

**PART 6: Planning Applications for Decision**

**Item 6.2**

**1 SUMMARY OF APPLICATION DETAILS**

Ref:	17/06373/FUL
Location:	193 Hayes Lane, Kenley, CR8 5HN
Ward:	Kenley
Description:	Erection of a single storey detached bungalow with accommodation in the roofspace; site with new vehicular access.
Drawing No's:	Site Location Plan, SP01 REV G, SS01 REV B, X01 REV B, SP02, Planning, Design and Access Statement, Arboricultural Report (AC.2018.107), TPP-01 REV A (Submitted to the LPA on 21 <sup>st</sup> May 2018).
Applicant:	Mr Gareth Absalom & Mrs L Sanchez
Agent:	Mr Gavin Pearson
Case Officer:	Tim Edwards

1.1 *The following are the **ONLY** reasons that cases are referable to committee –*

1.2 This application is being reported to committee because the ward councillor (Cllr O'Connell), Kenley and District Resident Association (KENDRA) 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 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

2.1 This is a succinct executive summary to enable members to grasp the main issues quickly.

**3 RECOMMENDATION**

3.1 That the Committee resolve to GRANT planning permission.

3.2 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) All external materials to be submitted to the LPA for approval before any above ground works commence.
- 3) Details of proposed cycle and refuse store shall be provided prior to the first occupation of the site.
- 4) The proposal shall only be carried out in accordance with the submitted flood risk assessment detailed within the design and access statements/relevant plans.
- 5) A landscaping plan detailing all soft and hard landscaping, boundary treatments and details of the proposed planting mix (including proposed replacement tree specimens and sizes)
- 6) The development shall be delivered in accordance with the amended arboricultural assessment and tree protection plan.
- 7) No windows to be installed within the first floor flank elevations.
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Permitted Development rights for the site will be removed.
- 11) Commencement of development within three years of consent being granted
- 12) 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) That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 The proposal comprises the following:
  - The proposed development would create a 3 bedroom, 5 person bungalow with accommodating in the roof space, to the rear of the site.
  - A new access point from the Fairways.
  - Provision of refuse and recycling stores.
  - Provision of hard and soft landscaping.

### **Site and Surroundings**

- 4.2 The site is situated on the northern side of Hayes Lane, a locally classified road, where the existing bungalow fronts this street. The site is adjacent to the Fairways, where Tree Protection Orders (TPO's) 4 and 24, 1973 protects the mature trees

situated within this cul-de-sac. Most notably there are a number of protected trees situated along the side boundary of the host site.

- 4.3 Part of the rear of the site is at risk of flooding once in every 1000 years from surface water

### **Planning History**

- 4.4 The proposed development is linked to 17/06370/FUL which proposes the demolition of existing detached dwelling; erection of a two storey detached dwelling, soft/hard landscaping and other associated works, , which is also being reported to this planning committee meeting.

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

- The principle of the development is acceptable given the nature of the site.
- The living conditions of adjoining occupiers would be protected from undue harm.
- The living standards of future occupiers are satisfactory and meet the National Described Space Standards.
- The highways impact is considered acceptable.
- The refuse and cycle storage is considered acceptable.
- The proposed removal of the existing protected trees on site and their replacement is considered acceptable.

## **5 CONSULTATION RESPONSE**

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

## **6 LOCAL REPRESENTATION**

- 6.1 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: 16   Objecting: 16   Supporting: 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:

- Cramped development/Overdevelopment.
- Out of character development.
- Not in keeping with the surrounding area.

- The proposal does not adhere with the existing building pattern.
- Impact upon parking and transport.
- Impact upon the amenity of the adjoining occupiers.
- Out of character with the surrounding properties.
- Detrimental to the wider streetscene.
- Amount of on-site parking provided is inadequate.
- Impact upon protected trees.

6.3 Ward Councillor Steve O'Connell has made the following objection to the scheme and referred the proposal to planning committee:

- Back land development
- Cramped design
- Poor design
- Lack of parking
- Loss of trees

6.4 KENDRA have objected to the development for the following reasons:

- Proposal does not confirm with established local building pattern.
- Cramped development which is out of character.
- The garage/driveway configuration is not viable.
- Insufficient parking provision.
- Lack of refuse or cycle storage indicated.
- Impact upon protected trees.

