

PART 6: Planning Applications for Decision**Item 6.4****1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 18/01263/FUL
 Location: St James Hall, Little Roke Avenue, Kenley CR8 5NJ
 Ward: Kenley
 Description: Partial Demolition of existing building and erection of single/two storey extensions to provide a terrace of 2 no. 3 bed 4-person houses and 4 no. 2 bed 3-person houses with private amenity space and 5 no. shared car parking spaces.
 Drawing Nos: AM_GAN_K_01- Ground Floor plan; AM_GAN_K_02 Proposed Ground and First Floor Layouts; AM_GAN_K_03 Existing and Proposed Front Elevation; AM_GAN_K_04 Existing and Proposed Flank (South West Elevation) and AM_GAN_K_06 As proposed roof plan
 Applicant: Mr Nowsad Gani – Ganco Asset Management
 Case Officer: Robert Naylor

	studio	1 bed	2 bed	3 bed	4 bed
Residential units	0	0	4	2	0

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
5	6

- 1.1 This application is being reported to Planning Committee as the Ward Councillor (Cllr Steve O'Connell) made representations in accordance with the Committee Consideration Criteria and requested Planning Committee consideration. Furthermore, 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. Environment Agency Condition on FRA
4. Restriction on windows
5. Restriction on Permitted Development
6. Details of obscured glazing

7. Hard and Soft Landscaping
8. Ecological recommendations
9. Carbon emissions
10. Water restriction
11. Construction Logistics Plan
12. Parking details to be submitted
13. Time limit of 3 years
14. 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) EA requirements
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3.0 PROPOSAL AND LOCATION DETAILS

3.1 Proposal:

- Demolition of existing annex buildings and selected parts of the D1 community use church hall building.
- Conversion of the existing hall for residential accommodation comprising 5 x two bedroom three person units and 2 x three bedroom four person units fronting the footpath between Lower Road and Little Roke Avenue.
- Provision of 5 off-street car parking spaces accessed via Little Roke Avenue
- Provision of associated refuse and separate cycle stores

Site and Surroundings

- 3.3 The existing site consists of a former church hall located at the end of Little Roke Avenue which is a tightly parked cul-de-sac. The site can be accessed via both Little Roke Avenue (to the south) and Lower Road (to the north) and has a public foot path adjoining the site that connects these two roads. The existing site is currently vacant although does contain some interest in terms of design and fenestration features. The site is predominantly single storey albeit with a large pitched roof over and a single storey extension that fronts Little Roke Avenue.
- 3.4 The site is surrounded by residential development adjoining the rear gardens of Roke Lodge Road to the west, and residential units in the north and south of the site. These properties retain a similar design style of semi-detached properties which provide a rhythmic pattern to the streetscene
- 3.5 The site has a Public Transport Accessibility Level (PTAL) of 1a which is poor. The site is also located within Flood Zones 2 and 3, and within an area identified as a critical surface water drainage area.

Planning History

3.5 The most relevant history is as follows:

- Planning permission (Ref: 17/02284/FUL) was refused planning permission in July 2017 for the demolition of existing building; erection of a pair of semi-detached two storey three bedroom five person houses and a three storey building to provide 4 two bedroom 3 person Flats; formation of vehicular access and provision of 5 car parking spaces.

The scheme was refused on design (scale mass - out of keeping); impacts on the adjoining residents; highway safety & impacts on the flood zone.

The applicant appealed the scheme with the Planning Inspectorate who dismissed the scheme. However in dismissing the appeal the Inspector concluded that the development would not harm the character and appearance of the area, it would provide sufficient parking of an acceptable design, and it would satisfactorily mitigate the risk of flooding to property and people, however this did not outweigh the harm caused to the living conditions of surrounding occupiers.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is considered acceptable given that the applicant has shown there is no demand for the existing facility the residential character of the surrounding area. The design and reuse of the existing building would not be detrimental to the character and appearance of the townscape
- The design and appearance of the development is appropriate given the context of the site
- The living conditions of adjoining occupiers would be protected from undue harm
- The living standards of future occupiers are satisfactory and Nationally Described Space Standards (NDSS) compliant
- The impact upon highway safety and efficiency is considered acceptable and can be controlled through condition.
- Sustainability aspects can be controlled by condition

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 direct neighbour notification letters to 69 adjoining properties. The number of representations received from neighbours, local MP, local groups including ward Cllr O'Connell objecting to the scheme in response to notification and publicity of the application were as follows:

No of individual responses: 34 Objecting: 33 Supporting: 1

6.2 Councillor O'Connell referred the application to Planning Committee and objected on the grounds of:

- Cramped and out of character development.
- Lack of amenity space for new properties.
- Detrimental effect on amenity and privacy of neighbouring property.
- Insufficient parking spaces.
- Inaccuracies within transport assessment.
- Will add to an already critically bad parking environment.
- Not convinced that there is a suitable access for emergency vehicles.
- Understandable concerns about disruption during construction.

