 P2, RK2018/0002 P1
Applicant: Brilco Limited
Agent: Mr Hough
Case Officer: Tim Edwards

- 1.1 The application is being reported to committee because the ward councillor (Councillor Pollard) made representations with the committee consideration criteria and requested committee consideration.

2 RECOMMENDATION

- 2.1 That the 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) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions.
- 2) Details of cycle and refuse store shall be provided prior to the first occupation of the site.
- 3) The proposal shall only be carried out in accordance with the submitted flood risk assessment.
- 4) The proposal shall only be carried out in accordance with the submitted landscaping plan and shall be retained for a minimum period of 5 years beyond the completion of the proposal.
- 5) The proposed garage door shall only be carried out as detailed.
- 6) Works to be completed within 6 months of consent.

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

Informatives

- 1) Community Infrastructure Levy
- 2) Code of Practice for Construction Sites
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal comprises the following:

- Retention of the four bedroom dwelling with internal garage (which has increased in depth by approximately 0.2 metres and in height by 0.52 metres from the 2012 appeal allowed in 2012).
- Formation of vehicular access and parking.
- Alterations to building frontage including the removal of raised pathway
- Relocation of front door.
- Realignment of garage door.
- Replacement of existing front door with a window.
- Associated landscaping to along the front and side boundaries.

- 3.2 The scheme has sought to overcome the dismissed appeal for LBC ref.15/02565/P.

Site and Surroundings

- 3.3 The application site has been formed from land which previously associated with 4 Lime Meadow Avenue. The plot is located on the south-eastern side of Gainsborough Drive as the corner bends outwards.

- 3.4 The surrounding area is residential in character, with Gainsborough Drive made up of a variety of single and two storey detached and semi-detached properties.

- 3.5 The site lies within an Archaeological Priority Zone and an area at risk from surface water flooding once in every 30 years.

Planning History

- 3.6 **12/02824/P:** Full planning permission was sought for the erection of four bedroom detached chalet bungalow at rear; formation of vehicular access onto Gainsborough Drive and provision of associated parking.

Refused on grounds of cramped development out of keeping with the character of the locality and detrimental to scene.

Appeal allowed and permission implemented but the house was not built in accordance with the approved plans (ref. **APP/L5240/W/12/2189334**).

15/02565/P: Retention of a four bedroom detached chalet bungalow at rear; formation of vehicular access onto Gainsborough Drive and provision of associated parking

Refused on grounds of cramped development out of keeping with the character of the locality and detrimental to scene

Appeal dismissed: The proposed development was considered to have an unacceptable appearance (ref. **APP/L5240/W/16/3148496**). Given the significance of this appeal decision, it has been appended to this report so members are fully aware.

4. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed scale, mass and bulk of the proposal is considered on balance to be acceptable, bearing in mind the inspector's decision in 2015.
- The proposal has addressed the key reasons raised in the dismissed appeal in 2015. This includes the removal of the existing ramp, relocation of the front door and integration of semi-mature landscaping which would ensure the design and appearance of the development is appropriate and responds to the context of surrounding area.

4 CONSULTATION RESPONSE

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

5 LOCAL REPRESENTATION

- 5.1 The application has been publicised by way of neighbourhood notification letters. The number of representations received from neighbours and local groups in response to notification and publicity of the application was as follows:

No of individual responses: 7 Objecting: 7 Supporting: 0

- 5.2 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:

Objections:

- The proposed alterations to the scheme are superficial and do not address the planning inspectorates decision.
- Impact upon the amenity of the adjoining occupiers.
- The proposed relocation of the front door is out of keeping.
- The proposed planting is unsustainable and limited.
- The raised slab of the development creates a bulky appearance.
- Insufficient surface water mitigations are proposed.
- Harmful effect on the character and appearance of Gainsborough Drive.
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5.3 The following matters which are not material to the determination of the application were also raised:

- The proposed site has taken the adjacent pavement. *[Officer Comment: The pedestrian pavement is considered to be positioned on the other side of the road to the proposal].*

5.4 Ward Councillor Tim Pollard has made the following objection to the scheme:

- The granting of planning permission would conflict the ruling of the planning inspectorate.

5.5 Chris Philp MP has also objected to the scheme. Although it is noted that this is not MP referable application, the proposed objections have been taken into account with the other objections highlighted in point 5.2.

6 RELEVANT PLANNING POLICIES AND GUIDANCE

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

- a. 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 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
 - Delivering a wide choice of high quality homes
 - Providing a good standard of amenity for existing and future occupants of buildings and land
 - Promoting sustainable transport
- b. The main policy considerations raised by the application that the Committee are required to consider are:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

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

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP4.11 regarding character
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

6.3 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013

(UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design
- UD15 Refuse and recycling storage
- T2 Traffic generation from development
- T4 Cycling
- T8 parking
- H2 Supply of new housing

6.4 Supplementary Planning Guidance

- London Housing SPG March 2016

6.5 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council are consulting on these modification during the period 29th August – 10th October 2017.

6.6 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

7 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- Townscape and visual impact
- Housing quality for future occupiers
- Residential amenity for neighbours
- Parking

- Flood Risk

Principle of development

- 7.2 Given the 12/02824/P allowed appeal, the principle of a dwelling on this site has been established.