## **7 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 (CLP) 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:

- Requiring good design.

- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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

Consolidated London Plan 2015 (LP):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

Croydon Local Plan 2018 (CLP2018):

- SP2: Homes
- SP4: Urban Design and Local Character
- SP5: Community Facilities
- SP6: Environment and Climate Change
- SP7: Green Grid
- SP8: Transport and Communication
- DM1 on Housing choice for sustainable communities
- DM10 on Design and character
- DM13 on Refuse and recycling
- DM16 on Promoting healthy communities
- DM19 on Promoting and protecting healthy communities
- DM23 on Development and construction
- DM24 on Land Contamination
- DM25 on Sustainable Drainage Systems and Flood Risk
- DM26 on Metropolitan Green Belt and Metropolitan Open Land
- DM27 Biodiversity
- DM28 on Trees
- DM29 on Promoting sustainable travel and reducing congestion
- DM30 on Car and cycle parking in new development
- Applicable place specific policy

Supplementary Planning Guidance as follows:

- Technical Housing Standards – Nationally Described Space Standards

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 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
- Transport
- Sustainability
- Trees

### **Principle of development**

- 8.2 The Council will permit development in the grounds of an existing building, which is due to be retained, as long as the proposed development is subservient to the host building. Proposals should also ensure that where an existing building is to be retained, a minimum length of 10m and no less than half or 200m<sup>2</sup> (whichever is smaller) of the existing garden is retained for the host property, after the subdivision of the garden.
- 8.3 In this case, the proposed dwelling is considered subservient to the existing bungalow on site, taking into account its location within the plot and the overall scale of the development. The host garden would continue to be a minimum of 10 metres in length from the rear elevation whilst providing over 200m<sup>2</sup> of garden space. Therefore, overall the proposal would be acceptable and in compliance with Policy DM10.
- 8.4 It is important to note that Policy DM10 only stipulates that these points should be adhered to where the proposed host building will be retained. However, when considered in combination with 17/06370/FUL which proposes to demolish the existing bungalow these stipulations would not comply. The two proposals have been considered together and are acceptable.

### **Townscape and visual impact**

- 8.5 The existing area is residential in nature and characterised by buildings of different vernaculars, building forms and development patterns. This is most visible within Hayes Lane but is also seen at the rear of Uplands Roads. The surrounding dwellings have an irregular layout with the main amenity spaces provided to the rear, side and front of these buildings. It is noted that the site is next door to the Fairways where there is a more regular form of development but it is important to note that the proposed erection of a two storey house is positioned between this irregular and regular building pattern.
- 8.6 The proposed erection of a single storey bungalow with accommodation in the roof space located within the rear element of the garden is considered to have a minimal impact upon the character and appearance of the wider area. The bungalow would front the Fairways where two storey houses are most common, but, taking into account the proposed buildings position within the plot, its

appropriate scale, setback from the roadside as well as being partially screened, overall the proposal is not considered detrimental to the wider streetscene.

- 8.7 The proposed use of render, slate tiles and timber fenestration are considered to be acceptable materials which would be a positive addition to the wider street scene.
- 8.8 The overall scale, massing and design is considered appropriate in respect of the above policies and is considered to be in keeping with the character and appearance of the surrounding area.

#### **Housing quality for future occupiers**

- 8.9 The layout of the proposed unit is considered acceptable to the amenities of any future occupiers, providing acceptable living accommodation which adheres with the minimum space standards. It is noted that bedroom 1 is likely to have minimal outlook due to its location on the ground floor and proximity to the boundary. Overall, the amenity of the proposed unit is considered acceptable however.
- 8.10 Also pertinent to the application is the potential impact of the proposal on the two storey detached building proposed to replace the existing bungalow at the front of the site and due for consideration under LBC ref. 17/06370/FUL. If both of these applications were to be approved, there would be an approximate separation of 18.50 metres between the buildings. The two sites would also be separated by a mixed hedgerow planted in between the amenity space of the dwellings. It is considered that this relationship would be acceptable, ensuring the amenity of both future occupiers.

