

PART 6: Planning Applications for Decision

Item 6.3

1.0 SUMMARY OF APPLICATION DETAILS

Ref: [17/05863/FUL](#)
 Location: 21A Green Lane, Purley CR8 3PP
 Ward: Sanderstead
 Description: Demolition of existing building: erection of two storey building with accommodation in roof space comprising 1 x one bedroom; 6 x two bedroom and 1 x three bedroom flats: formation of vehicular access and provision of associated parking, refuse store and bike store
 Drawing Nos: BX25-S1-101 Rev A; BX25-S1-102 Rev A; BX25-S1-103 Rev B; BX25-S1-104 Rev A; BX25-S1-105 Rev B; BX25-S1-106 Rev A; BX25-S1-107; BX25-S1-108; BX25-S1-109 Rev B and BX25-S1-110.
 Applicant: Mr Haris Constanti (Aventier Ltd)
 Agent: N/A
 Case Officer: Robert Naylor

| | studio | 1 bed | 2 bed | 3 bed | 4 bed |
|-------------------|--------|-------|--------------|--------------|-------|
| Apartments | 0 | 1 | 6 (3 person) | 1 (4 person) | 0 |

All units are proposed for private sale

| Number of car parking spaces | Number of cycle parking spaces |
|----------------------------------|--------------------------------|
| 8 (including one disabled space) | 16 |

1.1 This application is being reported to committee because the ward councillors (Cllrs Donald Speakman and Simon Brew) have made representations in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

2.0 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. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. Materials to be submitted
- 3. Details of Finished Floor Level/Refuse/Cycles/Boundary/Electric vehicle charging point to be submitted
- 4. Car parking provided as specified
- 5. No additional windows in the flank elevations

6. Obscured glazing above first floor
7. Hard and soft landscaping to be submitted to incorporate SuDS
8. 19% Carbon reduction
9. 110litre Water usage
10. Permeable forecourt material
11. Visibility Splays
12. Construction Logistics Plan to be submitted
13. In accordance with details of FRA
14. Time limit of 3 years
15. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3.0 PROPOSAL AND LOCATION DETAILS

3.1 The proposal includes the following:

- Demolition of existing detached house
- Erection of a two storey building with accommodation in roofspace
- Provision of 1 x one bedroom flats, 6 x two bedroom flats and 1 x three bedroom flats.
- Provision of 8 off-street spaces including a disabled space with associated access via Green Lane.
- Provision associated refuse/cycle stores

Site and Surroundings

3.2 The application site is a large two storey detached dwelling located on the south side of Green Lane close to the junction with Farm Lane. The property sits on a long plot and has residential properties located at the rear and adjoining the site to the east and the west. The properties to the west of the site front Farm Lane and as such the rear gardens adjoining the flank boundary of the host property.

3.3 There are no designations on the site and the immediate surrounding area is residential in character. The site has a PTAL of 1b and there are no surface water drainage issues associated with this site. The surrounding area is mainly residential area and comprises a number of semi-detached and detached properties. There is no distinct style in regard to the surrounding properties and the majority of these properties appear to be single family dwellinghouses.

Planning History

3.4 There is no recent planning history associated with this site.

4.1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory and Nationally Described Space Standard (NDSS) compliant
- The level of parking and impact upon highway safety and efficiency is considered acceptable and can be controlled through conditions.
- Sustainability aspects can be controlled by conditions

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 12 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, Councillors, MPs, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 50 Objecting: 50 Supporting: 0 Comment: 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:

- Flats would be out of keeping in the surrounding area
- Over development exceeding London Plan densities
- Impact on residential amenities
- Contravenes restrictive covenants removing multiple occupancy units
- Sets an unwelcome precedent
- Inadequate parking spaces
- Increase in traffic
- Impact on road safety
- Increase in noise and disruption
- Impacts of the construction process on the surrounding area
- Loss of light
- Loss of trees and vegetation
- Impact on wildlife
- Loss of privacy/overlooking
- Increase impacts on local infrastructure
- Plans are not accurate and misleading

6.3 Ward Councillor Simon Brew has made the following objection to the scheme:

- Overdevelopment of this site due to its size, density, bulk and massing
- Placing unreasonable strains on the local environment.
- Out of character with the local area given that there are no other flatted development would set an unfortunate precedent.
- Density is significantly higher than the recommended London Plan density of 150-200 HR/ha.
- Detrimental to the amenity of local residents due to overlooking and loss of privacy.