Townscape and visual impact

- 7.3 The proposed alterations are considered to have responded to the previous refused scheme (LBC ref. **15/02565/P**) and subsequent appeal decision (**ref. APP/L5240/W/16/3148496**).
- 7.4 A number of the objections received on this scheme have detailed that the proposal has not addressed the planning inspectorate decision, however it is important to note point 11 in the inspectors report which stated *“While I have found the frontage treatment for this dwelling is unacceptable, with that being the consequence of the raised slab level, I consider the building’s overall height does not look out of place, given that Gainsborough Drive comprises a mixture of one and two storey dwellings. There is little space between the flank walls of this dwelling and its boundaries with No 1 and 4 Lime Meadow Avenue and this is something that contributes to this development having a relatively compact appearance. However, there is limited space between the shared boundaries for Nos 1 and 2 and Nos 4 and 5 and I therefore find that the new dwelling’s proximity to its side boundaries is not so tight as to be out of context within the street scene”*. Taking into account the inspector’s report, overall the proposed scale, bulk and mass of the proposed building are considered on balance to be in keeping and not detrimental to the character and appearance of the wider street scene.
- 7.5 Also relevant to the proposal now considered are paragraph 7 of the inspectors appeal decision which states that *“The appellant has submitted that the appeal site ‘... has always been above the road level by a minimum of 0.5 m and a ramp may have been required ...’. However, in terms of the frontage area for the development subject to the 2013 permission a change of level of 500mm is not readily apparent from the details shown on the previously approved drawings, with the front door threshold appearing to be around the level of the road. Accordingly I consider the Council’s submissions in this regard to be more accurate”* and paragraph 9 which stated *“It has been submitted that the ramp could be removed and replaced with steps and that this could be secured through the imposition of a planning condition. However, this change to the property would still leave it sitting on what is in effect a raised plinth, with a door threshold level that would be incompatible with those of Nos 1 to 7. On the available evidence I am not persuaded that the imposition of a planning condition requiring the ramp’s removal would provide an acceptable alternative”*.
- 7.6 The proposed removal of the existing raised ramp, balustrade and the alteration to the location of the front door will help to alleviate the inspectors concerns. It is

considered that this would create a more sympathetic building which would not appear as prominent within the street scene. The proposed soft landscaping to be planted along the front boundary would also aid in grounding the development within Gainsborough Drive and would be considered on balance acceptable. Following further discussion with the applicant, two larger semi-mature yew trees will also be planted along the front boundary. These are considered to be of benefit to the wider street scene, ensuring that they have an immediate impact upon the site.

- 7.7 The proposed introduction of landscaping along the front boundary would go some way in responding to comments made by the planning inspector who allowed the appeal (Ref: APP/L5240/A/12/2189334) which was then not built in accordance. The inspector stated in point 6 of their report that *“subject to the use of appropriate paving materials to the garage driveway and the provision of landscaping to the small front garden area, development as proposed will reflect the layout and configuration of the adjacent dwellings in Gainsborough Drive, in particular that of no. 7 opposite”*. Therefore, taking into account the previous allowed appeal and the now proposed scheme, overall the proposal is considered to address these concerns.
- 7.8 The proposed architectural detailing and material choice has not significantly altered from the previous allowed scheme and is considered to be in keeping with the character and appearance of the area.
- 7.9 The inspector and officers are minded that reverting to the 2012 consent would involve the demolition of the house. Balancing this against the revisions addressed above, officers are on balance supportive of the scheme and recommend permission is granted.

Housing quality for future occupiers

- 7.10 The proposal seeks to form a 4 bed, 6 person dwelling. The unit exceeds the technical housing standards in regards to its overall size, apart from bedroom 4 which does not meet the minimum size for a single bedroom. It is important to note however that the size of this room has not been altered since the allowed scheme in 2012 and therefore on balance is deemed acceptable. Adequate provision has been made for private amenity space at the rear which would meet the needs of future residential occupiers and as such would comply with the above policies.

Residential amenity for neighbours

- 7.11 The proposed 2015 enlargement of the building would not significantly alter the previously allowed scheme. Although the proposal does project an additional 0.50 metres towards the front elevation of 1 Gainsborough Drive, due to the existing location of a single storey detached garage which is adjacent to the development site alongside there being no fenestration within the flank elevations roof slope facing no.1 Gainsborough Drive overall this is considered acceptable.

- 7.12 Overall, due to the siting, layout, design of the building and most importantly the degree of separation between the building and all adjoining properties there is not considered to be any undue impact on the residential amenities of the adjoining occupiers. This is also considered within paragraph 17 of the previous appeal decision where the inspector stated that *“The siting of the dwelling relative to the neighbouring properties is such that I found no unacceptable overlooking to be possible from the first floor windows that have been installed”*.

Parking

- 7.13 The site would continue to provide two parking spaces on-site, one of which will be within the attached garage. Although the proposal now includes a small gradient which rises up from the roadside to the garage, in many forms this follows the previously allowed scheme and is therefore considered acceptable. The previous inspector acknowledged that in “accessibility terms this is a sustainable location”.
- 7.14 No provision for cycle storage has been indicated and would be expected to either be provided internally or to the rear of the site in a safe and secure manner.
- 7.15 The proposed amendments to the scheme would remove the refuse storage from the front of the site, which is considered a positive of the proposal. Two potential new locations are indicated on the plans for refuse with a confirmed location within the site and the details associated to this are recommended to be conditioned accordingly.

Flood Risk

- 7.16 The site lies within an area at risk of surface water flooding once in every 30 years. The submitted Flood Risk Assessment (FRA) specifies mitigation and options which can be controlled by condition. They were initial concerns related to the potential for surface water run-off from the proposed driveway. However, following the submission of a revised FRA with further mitigation methods including the inclusion of increased permeable paving, overall it is considered that this would minimise surface water run-off from the site and is therefore considered acceptable.

Conclusions

- 7.17 The proposal would resolve the previous reasons for refusal creating a development which is in keeping with the character of the area and would not have a significant impact on the amenities of adjoining occupiers. Landscaping, cycle and refuse storage, as well as sustainable drainage are all acceptable in principle and can be secured by condition.
- 7.18 All other relevant policies and considerations, including equalities, have been taken into account.