

**Agenda Item: 6.5**

**This is a Major Application for which the 13 week period expires on 14/11/2006.**

06/03406/P

15/08/2006

Addiscombe

Application for outline planning permission

Agent:

CH Design Europe Ltd

47 The Hundred

Romsey

Hampshire

SO51 8GE

Applicant:

Mr W Schendel

30 Church Hill

Purley

Surrey

CR0 3QN

Location: 173 Lower Addiscombe Road, Croydon, CR0 6PZ

Description: Demolition of existing building; erection of three/four storey building comprising 11 two bedroom flats; formation of vehicular access onto Nicholson Road and provision of associated parking

Drawing No(s): 2, 20,21, 22 and 23

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The development constitute an over development of the site out of keeping with the character of the area and would be detrimental to the visual amenity of the street scene by reason of its massing and design and would thereby conflict with Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
2. The application does not demonstrate that the proposal would achieve Eco Homes Excellent 2006 would thereby be contrary to Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
3. The application does not demonstrate that the proposal will incorporate renewable energy production equipment to provide at least 10% of the predicted energy requirements of the proposal and would thereby be contrary to Policies SP1, UD1 and EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and Supplementary Planning Guidance Note No.15 on Renewable Energy.
4. The application does not include an appropriate contribution towards improvement to or provision of public open space in accordance with Planning Guidance Note 1 and Policy RO12 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
5. The development does not offered a contribution towards sustainable transport initiatives in the vicinity. The development would therefore be contrary to Policy T6 of the Croydon Replacement Unitary Development Plan (the Croydon Plan) and Planning Guidance Note 1 on Planning Obligations.

6. The applicant has not agreed to an appropriate contribution towards improvement to or provision of education facilities, health facilities or libraries in accordance with Planning Guidance Note 1 and Policies SP27 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
7. Over provision would be made for car parking within the site and the development would thereby conflict with Policy T8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

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**Ward:** Addiscombe **PLANNING COMMITTEE**  
**Lead Officer:** Head of Planning Control **16 November 2006**

**Application Number: 06/3406/P 173 Lower Addiscombe Road, Croydon.**

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## **1. SUMMARY**

### 1.1 Outline application for:

- demolition of existing building.
- erection of a 3/4 storey building comprising 11 two bedroom flats
- provision of vehicular access onto Nicolson Road
- 12 parking spaces.

## **2. RECOMMENDATION**

- 2.1 Refuse planning permission for the reasons set out in the agenda.
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## **3. BACKGROUND**

### 3.1 Site Description

- Site lies on the northern side of Lower Addiscombe Road at its junction with Nicholson Road.
- Occupied by a two storey detached Victorian dwelling which is included on the Council's Local List of Buildings of Architectural or Historic interest.
- TPO yew tree located adjacent to the south western boundary.
- Site area is 0.11ha (0.26acres)

### 3.2 Surrounding Area Uses/Form

- The surrounding area is predominantly residential in character, comprising a variety of different building styles.
- To the north the site adjoins an access way and beyond that a two storey semi detached property which is in use as flats (2 Nicholson Road).
- To the east it adjoins a pair of two storey semi detached buildings with accommodation in the roof space which is converted into flats.
- To the south on the opposite side of Lower Addiscombe Road are two and three storey buildings some with accommodation in the roof space. Many of these properties have been converted into flats. One of these properties (184 Lower

Addiscombe Road) is also included on the Council's Local List of Buildings of Architectural or Historic Interest.

- To the south west facing Nicholson Road are a pair of semi detached properties which are in use as flats.
- Nicholson Road comprises a variety of different housing styles.