6.4 Ward Councillor Donald Speakman has made the following objection to the scheme:

- Overdevelopment of the site.
- The application is detrimental to the local environment in that it will detract from the attraction of the Road.
- Insufficient parking spaces – households usually have more than one car. This will lead to on street parking close to a dangerous junction with Farm Lane.

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 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.

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 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:

7.4 Consolidated London Plan 2015

- 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

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

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local 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 & SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

7.6 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

7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.8 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.

7.9 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.

8.0 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. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Access and parking
6. Sustainability and environment
7. Trees and landscaping
8. Other matters

Principle of Development

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the borough, which the Local Planning Authority (LPA) is seeking to promote. Furthermore the scheme would provide a three bedroom family unit, which the borough has an identified shortage of and is seeking to provide.

8.3 The site is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

Townscape and Visual Impact

8.4 The existing unit does not hold any significant architectural merit and therefore demolition can be supported. In regard to the proposal the front façade composition is acceptable with the proposed gable end relating well to the existing building mass and site layout. Whilst it is acknowledged the development represents a flatted scheme the overall design and appearance of the property would be akin to a large house with eaves and ridge heights similar to the adjoining properties.

8.5 The design of the building incorporates a traditional appearance in order to appear in keeping with the streetscene with appropriate materials (render, black timber framed windows and red roof tiles) with an adequate balance between brick and glazing and appropriate roof proportions. The traditional feel and eaves height similar to the adjoining properties would fit into the wider townscape.

8.6 The main difference between the existing property and the proposal is the increase in height and depth of the scheme. The overall footprint would increase to accommodate the flatted development, although the front elevation will sit slightly further back than

the existing front elevation thus not projecting forward of the existing building line. This will not appear as an intrusive feature to the streetscene, so the scale and mass are supported.

- 8.7 The application site has a deep rear garden which is not visible from the public highway or any public vantage points. As such, the alterations at the rear of the site including the single storey rear extension would have limited visual impact on character. The rear element has been designed to appear subservient to the main property and has been set off the side boundaries.
- 8.8 Whilst it is acknowledged that the front of the site would be given over to hard-standing to allow for off street parking for the new dwellings, this is a feature of the surrounding area and there are areas of soft landscaping at the ground floor and along the boundary of the site to soften the appearance and can be further secured through a landscaping condition.
- 8.9 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 1b and as such the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha) and the proposal would be in excess of this range at 232 hr/ha. However, the London Plan further indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad, to enable account to be taken of other factors relevant to optimising potential – such as local context, design and transport capacity. These considerations have been satisfactorily addressed, and the London Plan provides sufficient flexibility for such higher density schemes to be supported. Furthermore, it is significant that the New Draft London Plan (currently out to consultation) removes reference to the density matrix, focussing on intensification of the suburbs as a means to achieve housing numbers.
- 8.10 The scale and massing of the new build will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area, and would result in a high quality design. Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

Housing Quality for Future Occupiers

- 8.11 The proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS). The internal layouts would be acceptable with adequate room sizes and a large open plan living, kitchen and dining area and includes the provision of a three bedroomed unit.
- 8.12 The applicants have undertaken a daylight assessment which has assessed the levels of daylight experienced through the use of average daylight factor (ADF) within each of the new units provided. The assessment has concluded that each proposed unit will received adequate daylight and will pass the ADF requirements.
- 8.13 With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional unit. Units 1, 2 and 3 have access to private

amenity space in excess of minimum standards, whilst the remaining properties have access to the communal gardens at the rear of the site.

- 8.14 In terms of accessibility, level access would be provided to the front door and there is a lift installed in the property for access from the ground floor level to the upper floors, ensuring that the proposal is fully accessible. A disabled space is proposed for the parking area.

Residential Amenity for Neighbours

- 8.15 The properties that have the potential to be most affected are the adjoining property at 21 Green Lane; the properties of Cornerway and Wyndhams located to the west of the site in Farm Lane and the property at the rear of the site at 150a Foxley Lane.

