

Planning Sub-Committee Agenda



To: Councillor Muhammad Ali (Chair)
Councillor Paul Scott (Vice-Chair)
Councillors Toni Letts, Chris Clark, Joy Prince, Sherwan Chowdhury,
Jason Perry, Scott Roche, Gareth Streeter and Ian Parker

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 6 February 2020** at the rise of Planning Committee but not earlier than **8.15 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
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www.croydon.gov.uk/meetings
Wednesday, 29 January 2020

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the right-hand side.

To register a request to speak, please either e-mail

Democratic.Services@croydon.gov.uk or phone the number above by 4pm on the Tuesday before the meeting.

N.B This meeting will be paperless. The agenda can be accessed online at www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee

2. Minutes of the previous meeting (Pages 5 - 6)

To approve the minutes of the meeting held on Thursday 16 January 2020 as an accurate record.

3. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Planning applications for decision (Pages 7 - 10)

To consider the accompanying reports by the Director of Planning & Strategic Transport:

5.1 18/05757/FUL 127a Marlpit Lane, Coulsdon, CR5 2HH
(Pages 11 - 22)

Change of use from B1 Carpenters workshop to Sui generis window cleaning business.

Ward: Old Coulsdon

Recommendation: Grant permission

**5.2 19/00884/FUL Land R/O 30 - 34 Hartley Old Road, Purley,
CR8 4HG (Pages 23 - 42)**

Erection of 3 x 5-bedroom 9-person detached dwelling houses with associated parking and landscaping. Demolition of the garage to 32 Hartley Old Road to enable the construction of a new vehicle access/crossover.

Ward: Purley and Woodcote
Recommendation: Grant permission

6. Exclusion of the Press & Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

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Planning Sub-Committee

Meeting of Croydon Council's Planning Sub-Committee held on Thursday, 16 January 2020 at 6.00 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Muhammad Ali (Chair);
Councillors Toni Letts and Sherwan Chowdhury

Also Present: Councillor Andrew Pelling

PART A

A1/20 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held Thursday 19 December 2019 be signed as a correct record.

A2/20 **Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

A3/20 **Urgent Business (if any)**

There was none.

A4/20 **Planning applications for decision**

A5/20 **18/01251/FUL Pitlake Arms, 73A Waddon New Road, Croydon, CR0 4JB**

Demolition of existing building - but with part retention of existing basement and the erection of four storey building comprising four residential units (2x3 bedrooms and 2x1 bedroom) including associated private amenity spaces, communal amenity and internal refuse and cycle storage (Amended Description).

Ward: Waddon

The meeting ended at Time Not Specified

Signed:

.....

Date:

.....

PLANNING SUB-COMMITTEE AGENDA

PART 5: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning Committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP or Resident Association and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan (consolidated with Alterations since 2011)
 - the Croydon Local Plan (February 2018)
 - the South London Waste Plan (March 2012)
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 ROLE OF THE COMMITTEE MEMBERS

