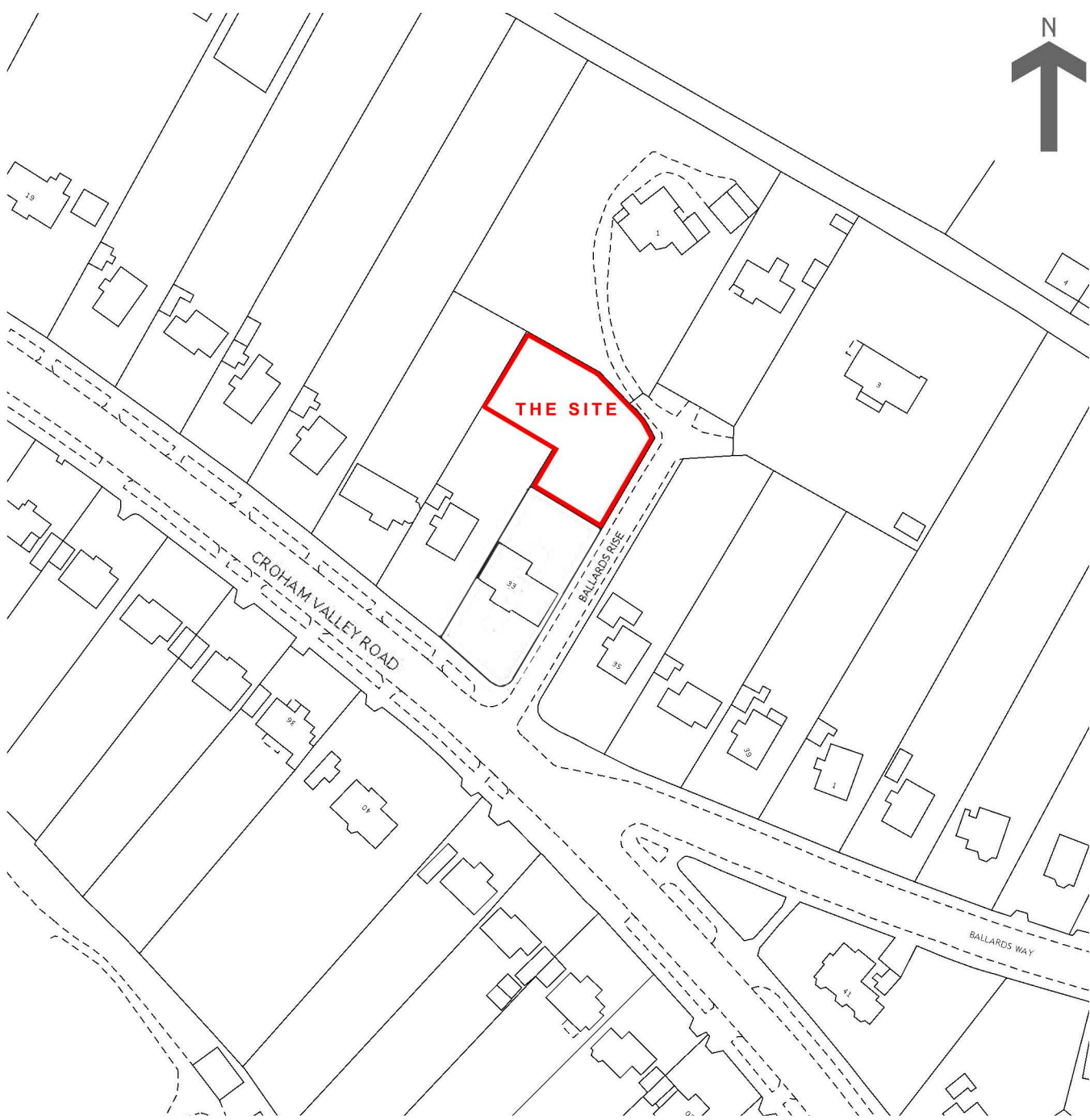


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Date : June 14

Status : Title

Dwg No : 2013-453-001

Rev :

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Client : **SilverLeaf**

Project : **Land to rear of 31 Crowham Valley Road**

Drawing : **Location Plan**

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**PART 6: Planning Applications for Decision**