### 3.3 Designations

- Local List of Buildings of Architectural or Historical Importance.
- Lower Addiscombe Road Borough Distributor Road
- Area of High Density

Relevant history

3.4 03/00947/P; In June 2003 planning permission was refused for demolition of the existing building; erection of 1 three storey building with accommodation in the roof space comprising 6 two bedroom and 2 one bedroom flats and a two storey building with accommodation in the roofspace comprising 2 two bedroom and 1 one bedroom flats; formation of vehicular access onto Nicholson Road and provision of 6 parking spaces. The application was refused on grounds of:

1. Loss of locally listed building
2. Inappropriate design and massing in the street scene
3. Inadequate protection for the yew tree
4. Unsatisfactory parking arrangements

3.5 04/3584/P; In December 2004 planning permission was refused for the demolition of the existing building and the erection of a four storey building with accommodation in the roof space comprising 12 two bedroom flats; formation of vehicular access onto Nicholson Road and provision of 12 parking spaces. The reasons were:

1. Demolition of a building which makes a positive contribution to the street scene and which is included on the Local List of Buildings of Architectural or Historic Interest.
2. The development would be an overdevelopment of the site with inadequate private amenity space and would be out of keeping with the character of adjacent buildings and detrimental to the visual amenities of the street scene by reason of its size, design, and appearance.
3. The development would result in the loss of or the putting at risk a yew tree subject of a tree preservation order.
4. Failure to provide an environmental performance statement.

A subsequent appeal to the planning Inspectorate was dismissed.

3.6 06/3405/P; This is an outline planning application for demolition of the existing building and erection of three storey building with accommodation in the roofspace comprising 11 two bedroom and 1 one bedroom flats; formation of vehicular access onto Nicholson Road and provision of associated parking. A report on this application is included on this agenda.

### 3.7 Proposal

Outline permission is sought for:

- Demolition of existing building
- Erection of a 3-4 storey building comprising 11 two bedroom flats
- Maximum height of 12.5m
- Facing materials of brick and render, zinc fascia and lift housing, sedum roof and natural slates
- Unit sizes: 58.7m<sup>2</sup> – 66m<sup>2</sup>
- Amenity space to the rear
- Provision of vehicular access onto Nicholson Road
- 12 parking spaces.

3.6 Only Appearance, Layout, Scale and Access are to be determined at this stage with Landscaping reserved for subsequent approval

## 4 PLANNING POLICIES:

- The Croydon Replacement Unitary Development Plan (the Croydon Plan) SP1 – SP3, UD1 – UD3, UD6 – UD8, UD12, - UD16, SP4, UC9, SP7, RO12, SP9 – SP10, SP13, EP2 – EP4, EP15 – EP16, SP14, T8, T11, SP17 – SP22, H1 – H3, H5, H9 – H10 and H13 – H14.

## 5. CONSULTATIONS

5.1 Advertised: press (major application).

5.2 119 adjacent/adjoining occupiers notified. 14 replies.  
Main grounds of objection:

- Out of character with surrounding area
- Proposal would be detrimental to the street scene.
- The existing building is on the Local List of Buildings of Architectural or Historic Interest.
- Proposed building would an eyesore
- Excessive density is proposed
- Loss of outlook
- Loss of privacy
- Loss of light
- Loss of trees, vegetation and walled garden
- Loss of wildlife
- Proposal would not provide sufficient amenity space for future occupiers.
- Insufficient off street parking
- Safety risk for pedestrians (particularly for children) from the vehicular access.
- Increased pressure on local transport, in particular the Tram which is often congested.
- The Croydon Society recently celebrated the life of Mary Sibthorp who lived at this property. It should be given a plaque not be demolished.
- Additional demand for on street car parking.
- Noise and disturbance particularly from the parking area.
- Pollution from parking area

- Building works would cause inconvenience to local residents.
- Development of more flats will attract more crime.
- Object to a garden being replaced by a car park.
- The proposal would devalue existing properties in Nicholson Road.

5.3 A petition of 40 signatures has been received objecting on the following grounds;

- a) Additional cars in Nicholson Road and a loss of on street parking due to the location of the access.
- b) Demolition of existing building which was built by the East India Company
- c) Size of developments will increase density in the area.
- d) Proposed building would be out of character and lead to a deterioration of the area.
- e) Object from an Environmental Health point to Nicholson Road
- f) Object to the loss of trees
- g) Over spill of visitor parking where there are very few on parking bays for current residents.