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. THE ROLE OF THE CHAIR

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

6. FURTHER INFORMATION

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

7. PUBLIC SPEAKING

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

8. BACKGROUND DOCUMENTS

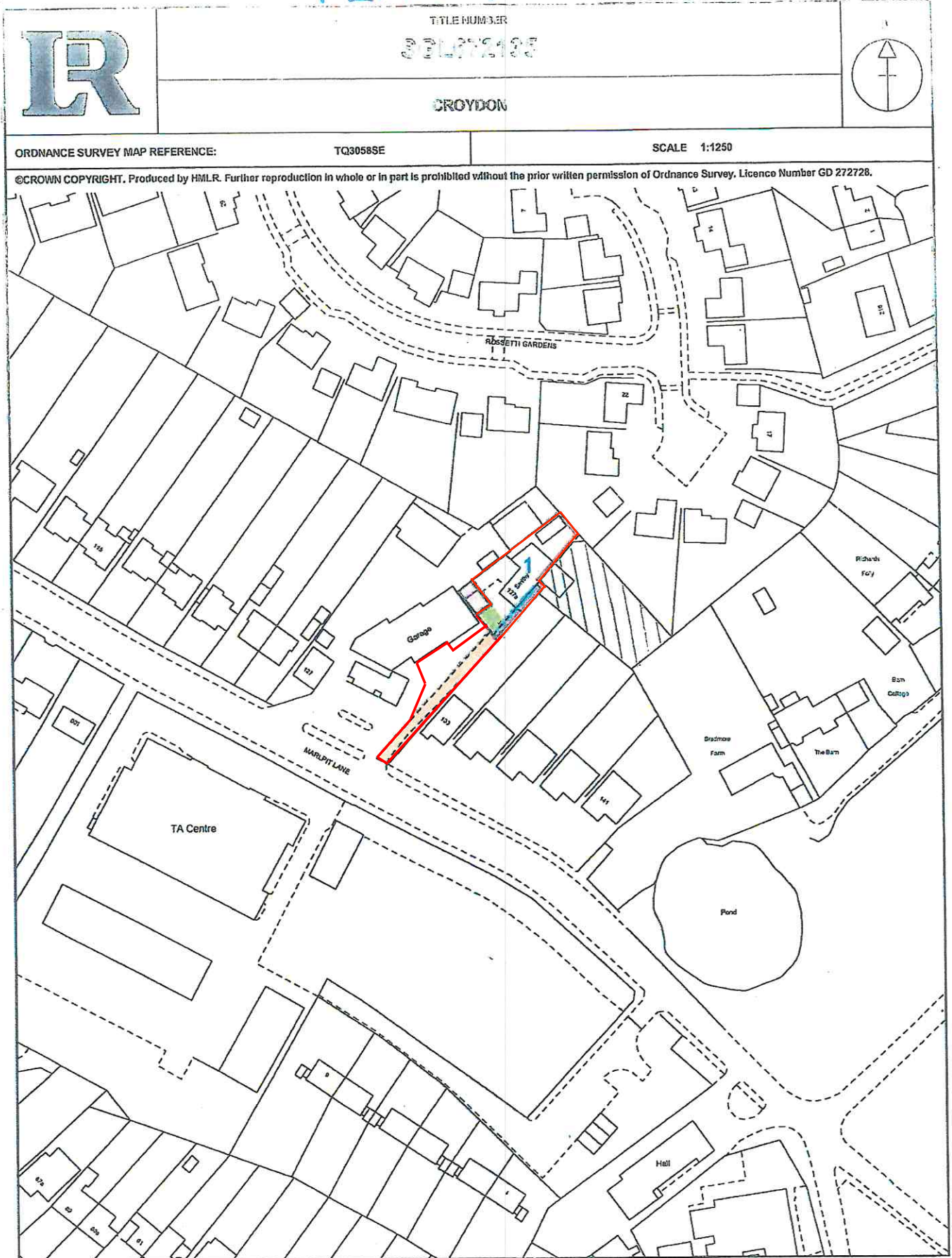
- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

9. RECOMMENDATION

- 9.1 The Committee to take any decisions recommended in the attached reports.

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PLAN 1



ORDNANCE SURVEY MAP REFERENCE:

TQ3058SE

SCALE 1:1250

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.

This official copy shows the state of the title plan on 22 March 2006 at 16:03:58. It may be subject to distortions in scale.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 23 March 2006.

This title is dealt with by the Croydon District Land Registry.



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1 SUMMARY OF APPLICATION DETAILS

Ref: 18/05757/FUL
Location: 127a Marlpit Lane, Coulsdon, CR5 2HH
Ward: Old Coulsdon
Description: Change of use from B1 Carpenters workshop to Sui generis window cleaning business
Drawing Nos: Location Plan received 30.10.19, 302-EX-01A, 302-EX-01B, Revised Planning Statement, Revised Management Plan received 30.10.19 and revised Transport Statement dated Oct 2019 received 30.10.19
Applicant: C/O Agent Darren Waterer Window and Cleaning Services Ltd.
Case Officer: Hayley Crabb

- 1.1 This application is being reported to committee because the application was referred by the ward councillor (Cllr Margaret Bird). Councillor Bird has been re-notified of revised information and maintains her referral.