6.3 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

- Overdevelopment of the site
- Density too high for the area
- Out of character surrounding properties
- Detrimental to the amenities of residents of neighbouring properties, due to loss of privacy, loss of outlook, loss of sunlight into gardens and overbearing nature of the proposal
- Insufficient parking provision
- Increase in traffic
- Highways impact
- Loss of community facility
- Disruption during the construction phase.

Support

- Better use of the area which is currently underused

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 2018 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
- 7.21 Woodlands and trees

7.5 Croydon Local Plan 2018

- SP2 – Homes
- SP5 – Community uses
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM18 - Heritage assets and conservation
- DM23 - Development and construction
- DM28 - Trees
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development
- DM40 - Kenley

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- 1) Principle of the development;
- 2) Character and appearance of the surrounding area;
- 3) Housing Quality for Future Occupiers
- 4) Residential amenity for neighbours
- 5) Access and Parking;
- 6) Trees; landscaping and wildlife impacts;
- 7) Flooding and Surface Water Issues;
- 8) Sustainability issues
- 9) CIL and Section 106 requirements
- 10) Other matters

Principle of Development

- 8.2 The principle of the development was previously found acceptable (Ref: 17/02284/FUL). Since this previous decision the new Croydon Plan has been adopted, however the policy requirements in respect to community uses remains broadly similar on the basis that the Council will only allow the loss of community facilities where it has been demonstrated that there is no need for the existing premises or land for a community use.
- 8.3 The previous use of the site for was a place of worship and a youth group meeting place for Scouts/Cubs/Beavers and so would be considered a community facility. The applicants have contacted the list of community facility providers and groups to show there is no demand for the existing facility before a change of use or redevelopment will be considered acceptable. This has highlighted that there is no demand for the existing facility. As such the loss of the community facility and the proposed change of use to residential is in this case considered acceptable as the applicant has demonstrated that there is no need for the existing premises to be used as a community facility and that the potential for alternative community uses have been fully explored.
- 8.4 The principle of a residential development at this site has been found acceptable subject to other impact issues, and would provide 2 x three bedroomed family units which the Council is seeking to encourage.
- 8.5 Kenley has been identified as an area of sustainable growth of the suburbs with some opportunity for windfall sites, growth will mainly be of infilling with dispersed integration of new homes that respect existing residential character and local distinctiveness

Character and appearance of the surrounding area

- 8.6 The proposal seeks to retain the majority of the existing building which has a quaint appearance. The proposal will orientate the front elevations of the proposed units towards the existing alleyway between Lower Road and Little Roke Avenue and will activate this area and reduce potential anti-social behaviour.

- 8.7 The previously refused scheme was found acceptable by the Inspector despite having a distinctly larger massing than the current proposal. The Inspector concluded that there would be no harm from the proposal to the character and appearance of the area. Given the proposal seeks to follow the existing building's appearance it represents a high architectural design and will reinforce the existing character, having regard to the pattern and grain of existing spaces and streets.
- 8.8 The reuse of the existing unit, provides a development that builds on the relationship with the surrounding area. The use of the existing roof space and hipped ends provides a scale and massing that blends in with the overall scale of development found in the immediate area. This combined with the provision of the private garden spaces to the front and additional landscaping helps the scheme sit well in the setting.
- 8.9 Respondents have indicated that the scheme would be an overdevelopment and too dense for the location. The proposal will have a density of development of 242 habitable rooms per hectare (hr/ha). It is acknowledged that the guidance in the London Plan suggests that in this type of area the upper threshold is 200 hr/ha.
- 8.10 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 removes reference to the density matrix, focussing on intensification of the suburbs as a means to achieve housing numbers.
- 8.11 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposal would comply with the objectives of the above policies in terms of respecting local character.

Housing Quality for Future Occupiers

- 8.12 The Nationally Described Space Standards (NDSS) provide minimum technical space standards for new dwellings in terms of the internal amenity space. All of the proposed units meet the minimum required internal space standard and would contribute to the Boroughs housing need.
- 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. All the units have access to private amenity space to the front of the development adjoining the alleyway in excess of the minimum requirement. Additionally the larger three bed family unit at the north end of the development has access to rear private amenity space at 54sqm.

Residential Amenity for Neighbours

- 8.14 The previous scheme was found unacceptable in terms of impacts on the residential amenities of the surrounding properties. However, in assessing the scheme the Inspector found that the front windows of the proposal would be sited sufficiently distant from surrounding houses in Roke Lodge Road not to directly overlook into their room, and it would be the same under the current scheme.