#### **Residential amenity for neighbours**

- 8.11 There is approximately a 7 metre separation between the proposed rear elevation and the rear elevation of 24 Uplands Road. There is also approximately 10 metres between the maximum height of the proposed roof and rear elevation of this building, providing further separation between the built forms. No windows are proposed within the rear roof slope facing towards this adjoining occupiers and taking into account the existing mature hedge and close boarder fence, overall the proposal is not considered to detrimentally impact the amenities of this surrounding neighbour to a significant degree.
- 8.12 The front elevation of the proposed bungalow would be separated from the rear elevation of 16 the Fairways by approximately 23 metres and 17 metres from 195 Hayes Lane. The existing soft landscaping and close boarder fencing are also located along each side boundary providing further screening and minimising any overlooking which potentially could occur into the neighbouring properties public and private amenity areas. The proposal is therefore not considered to impact the amenity of these adjoining occupiers.

- 8.13 Due to the orientation of the building, its location in front of 15 The Fairways and its appropriate scale, overall it is not considered to detrimentally impact the amenities of this adjoining occupiers.
- 8.14 The development is therefore considered to be in accordance with the relevant policies and would not result in harm to the residential amenities of surrounding occupiers.

### **Transport**

- 8.15 The subject site is in an area with a PTAL accessibility rating of 0 (on a scale of 0 - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have poor access to public transport.
- 8.16 The developments proposes one formal parking space within the site. However, it is noted that the proposed layout could facilitate an additional parking space should the future occupiers require this. Taking into account the PTAL rating for the site, overall it is considered that the proposal could facilitate a satisfactory amount of parking especially when considering the PTAL rating for the site.
- 8.17 A refuse storage area would be provided adjacent to the flank elevation which is considered acceptable due to the significant screening along the boundaries which would minimise its impact upon the wider streetscene. However, no details are provided in relation to the appearance of this refuse area and therefore will be conditioned accordingly.
- 8.18 No details have been provided in regards to cycle parking spaces on a site. For a dwelling of this size, safe/secure and undercover cycle parking for 2 bicycles should be provided. Therefore, details in relation to this will be also proposed to be controlled via condition.

### **Sustainability**

- 8.19 Policy SP6.3 (Sustainable design and construction) requiring all new-build residential development of fewer than 10 units to achieve the national technical standard for energy efficiency in new homes (2015). As such it is recommended that a condition is attached requiring the applicant to achieve a 19% reduction in CO2 emissions while ensuring that water consumption does not exceed 110L per head per day.

### **Flood Risk**

- 8.20 Towards the rear of the site, it is noted that there is an area at risk of flooding once in every 1000 years from surface water. The proposal has included a paragraph within their design and access statement which details that the site will utilise permeable paving materials where hard landscaping would be formed and two new soakaways at both the front and rear of the site. These mitigation methods are considered acceptable to mitigate the potential flood risk on site and would again be conditioned accordingly.



### **Trees**

- 8.21 Due to the proximity of the site to the area TPO 4 and 24, 1973, an amended arboricultural assessment has been provided during the course of the application. The proposal includes the removal of two on-site Cypress trees which are located in close proximity to the new vehicular access provided from the Fairways. These trees and associated assessments/plans have been reviewed accordingly by the Council's Tree Officer who considers the existing cypress trees to be in a substandard state. Therefore, their removal and replacement with four new trees is considered acceptable. Further details on these new specimens to be planted are proposed to be controlled via condition,

### **Conclusions**

- 8.22 The proposal would result in the redevelopment of an existing site which would provide a high quality family home. The development would not be out of keeping with the existing character of the area and would not have a significant impact on the amenities of adjoining occupiers. Landscaping, refuse and sustainable drainage are all acceptable in principle and can be secured by condition.
- 8.23 All other relevant policies and considerations, including equalities, have been taken into account.