RECOMMENDATION

- 2.1 That the 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) In accordance with Management Plan
- 3) Hours of use
- 4) Environmental and Historical Site Review Condition (6 months)
- 5) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The application comprises the following:

- Continued use as window cleaning business (Sui Generis) as the use has already commenced.
- Darren Waterer Window Cleaning Services Ltd provides cleaning services to a variety of businesses which includes cleaning of business premises prior to the start of typical business hours.
- The company's core operating hours are between 08:30-17.30 Monday-Friday, excluding weekends. Reduced office hours are operated on public holidays. In addition, at 6.30 a maximum of 5 employees arrive at the premises to collect company vehicles to attend early appointments. The offices are then closed with no further comings and goings until 08:30 and the start of core operating hours.
- The company has implemented a policy requiring employees attending the premises at 06:30 to keep levels of noise to a minimum when collecting vehicles.
- Vehicle collection happens within 5 minutes.
- During core operating hours operations are typically office based and open to visiting customers, deliveries and collections with approximately 2 water sales per day.
- Company vehicles are typically returned to the premises between 12:00-17:00 when they are prepared for the following day and left at the premises overnight. It should be noted that only 2 company vehicles are on site at any given time. The 2 company vans are re-filled with water when they return to the premises.
- During the day when vans are offsite, on-site parking spaces can be utilised by collection/delivery vehicles and customers.
- Employees do not park on site and typically take public transport or walk to work.
- The company uses over the counter cleaning products which are stored in a locked storage unit and purified water stored in tanks within a locked storage unit.
- A revised application form was submitted including a certificate B.

Site and Surroundings

- 3.2 The application site is on the north side of Marlpit Lane to the rear of Robe & Hitchens Ltd (a vehicle workshop and service centre). Opposite the site is a Ministry of Defence site for army Reserves and Cadets. The surrounding area is residential in character.
- 3.3 The application site consists of a two storey building. The ground floor and remainder of the site are in commercial use and the first floor is in residential use.
- 3.4 The site was previously used as a carpenter's workshop within use class B1. The window cleaning business has been in operation since around July 2018.
- 3.5 The site adjoins the Brandmore Green Conservation Area. There are no other constraints affecting the application site as identified by the Croydon Local Plan 2018.

Planning History

- 3.6 18/04329/ADV – Non-illuminated single sided advertisement board on a metal pole – A Advertisement Consent Granted.

3.7 88/01598/P – Conversion to form flat and maisonette; erection of single storey rear extension – Planning Permission Granted

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The use is considered acceptable considering the previous lawful use of the site.
- The use would not have a detrimental impact on the appearance of the existing building, the character of the area, or the residential amenity of adjoining nearby occupiers.
- The parking/highway issues considered acceptable;
- Noise and hours of use aspects can be controlled by conditions.

5 CONSULTATION RESPONSE

- 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 12 letters of notification to neighbouring properties in the vicinity of the application site. The application was advertised in the local press and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 11 Objecting: 9 Supporting: 1 Comment: 1

6.2 Neighbouring properties have also been re-notified of amended drawings/information. One further representation has been received in respect of the last re-consultation.

6.3 The following local groups/societies made representations:

The South Croydon Conservation Area Advisory Panel

- No Observations.