- 8.15 The proposal has been set further off the boundary with 10 Lower Road and has a lower roof level and a hipped roof than the previous scheme so is more sensitive in relation to the windows in No 10. Considering the degree of tolerance on the living conditions in a built-up area, the proposal would on balance have an acceptable outlook for these surrounding occupiers.
- 8.16 The main impacts on the amenities of surrounding residents are mainly experienced at number 90 Little Roke Avenue, given that the rear wall of the existing building is also the boundary wall for this property. The scheme does not propose any significant changes on this boundary, and as such the visual appearance should remain largely unchanged from the existing situation.
- 8.17 The existence of the windows on the elevation with 90 Little Roke Avenue needs to be considered, however these are existing and the plan have been annotated that these should be obscured glazed. This can be conditioned and details of the glazing can be submitted to the LPA to ensure that loss of privacy and overlooking is mitigated. Furthermore, a condition can be attached to limit any future windows or openings in this elevation. As such the proposal has overcome the previous Inspectors concerns in respect to the living conditions of surrounding occupiers.
- 8.18 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. Subject to conditions the proposed development is not visually intrusive or result in a loss of privacy.

Access and Parking

- 8.19 The proposal is located in area with a location PTAL level of 1a which is poor, and the proposal currently only provides 5 off-street car parking spaces which is less than the 1 for 1 provision required at the site. It is also noted that there is a distinct lack of parking provision within the area.
- 8.20 The Inspector considered the parking arrangements for the previous scheme which also proposed 5 spaces for 6 residential units. The Inspector concluded that having regard to the parking stress survey the shortfall of 1 space in the development would not lead to unsustainable parking pressure in the surrounding streets. Whilst it was acknowledged that there was pressure for parking in the area, the proposal struck a fair balance between the constraints of the site, land-locked on 3 sides, and the need to satisfy the additional demand for parking from the redevelopment, without it appearing car-dominated.
- 8.21 Furthermore the Inspector concluded that manoeuvring would unlikely conflict with other traffic and a condition could secure the segregation of parked cars from the footway. The amount of trips likely to be generated and the open nature of the alleyway suggest that there would be no material reduction in highway safety over the present layout in the street. There is no evidence of security risks to the parking, or to a lack of efficiency in its layout.
- 8.22 In view of the appeal decision, and given that the quantum of the development has not changed from the transport perspective is acceptable subject to conditions.

- 8.23 The applicant has indicated that cycle storage (6 spaces) will be provided, but no details of the elevations have been shown on the plans. This can be secured by condition along with further details of the bin stores to the front of the properties.

Trees; landscaping and wildlife

- 8.24 There are no trees proposed to be removed as part of the scheme and the ground floor plan shows an indicative landscaping layout however it is recommended further details can be secured by a condition.
- 8.25 As part of the previous scheme the applicants submitted an Ecology Report for the proposed site which included an Extended Phase I Habitat and Bat Scoping Survey. The findings of the report indicated that there were no negative impacts on designated sites or BAP priority habitats is expected in this instance. Some suitable bird nesting habitat exists on site and recommendations have been made regarding timings of works to avoid disturbance of nesting birds.
- 8.26 The site has been assessed as having 'Negligible' suitability to support any other protected species and therefore no further surveys in regard to protected species are required in this instance. Ecological enhancements have been recommended including bird boxes, bat boxes and wildlife-friendly planting schemes to increase the site's biodiversity value. These can be secured by way of a condition.

Flooding and Surface Water Issues

- 8.27 The applicant has submitted a Flood Risk Assessment (FRA) in support of the application. The FRA indicates that the application site is located in Flood Zone 3 which corresponds with an annual risk of flooding of 1 in 100 or greater. This area of Flood Zone 3 is associated with Caterham Bourne, the level of which is largely dependent on groundwater levels. The EA have confirmed that, due to lack of detailed modelling in the area, it is acceptable to raise threshold levels 600mm above ground floor levels to mitigate against the risk of fluvial flooding.
- 8.28 It is proposed that the development incorporates flood resilient building techniques and materials. Ground floor levels are to be raised 600mm above the surrounding ground level which will mitigate against the risk of flooding from all sources. Sleeping areas will be located on the first floor to provide safe refuge in the unlikely occurrence that a long flood inundation event occurs. The EA have requested that a condition is attached to secure the measures proposed in the FRA and this has been added to the recommendation.

Environment and sustainability

- 8.29 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.

CIL

- 8.30 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 which will contribute to delivering infrastructure, such as local schools.

Other matters

- 8.31 Representations have raised concern that construction works will be disruptive causing damage to the highway and blocking the public right of way. As such it would be prudent to control details of construction through the approval of a Construction Logistics Plan, to be secured by condition.

Conclusions

- 8.32 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard 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 in general accordance with the relevant policies.
- 8.33 All other relevant policies and considerations, including equalities, have been taken into account.