5.4 A letter from the H.O.M.E Residents Association has been received commenting as follows;

- a) The outline application is too vague and its full affect on the neighbouring properties and area can not be fully appreciated.
- b) The plans do not show dimensions of the current building, its relationship to surrounding properties: smaller terraced houses in Nicholson Road and period houses on Lower Addiscombe Road.
- c) Demolition of this one house and its replacement with a four storey block of flats would be contrary to the efforts we are making in preserving the character of this historic area.
- d) No 173 sits on the corner of Lower Addiscombe Road and Nicolson Road it is very prominent and a lovely example of architecture of this period. It was also the home of Mary Sibthorp. Surely this house can not be demolished.

5.5 A letter from the Croydon Society has been received commenting as follows;

- a) The building is included on the Local List of Architectural and Historic Interest. Where demolition is proposed it should be demonstrated that all reasonable attempts have been made to retain the building.
- b) This property building was the home of Mary Sibthorp OBE (1905 – 1991) a pioneer of ecology and conservation who's life and legacy are to be celebrated by the Croydon Society on the 2<sup>nd</sup> November 2006 arranged by the Croydon Society, Croydon Natural History and Scientific Society under the Chairmanship of the Major.
- c) The demolition of the building would be a severe loss of cultural value and is in clear breach of the Council's policies. Its demolition would put at risk other locally listed buildings of a similar age and distinction (184 and 190 Lower Addiscombe Road).
- d) The proposal is of no distinction or architectural value, out of scale with its surroundings and provides excessive density of habitable rooms and inadequate car parking provision.
- e) Provision of a vehicular access onto Nicholson Road would detract from the amenity of the neighbouring houses.

## 6. CONSIDERATIONS

### Principle of Development

- 6.1 Policy UC9 of the Croydon Plan states that in considering schemes which affect buildings on the local list, which do not enjoy full protection of statutory listing, substantial weight will be given to the benefit of protecting and conserving the particular interest which accounts for their designation. The reason justification for this policy states that although these buildings lack the protection afforded by statutory listing the Council acknowledges their value in terms of design, interest or townscape value. It also states that the Council will endeavour to protect buildings on the local list, because their loss would be detrimental to the appearance, character and townscape quality of the borough.
- 6.2 The application building has been included on the Council's Local List for a substantial period of time. It has been included due to its authenticity i.e. the property remains substantially unaltered and retains the majority of its original features. In addition to this it also has a historic value in that it forms part of the Victorian development of Croydon.
- 6.3 The demolition of this property would result in a loss of a building which is of architectural interest and which makes a positive contribution to the street scene and this section of Lower Addiscombe Road. However, the Inspector's comments in dismissing the appeal against the refusal of planning application 04/03583/P are material considerations in the determination of this application. The Inspector stated;
- "I acknowledge that there is no statutory duty to pay any special attention to the desirability of preservation and enhancement in this case. Nevertheless in my judgement, it remains important in the view of the sensitivity of the location that any replacement development should maintain a high standard of design quality and at least make a positive contribution to the local townscape of the existing building." (para 12) Furthermore, the Inspector continued to state that "there is no reason why a contemporary design that does not merely replicate the more traditional surrounding should not succeed on this site." (para 14).
- 6.4 As the Inspector did not object to the loss of the building subject to a high quality replacement, it would be inappropriate to object to the principle of demolishing the building.
- 6.5 The development would have a density of 300hrh which would be within the required density range of 160 - 300. However, the application falls below the size threshold set out by Policy H9 and therefore the level of density which can be achieved on this site must be assessed against other policy requirements.
- 6.6 Because of its size the development would generate a need for public open space that cannot be provided on site. Furthermore the development would generate a need for additional Health, Library, Art and Sustainable Transport services. The applicant has not offered contributions to mitigate the effects of this development and therefore is contrary to Planning Guidance Note No 1

### Townscape issues

- 6.7 The application site is located on a prominent corner and as stated above it is necessary for any replacement building to maintain a high quality of design. Policy UD2 requires that the detailed design of buildings together with their layout, siting, scale and

massing is of a high standard and reinforces local character. In dismissing the earlier appeal the Inspector's expressed concerns regarding the detailing, bulk and form of that scheme.