6.4 The following Councillor made representations:

Councillor Margaret Bird (referred to Planning Sub-Committee)

- Not in keeping with the area/impact on appearance of the property/surrounding area/Bradmore Green Conservation Area
- Overdevelopment
- Noise and Disturbance/impact on neighbours/hours
- Overlooking, overshadowing, loss of privacy, vibration, fumes and early activity
- Parking/congestion
- Safety
- Should be located elsewhere

6.5 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:

Summary of objections	Response
Not in keeping with the area/impact on appearance of the property/conservation area/obtrusive by design/not appropriate site/Overdevelopment	Addressed in Section 8.4-8.6 of this report
Noise and Disturbance	Addressed in Section 8.8-8.9 of this report
Overlooking/loss of privacy/ overshadowing	Addressed in Section 8.10 of this report
Health and wellbeing	Addressed in Section 8.8-8.9 of this report
Traffic/highways/in-sufficient/parking/light pollution/dust/vibration/fumes/congestion/disruption	Addressed in Section 8.12-8.18 of this report
Should be time restricted	Addressed in Section 8.8 of this report

6.6 One representation received in support of the application – Use does not generate noise.

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

- Damage to vehicles/fencing (Officer comment: This is a matter between third parties)
- Should be located elsewhere (Officer comment: Each application is judged on its own individual merits)

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. Such 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 (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) issued in February 2019. 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;
- Delivery of housing

- Promoting social, recreational and cultural facilities and services the community needs
- 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

- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage

7.5 Croydon Local Plan (adopted February 2018)

- SP3 - Employment
- SP4 – Urban Design and Local Character
- DM10 – Design and character
- DM18 – Heritage
- DM23 – Development and Construction
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development
- SP6.4 - Reducing flood risks
- DM40 – Kenley and Old Coulsdon

8 MATERIAL PLANNING CONSIDERATIONS

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

The principal issues relate to:

- a. Principle of use
- b. Impact on visual amenity
- c. Amenity of adjoining occupiers
- d. Other planning considerations

Principle of use

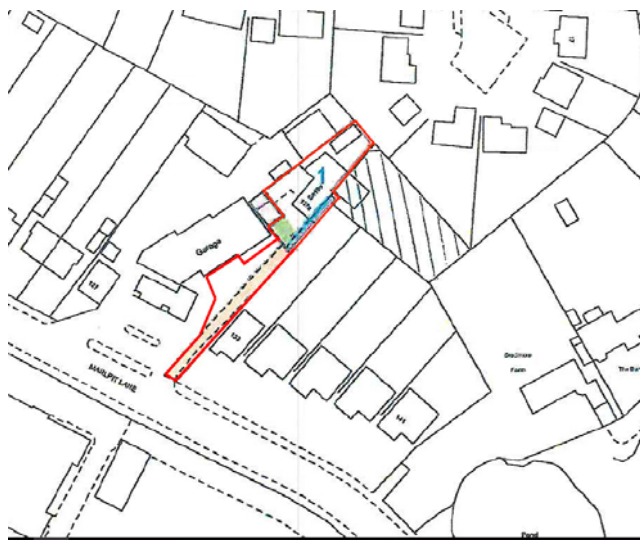
8.2 The previous use of the site was as a Carpenters workshop which was deemed to fall within Use Class B1. The use the subject of this application is a window cleaning business which is deemed to be Sui Generis. The use has already commenced on site.

8.3 SP3 of the Croydon Local Plan 2018 states there is a '4 Tier' approach in respect of industrial locations including employment sites/sites falling outside Tiers 1, 2 and 3. Given the site was a former carpenters workshop within class B1, it is considered that the site would fall within Tier 4 'scattered Employment Sites' in which employment generating uses (including sui generis employment generating uses) are protected. Given the previous use of the site as a Carpenters workshop (B1) and that there would be no change to the Vehicle servicing and repair centre with parking to the

front and side of the site, this site is a characteristic Tier 4 site which are generally found in residential areas. The previous use fell within Use Class B1, which relates to light industrial uses which are appropriate to operate from residential areas, and based on the size of the existing buildings a similar number of people and level of activity would have occurred under the B1 use as under the use currently under consideration. As such, whilst the use does not fall within the “B” use classes, it can be considered to result in a similar level of economic activity and employment than the lawful use and so is considered acceptable from the perspective of protection for employment generating uses.