**Item 6.3**

**1 APPLICATION DETAILS**

Ref: 15/04683/P  
Location: Land to the rear of 31-33 Croham Valley Road, CR2 7JE  
Ward: Selsdon and Ballards  
Description: Erection of a four bedroom single storey detached house with basement; provision of associated parking.  
Drawing Nos: 2014-453-D01, 2014-453-002, 2014-453-010, 2014-453-011, 2014-453-012, 2014-453-013, 2014-453-014, JBA 15/99 landscape masterplan, 1479LS, Design and Access Statement  
Applicant: Mr Owens  
Case Officer: Hayley Crabb

- 1.1 This application is being reported to committee because the ward councillor (Cllr Sara Bashford) 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 Planning permission has previously been granted for the erection of a detached single dwelling (15/01937/P). This proposal incorporates a basement area to that previously granted.
- 2.2 The proposed development would not have a detrimental impact on the character of the wooded hillside or the wider surrounding area and overcomes grounds for refusal on previous schemes.
- 2.3 The development would not have a detrimental impact to the amenity of adjoining occupiers.
- 2.4 The space standards set out in the London Housing SPG are significantly exceeded and adequate parking is provided. The proposal is therefore considered acceptable.

**3 RECOMMENDATION**

- 3.1 That the Committee resolve to grant planning permission.
- 3.2 That the Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

## **Conditions**

- 1) Details of materials to be agreed
- 2) Planting scheme to be approved, implemented and retained as such for 5 years
- 3) Bin and bike stores to be provided
- 4) Energy efficiency measures to be incorporated
- 5) Visibility splays to be provided
- 6) Works to be carried out in accordance with the approved plans
- 7) Commence within 3 years
- 8) Any other planning condition(s) considered necessary by the Director of Planning

## **Informatives**

- 1) Community Infrastructure Levy liability
- 2) Notification of Construction Code of Practice
- 3) Removal of Site Notices
- 4) Any other informative(s) considered necessary by the Director of Planning

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 Full planning permission has been sought for the erection of a detached four bedroom single-storey house with basement, formation of vehicular access, provision of associated parking and landscaping.
- 4.2 The main house has been designed as a modern building with a flat green roof, and of a brick, vertical timber cladding and glass construction with aluminium framed glazing.
- 4.3 Landscaping includes a screening belt of semi-mature planting between the house and the southern edge of the site. The vehicular access would be from Ballards Rise with provision for two off-street car parking spaces.
- 4.4 The proposal is the same as the previously approved 15/01937/P scheme with the exception of the provision of a basement, light wells and internal alterations.

### **Site and Surroundings**

- 4.5 The application site is located on the north eastern side of Croham Valley Road (a local distributor road), on the western side of the junction with Ballards Rise. Number 33 is currently a two storey detached property. The proposed backland development would front onto Ballards Rise.

- 4.6 Croham Valley Road is characterised by detached properties set back from and fronting the road, set in relatively generous plots. There are three houses at the end of Ballards Rise which also have spacious grounds. There is a significant rise in land levels from Croham Valley Road up Ballards Rise of at least a storey.
- 4.7 The area of the site constitutes a “wooded hillside” and the land to the North of Ballards Farm Road is designated as Metropolitan Green Belt. It has a Public Transport Accessibility Level (PTAL) of 1b, considered to be “poor”.

### Planning History

- 4.8 The following planning decisions are relevant to the application:

07/00115/P Erection of detached three bedroom house at rear with integral garage, formation of vehicular access onto Ballards Rise.