Impact on 21 Green Lane

- 8.16 The front building line of the proposal has been slightly set back to provide more consistency with the existing streetscene. The main impact at this property will be experienced on the flank elevation given the overall increase in the depth of the proposal from that which currently exists. The proposal is approximately 4.1m deeper than the existing house which would be 2.5m deeper than the rear elevation of 21 Green Lane. However the proposal has been set off the boundary by 1.8m and adjoining property is a further 4.5mm from the boundary, so this increase is not excessive. Furthermore the scheme would pass the 45 degree BRE test for loss of light to the rear elevation windows.
- 8.17 The flank elevation of 21 Green Lane does contain an upper floor window serving a front bedroom on the first floor which is a secondary window given the bay window to the front. The proposal does contain high level windows to allow additional light to the first floor units and the rooflights are high level so would not provide either actual or perceived levels of overlooking and loss of privacy. These can be conditioned as obscured glazed units. Nevertheless it is considered prudent to condition the application to the proposed fenestration to ensure that any future overlooking is mitigated along the flank elevations.

Impact on Cornerways and Wyndham (Farm Lane)

- 8.18 The properties themselves are located in excess of 20m from the proposal and as such the distance is acceptable. However these properties have gardens immediately adjoining the proposal including a swimming pool at Cornerways. The scheme has been designed with no windows on the first floor of this elevation to mitigate any perceived overlooking. However, there are rooflights located on this elevation that face these properties. Again these are high level units so overlooking would not be an issue subject to a condition to provide obscured glazed units.

Impact on 150a Foxley Lane

- 8.19 Given the separation is in excess of 50m and the significant landscaped boundary located between these properties, this relationship is acceptable.
- 8.20 Whilst there would be a degree of overlooking as a consequence of the rear fenestration, this is not uncommon in a suburban location. Given the design, layout and separation between the properties the current boundary treatment and provision

of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.

- 8.21 Given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.

Access and Parking

- 8.22 The location has a PTAL level of 1b which indicates a very poor level of accessibility to public transport links, although the site is within a close walking proximity of 2 bus service routes.

- 8.23 The parking is generally unrestricted in the surrounding roads with spare capacity on street. Eight parking spaces are proposed for the residents including a disabled bay, and the scheme will retain the existing access on Green Lane for access and egress. Vehicles are able to access and exit the site in forward gear.

- 8.24 The Strategic Transport team has no objection in principle, subject to conditions securing electric vehicle charging points in compliance with the London Plan. Cycle storage facilities would comply with the London Plan (which would require 16 spaces) as these are secure and undercover. There is scope for the space allocated for cycles and bin storage to be used more effectively, as such further details of these can be secured by way of a condition.

- 8.25 Concerns have also been expressed in regard to the amount of construction required at the site and further details are required as part of a construction method statement.

- 8.26 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst it is acknowledged that the site could reasonably be accessed from Green Lane, it would be prudent to control details of construction through the approval of a Construction Logistics Plan. Overall however, it is not considered that the development would affect highway safety along the access road.

Environment and sustainability

- 8.27 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

- 8.28 Given the extensive areas for landscaping there are opportunities for SuDS to be located in the communal areas. Officers are satisfied that these issues can be dealt with by condition. Furthermore a Flood Risk Assessment has been submitted with mitigation measures included and these can be conditioned as part of any approval.

Trees and landscaping

- 8.29 There are no trees on site subject to a tree preservation order and no trees are proposed to be removed, as such the Council's Tree Officer raises no objection to the development subject to a suitably worded condition secured through the landscaping condition. The development would therefore have an acceptable relationship with trees on site and in neighbouring gardens.

- 8.30 The application site is not near an area of special scientific interest or a site of nature conservation value. From the officer's site visit, there is no evidence to suggest that any protected species are on site and as such further surveys are not deemed necessary.
- 8.31 With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

Other matters

- 8.32 Representations have raised concerns that local schools and other services will be unable to cope with additional families moving into the area. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.
- 8.33 Representations have been raised in regard to a restrictive covenant that prevents houses from being occupied in multiple occupancies. Restrictive covenants and planning permission work independently from one another. However, if a planning permission is granted in conflict with the conditions in the title deeds the property, this would be a civil matter which any developer would need to resolve and is not in the remit of the planning system.
- 8.34 There have been a number of representations in regard to the standard of the application submitted. Officers and Councillors have made the applicants fully aware of the quality of the planning application submissions and specifically, the quality and content of the submitted design and access statements. Whilst the Council does not condone a errors within an application, the scheme and drawings as submitted are scalable and are acceptable to form a professional assessment and reach a reasoned decision.

Conclusions

- 8.35 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard given the proposed and conditioned landscape and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accord with the relevant policies.
- 8.36 All other relevant policies and considerations, including equalities, have been taken into account.