Impact on visual amenity

- 8.4 The site adjoins the Bradmore Green Conservation Area. The Conservation Area is characterised by historic properties fronting on to a series of green spaces. The building is located to the rear of the site behind a roadside vehicle servicing and repairs centre with parking to the front and side. No external changes are proposed to the building.
- 8.5 Representations were received objecting on the grounds the proposal is not in keeping with the area/impact on appearance of the property/conservation area/obtrusive by design/not appropriate site/Overdevelopment.



- 8.6 Given it was in use as a carpenter’s workshop previously and is located away from the core of the conservation area next to some modern housing albeit with spacious front gardens, is distinctly different character to the conservation area. The change of use does not result in external alterations to the building and therefore it is deemed the use does not cause harm to the special interest of the conservation area. The amount of hardstanding would not change and the amount of vehicle movements which may occur under a B1 use are broadly equivalent. It is therefore considered the use does not have a detrimental effect on the character and appearance of the area or the adjoining conservation area in this instance or result in the overdevelopment of the site.

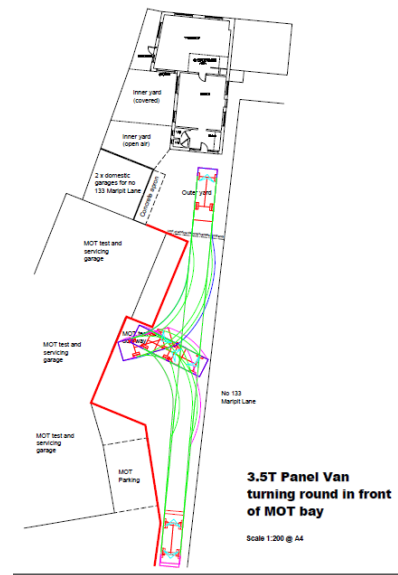
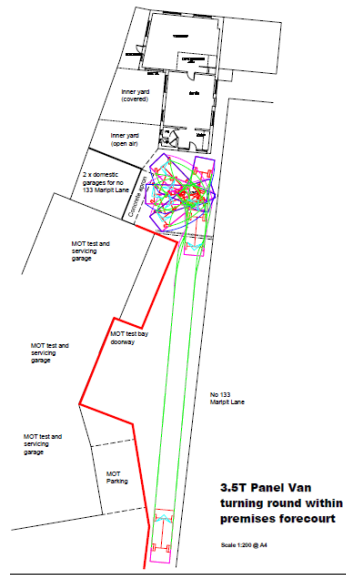
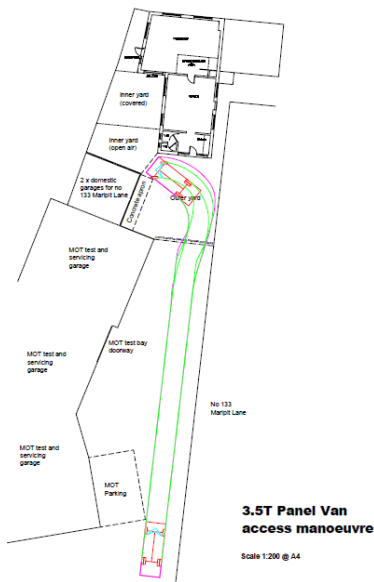
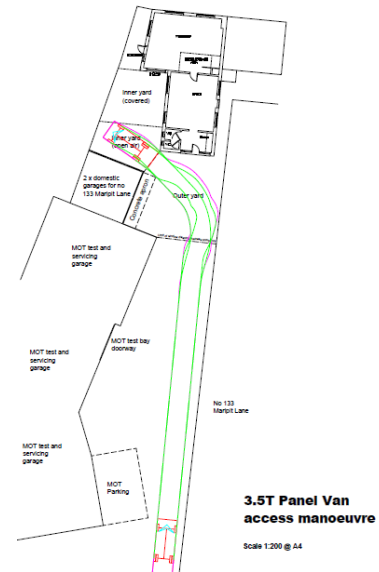
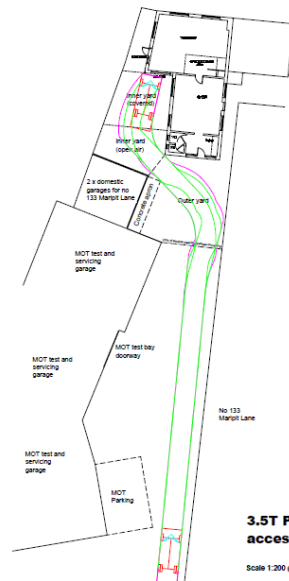
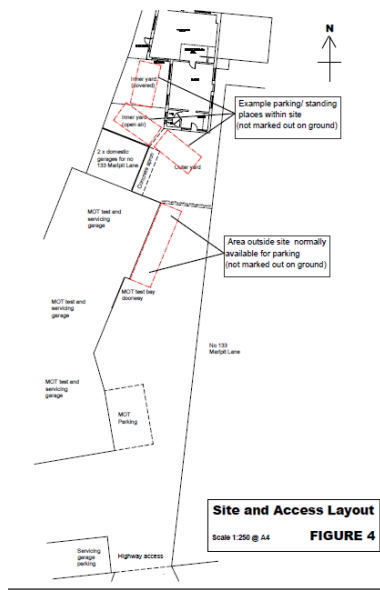
Impact on the amenity of adjoining occupiers