**Refused** on grounds of character of the locality, unsatisfactory cramped backland development, detrimental to the amenities of adjoining occupiers from loss of privacy, poor outlook and visual intrusion and inadequate private amenity space

10/00910/P Erection of a detached two bedroom bungalow at rear; formation of vehicular access onto Ballards Rise

**Refused** on grounds of character of the locality, unsatisfactory cramped backland development and detrimental to the amenities of adjoining occupiers from loss of privacy and visual intrusion

**Appeal dismissed** on character ground only

14/02840/P Erection of a detached house and detached garage, provision of associated parking

**Refused** on grounds of character of the locality, unsatisfactory cramped backland development and detrimental to the amenities of adjoining occupiers from visual intrusion

**Appeal dismissed** on character ground only, stating:

*"The site contributes to the hillside setting which is an attractive and pleasant feature of the area. The hillside is not entirely free from development... The development's impact would be visually unavoidable, appearing noticeably and prominently above the dwellings in Croham Valley Road, punctuating the hillside and appearing at odds with the established pattern of development leading to unacceptable harm to the character and appearance of the area".*

The Inspector went on to state *"The scheme before me has sought to address that point [the cramped and overcrowded nature of the previous development dismissed at appeal, and] would not be too dissimilar to others in the vicinity. However, the proportion of the plot covered by the development would be a significant departure from the established pattern of residential dwellings in the area such that I find*

*this aspect of the scheme would also be out of character with the area".*

*In terms of impact on adjoining occupiers the Inspector stated: "having regard to the separation distances and the single-storey nature of the garage (the closest building to the boundary), the proposal would not be overly intrusive to neighbouring properties. The proposal therefore accords with UDP policy UD8 which seeks to protect residential amenity".*

15/01512/P Erection of a detached house and associated parking and landscaping.

**Refused** on same grounds as the above, being a very similar scheme

15/01937/P Erection of a detached three bedroom house and provision of associated parking

**Approved** but not implemented

## **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 one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 20      Objecting: 20      Supporting: 0      Comment: 0

6.2 The following Councillor made representations:

- Councillor Sara Bashford [objecting]

6.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

### **Objections**

- Out of keeping/character with other buildings and the area
- The proposal will set a precedent for future development
- Out of character with the area in terms of form and layout with existing properties on the wooded hillside

- Too large for the plot/larger than that previously granted/50% of area
- No other properties having living accommodation in a basement
- Impact on wildlife due to development or currently undeveloped area
- Backland development out of keeping with the character of the area and detrimental to the host properties
- At 90 degrees (side facing) to all other surrounding properties and would have a small garden out of character with the size of the gardens of the surrounding properties and area as a whole
- Lacking of parking resulting in visitors having to park on Ballards Rise resulting in an obstruction for delivery/emergency vehicles
- Property would be contemporary in design which would be higher than the houses in the valley and would not respect their height
- Impact on residential amenity due to overlooking/visual intrusion and loss of privacy
- Impact on Metropolitan Green Belt as the structure would be visible from within it.
- Excavation would lead to structural and land instability on neighbouring properties & unsightly retaining walls/severely alter the water table/flooding
- Impact on wildlife due to development and impact on existing vegetation
- Insufficient parking and very narrow road leading resulting in obstruction
- The proposal will set a precedent for future development

6.4 The following issues were raised in representations, but they are not material to the determination of the application:

- Delivery/construction vehicles (Officer comment: The Council has a code of practice for construction sites)
- Planning rules being disregarded (Officer comment: Each application is judged on its own individual merits)

## **7 MATERIAL PLANNING CONSIDERATIONS**

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

- 1) The design and appearance of the development and its effect upon the character and appearance of the surrounding area
- 2) The impact of the development upon the residential amenities of the adjoining occupiers
- 3) Quality of residential accommodation
- 4) Highways and parking

### **The impact on the character and appearance of the area**

7.2 The Croydon Local Plan: Strategic Policy SP2.1 applies a presumption in favour of development of new homes. Croydon Local Plan – Strategic Policies SP4

concerns Urban Design & Local Character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. The Council will apply a presumption in favour of development provided it meets the requirements of Policy SP4 and other applicable policies of the development plan. London Plan policies 7.4 and 7.6 "Local Character" and "Architecture", take a similar approach, requiring development to be in keeping with the character of the area, highlighting the pattern and grain of existing spaces and streets and not causing unacceptable harm to the amenity of surrounding land and buildings.