- 6.8 Whilst the footprint of the building and layout of the site within this application are similar to both the previous application and application 06/3405/P the design of this proposal is more contemporary. As stated in paragraph 6.3 above, in dismissing the earlier appeal the Inspector did not raise an objection to a high quality contemporary design on this site. However, this proposal by reason of its massing and detailed design would not reflect the existing character of the area. Furthermore, the submitted drawings do not demonstrate that the proposed building is of any particular merit. It comprises a series of blocks surmounted by a recessed roof storey that would make little positive contribution to the character of the area.

#### Amenities of adjoining and nearby occupiers

- 6.9 The footprint, layout of the site, height of the building would be similar to that proposed by planning application 04/3584/P. In determining the earlier planning application neither the Council nor the Planning Inspector raised concerns regarding the impact of the development on the amenities of the adjoining occupiers.

#### Amenities of future occupiers

- 6.10 All flats would be of an acceptable size. The area of amenity space to the rear of the site would be similar in size to that which was proposed by the previous application 04/3584/P. one of the Council's reasons for refusing that application was that it was considered that insufficient amenity space was provided for future occupiers of the development.
- 6.11 In dismissing the earlier appeal the Inspector stated "The Council contends that this amounts to inadequate provision, but it does not refer to any quantities standards. In my experience, those who inhabit 2 bedroom flats are far less likely to be than the occupiers of family dwellings to require significant external amenity space....I therefore conclude that any future occupiers of the appeal development would experience adequate living conditions". Para. 20.

#### Highways and parking

- 6.12 The application site has a PTAL rating of 4 (moderately accessible). The proposed 12 car parking spaces (including 1 space suitable for disabled drivers) would be in excess of the Council's standards which state that a maximum of 1 space per unit should be provided for this type of accommodation. The proposal therefore results in an over provision of car parking.

#### Trees

- 6.13 The siting of the proposed building in relation to the protected Yew Tree would be similar to that which was proposed by Planning Application 04/3583/P. In dismissing that appeal the Inspector stated "... I am satisfied sufficient space would remain to accommodate the trees future lateral growth. I do not therefore find the proposal to contravene Policies SP11 or NC4 of the adopted UDP or Policy NC4 of the replacement plan". para 19. It is therefore considered that subject to appropriate

conditions the current application is unlikely to have an adverse effect on the protected Yew Tree.

- 6.14 The provision of the new vehicular access from Nicholson Road and the siting of the hardstanding to the rear of the site is likely to require the removal or compromise a number of lime trees which are located along the boundary of the site with Nicholson Road. The Council's Tree Preservation Officer has advised that these trees are of poor form and are not worthy of protection. Therefore there can be no objection to the loss of their loss.

## **7. ENVIRONMENTAL CONSIDERATIONS**

7.1 The proposal would attain:

- Eco Homes "Excellent" rating 2003. Policy currently requires developments to achieve Eco Homes Excellent rating 2006 which places more onerous requirements on developers than Eco Homes 2003. Therefore this is unacceptable.

7.2 The proposal does not include details or a scheme to demonstrate how the development would achieve 10% of its predicted energy requirements from renewable energy sources to off set predicted carbon emissions.

## **8. EQUALITIES CONSIDERATIONS**

8.1 The proposal would attain/provide:

- 'Lifetimes Homes Standard'.
- Level access at ground floor level and the provision of a lift would ensure that the building is fully accessible to wheelchair users
- Staircase will be designed for ambulant disabled users in accordance with Building Regulations 'Approved Document M'.
- 1 car parking space would be designated for disabled drivers.

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Case Officer:	Nicola Townsend
Background Documents:	14 adjoining occupier replies 1 Petition containing 40 signatures 1 letter from the Croydon Society 1 letter from the HOME Residents Association
Contact Officer:	Mr. P. Mills 020 8760 5419