- 8.7 The applicant has submitted a revised Management Plan which outlines that:

- Operating hours between 08:30 and 17:30 Monday to Friday (excluding weekends and reduced office hours are operated on public holidays)
 - Maximum of 5 employees arrive at the premises to collect vehicles at 06:30. The management plan states, vehicle collection happens within 5 minutes.
 - Office closed with no further coming and goings until 08:30 and the start of core operating hours.
 - Company policy requiring employees attending at 06:30 to keep levels of noise to a minimum when collecting vehicles
 - Vehicles returned to premises between 12:00-17:00 when they are prepared for the following day and left at the premises overnight.
 - During the day when vans are offsite, on-site parking spaces can be utilised by collection/delivery vehicles and customers.
 - Employees do not park on site and take public transport or walk to work.
- 8.8 It is recommended for a condition to be attached for the use to be operated as per the revised management plan (including the number of people and company policy regarding noise reduction as outlined in the management plan and hours of use) in order to minimise impact on the neighbouring residents.
- 8.9 Environmental Health have advised one complaint was received in 2012 regarding children in a nearby garden talking and laughing, no further action was taken. No complaints have been received by Environmental Health in relation to the use the subject of this application. Given the previous use and with the condition as stated above would minimise the impact on adjacent neighbouring properties by reason of noise and disturbance. This is considered acceptable.
- 8.10 Representations also received on the grounds of overlooking/loss of privacy/overshadowing. Whilst there are members of staff/people attending the premises, it is considered it would not be so detrimental to the occupiers of neighbouring properties as to warrant a refusal.
- 8.11 The site has been identified as potentially contaminated land. It is recommended for a condition to be attached for an Environmental and Historical Site Review to be carried out. It is recommended given the use has commenced that the information should be submitted within 6 months of the date of decision.