- 7.3 Croydon Plan 2006 (Saved UDP Policies 2013) H2 states that the Council will permit housing development within the existing built-up area "provided this does not conflict with its aim of respecting the character of residential areas". Policy H5 states that "Residential development on back garden and backland sites will only be permitted where it respects the character and protects the amenity of adjoining residential areas. In particular, ... b) The form, layout, siting and site area should respect the existing character...". Paragraph 11.41 states that "the pattern of development, urban form and character of well-established residential areas could be considerably altered by back garden and backland development". Policy UD2 states that "Development proposals will be permitted provided they reinforce and respect the development pattern, where they contribute to local character". Policy UD3 requires development to "Respect the height and proportions of surrounding buildings".
- 7.4 Policy UD9 requires the Council to protect the special character of wooded hillsides and ridges. Policy UD13 states that "car and cycle parking must be designed as an integral part of a scheme and not be allowed to dominate or determine the urban form". Policy RO6 requires development to protect the setting of Metropolitan Green Belt Land.
- 7.5 London Plan Policy 3.5 *Quality and Design of Housing Developments* states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older people.
- 7.6 The application site is located on rising land to the north east of Croham Valley Road. This slope forms part of a substantial hillside which provides a wooded backdrop to the street scene. Housing in Croham Valley Road consists typically of large detached dwellings set back from the road on generous plots. The site has a frontage to Ballards Rise, a cul-de-sac running alongside No 33 and giving access to three dwellings on higher land to the rear of Nos 29 to 39 Croham Valley Road. The Ballards Rise houses have a spacious setting and are partially screened by the mature hillside vegetation.



- 7.7 As noted in “Planning History” above, the application site has been subject to recent planning applications for residential development comprising one single dwelling; all those relating to two storey dwellings have previously been refused.
- 7.8 Key to assessing whether the proposal has a detrimental impact on the character of the area is considering its setting on a wooded hillside in close proximity to Metropolitan Green Belt. The applicant has provided a landscaping strategy which includes screening of the proposed building from the south through the provision of semi-mature planting between the building and the boundary.
- 7.9 This, together with the single storey nature of the proposal and its setting in the middle of the site is considered to lead to the building not being easily visible from the key vantage point of the junction of Ballards Rise and Croham Valley Road and partially screened from views between houses on Croham Valley Road.
- 7.10 Whilst the proposal would be visible from Ballards Rise and potentially from Ballards Farm Road to the North, it is considered to be adequately screened and sited to have no detrimental impact on the wooded hillside and to not detract from views of the Metropolitan Green Belt. As such, the proposal is considered to be in keeping with the character of the area in this regard. A detailed landscaping strategy has been provided which is considered acceptable.
- 7.11 Policies relating to character and the architecture of developments make clear that developments of a different style for the norm in an area may be acceptable where they are of their own right well designed. The proposal is considered to be a high quality of design making use of a modern style and palette of materials and the most of the land levels of the site.
- 7.12 As the proposal is to develop a rear garden area, it constitutes backland development. However the proposal faces on to a road, and so has the same relationship with the highway as the vast majority of properties in the area. As such its size and siting is acceptable for a backland scheme and it is not considered to be out of keeping for other reasons as set out above.
- 7.13 Whilst there are a number of properties on Ballards Rise, none of them front directly on to it, with no 5 being the closest at 25m distance. The proposed building would have a relationship with the street, with its orientation set by the road, but would be set back by 14m, with a substantial hedge to the front. This is considered appropriate given the character of the area.
- 7.14 Similarly, there is no defined rhythm of frontage widths to Ballards Rise. The proposal is however similar, or somewhat wider than, those in the area. This is considered to be acceptable.

7.15 The key consideration for this application is the provision of a basement, light wells and internal alterations, since the other aspects were granted permission under the 15/01937/P consent. Given the land level changes, siting of this element of the building 14m behind Ballards Rise and the soft landscaping, these aspects would have no adverse impact on the character or the area beyond what has already been approved.

### **The residential amenities of the adjoining occupiers**

7.16 The policies quoted above refer to the relationship of development to the surrounding area and are of relevance when considering the impact of development on adjoining occupiers. Policy UD8 of the UDP aims to protect residential amenity and requires the Council to have regard to the privacy and amenity of the occupiers of surrounding buildings when considering development proposals.