Highway/Parking consideration

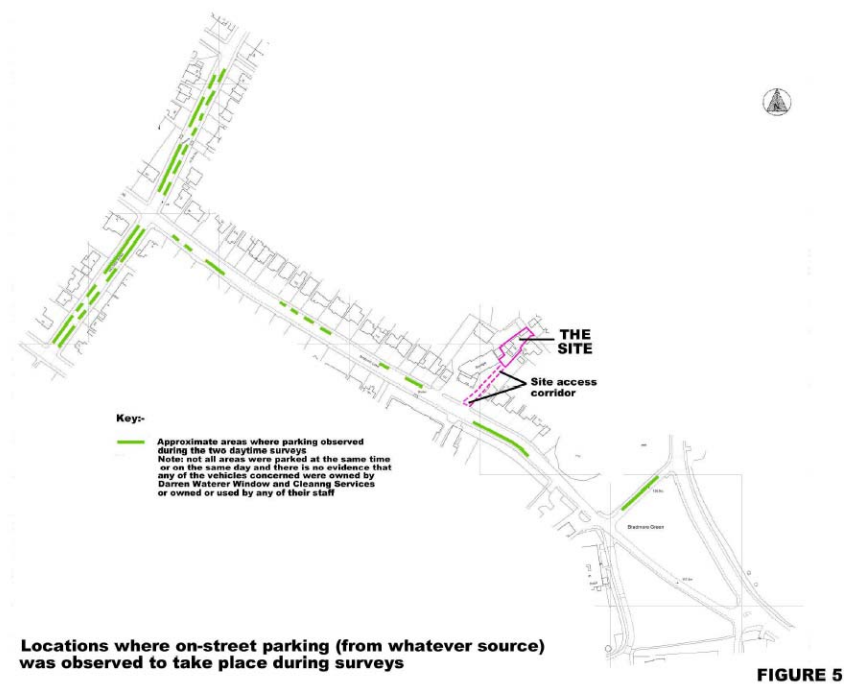
- 8.12 A revised Transport Statement was submitted (dated Oct 2019) on 30th October 2019. The Transport Statement states “The business has two vans and 5 cars. These are normally out on business during the working day, calling at the site only briefly to load up with cleaning materials. Only the two vans, if any vehicles, are normally parked on the site overnight. Most company vehicles are normally taken home by staff overnight and consequently not parked in the area. The business has a total of 20 staff, of which 4 are office staff, the others being field-based cleaning staff. 7 employees are either resident on the site or live locally and walk to work. 3 others are known to travel to work by public transport, while the other 10 come by car, but in a total of only 5 cars due to car sharing. The core operating hours are 08.30 – 17.30 Monday – Friday, but there is some activity around 06.30 when a few workers (no more than 5) attend the site to collect vehicles to go to early appointments. Vehicles generally return to the site in the afternoon to be prepared for the following working day”.



8.13 A forecourt plan was submitted showing existing arrangements.



- 8.14 The agent has advised, no 131 does not park in front of their garages and has no right to do so. 131 has no ownership rights to the front of the garages. Therefore there would be sufficient space for the vehicle to turn as shown on the swept path drawing showing a vehicle manoeuvring on site as there would not be a vehicle in front of the garage to impinge this movement.
- 8.15 The Transport Statement confirms in relation to site access and parking “These confirm that although the available yard space is quite compact the site can be satisfactorily accessed and parked in by the small number of vehicles needing to do so and that such vehicles can turn round and leave the premises, either within the premises forecourt or in front of the neighbouring garage MOT test bay, where there would normally be no vehicles parked. Observations confirm the traffic movement to and from the site, and to and from the adjacent commercial garage business, is absolutely negligible at all times and there are no operational problems in relation to either business”.
- 8.16 With regard to off-site parking, the image below shows locations where on-street parking was observed.