7.17 In dismissing previous appeals, the Inspector has concluded that the impact of a two-storey building on light, outlook and privacy from adjoining occupiers is acceptable. Now that a single storey with a basement area is proposed, which would be screened by planting, it is considered that there would be no significant impact on light and outlook to properties on Croham Valley Road, which are approximately 20m away. Given the orientation and siting of no 7 Ballards Rise, the proposal is not considered to have a significant impact on that property.

7.18 The host properties would be retain gardens of over 12m and an area of over approximately 100m<sup>2</sup>.

7.19 One side facing bathroom window is proposed; considering it serves a bathroom and so is likely to be obscure glazed in any case and would look directly on to an area of semi-mature screening planting, a condition requiring obscure glazing is not considered necessary in this instance.

7.20 As highlighted above, the key consideration for this application is the provision of a basement, light wells and internal alterations. Given the changes relate solely to basement accommodation and the siting, height and design of the above ground works are the same as previously approved, no objections are raised.

### **Residential accommodation**

7.21 London Plan policy 3.5 states that housing developments should be of the highest quality internally and externally and in relation to their context. The London Housing Supplementary Planning Guidance provides guidance on the design of residential units and provides a breakdown of minimum floor areas by unit type and requirements for individual room dimensions to ensure adequate amenity. CLP1 addresses this issue by indicating that all homes should achieve the minimum, or "baseline" standards set out in the London Housing SPG.

- 7.22 The proposal significantly exceeds the minimum standards set for residential accommodation in the London Plan. Outlook is provided to the front and rear with the basement served by light wells which leads to all principal rooms being provided with large glazed areas, resulting in adequate light and outlook. London Plan policy 3.8 requires houses to be built to Lifetime Homes standards, which can be secured by condition and can be complied with.
- 7.23 Policy UD8 requires amenity areas in keeping with the general character of the area. Properties on Croham Valley Road often have garden depths in excess of 80m, whereas the length of the garden proposed is 8m. This is significantly shorter than the gardens in the area, but a large front and side garden is proposed. Whilst residents use front and rear gardens differently, with rear gardens generally being more private, the hedge to the front will allow some privacy in the front garden. The area of garden provided is significantly in excess of minimum standards in the London Housing SPG and overall sufficient amenity space is provided to be in keeping with the locality.
- 7.24 Conditions can be attached to a permission to ensure that the development is carried out in a sustainable fashion, with energy efficiency measures similar to those in the Code for Sustainable Homes being required. As the property has a green roof, it is considered likely that these requirements can easily be complied with.

### **Highways and parking**

- 7.25 Policy T8 of the UDP sets out that the amount of parking should be linked to the Public Transport Accessibility Level and that two spaces should be provided per dwelling with an area of this accessibility. Policy SP8.17 of CLP1 sets out a similar approach.
- 7.26 The proposal would incorporate two parking spaces to the side of the house as was approved under application 15/01937/P. Whilst it is noted that objections have been received relating to the number of parking spaces, this accords with policy and is considered to be acceptable for a four bedroomed dwelling.
- 7.27 The access would be located on a slope but this is not considered to lead to a significant risk to highway safety due to the low number of vehicular movements anticipated and as visibility splays can be provided. It should be noted that the previously refused applications all made similar provisions for access and parking and were not refused on those grounds.
- 7.28 Objections relating to parking blocking access for emergency service and delivery vehicles are also noted, but it is of relevance that a vehicle could currently halt on Ballards Rise and cause the same issue. The police and highways enforcement officers have powers relating to obstructing the highway which could be used if necessary and it is considered unreasonable to refuse planning permission for this reason as sufficient parking is provided and the problem (ie the width of Ballards Rise) is already in existence.

7.29 The proposal is considered acceptable in highways terms.

### **Other Planning Considerations**

7.30 Objections relating to wildlife are noted however there is no evidence of protected species on site. Whilst the proposal would lead to a loss of an area which is currently in a natural overgrown state, a landscaping condition is recommended, and wildflower planting is proposed. On balance it would not be reasonable to recommend refusal on this basis and protected species are safeguarded by alternative legislation.

7.31 Similarly, the objections with regards to precedent are noted, but each application is determined on its own merits considering the proposal and the specifics of the site.

7.32 Aspects relating to excavation, structural and land instability would be covered through building regulations.

### **Conclusions**

7.33 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.