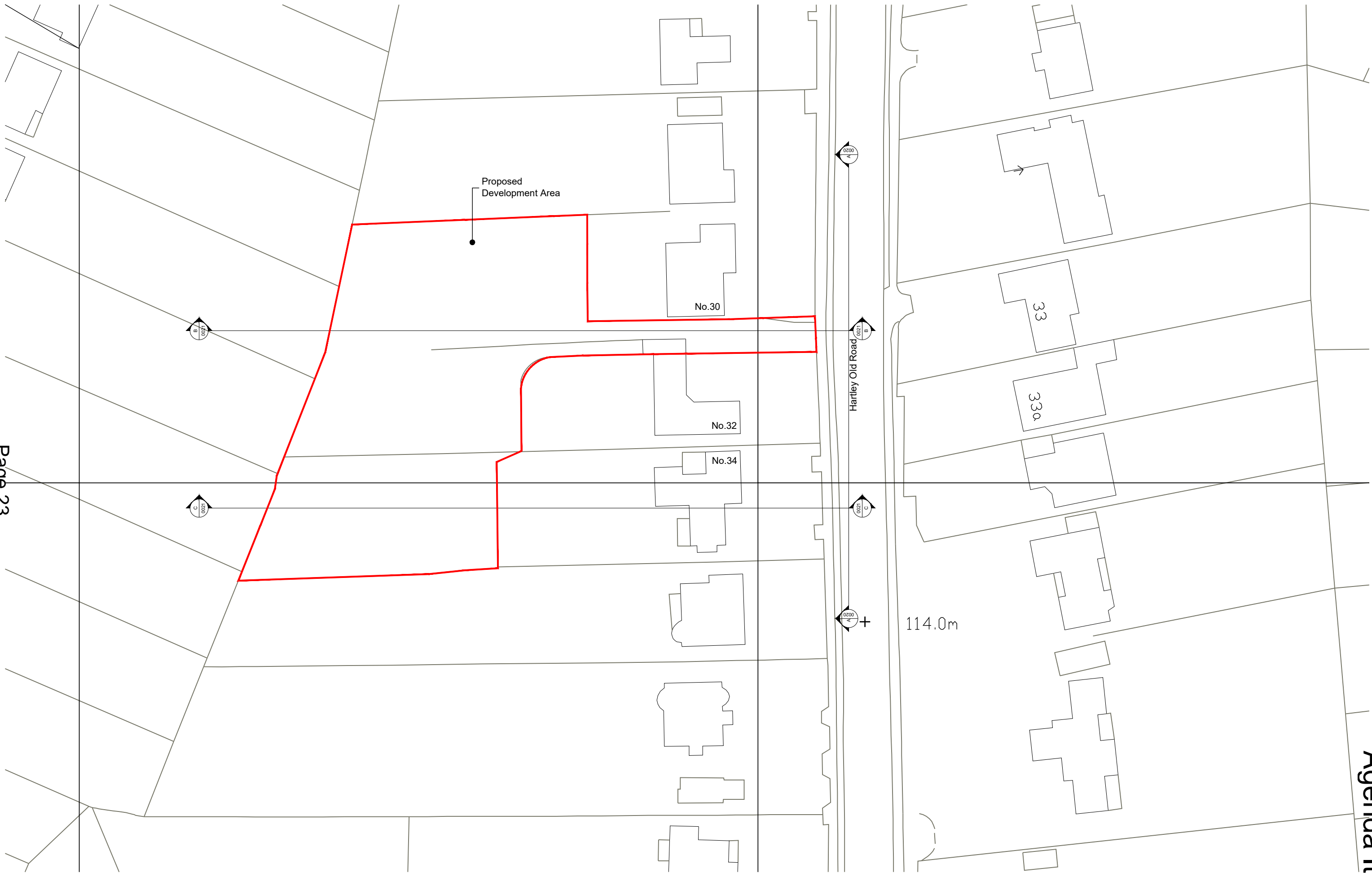


- 8.17 Officers are satisfied that there is plenty of on street parking available if required by employees or visitors. Whilst some tight turning is required on site, it is far enough from the public highway to not have a detrimental effect on highway efficiency/safety, it is therefore deemed acceptable. The amount of vehicle trips could be higher under the lawful use and could make use of larger vehicles.

Conclusions

- 8.19 All other relevant policies and considerations, including equalities, have been taken into account.

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PLEASE NOTE
 FOR CONSTRUCTION PURPOSES USE ONLY FIGURED DIMENSIONS. THIS DRAWING MUST ALWAYS BE READ IN CONJUNCTION WITH ALL RELEVANT PROJECT DETAILS. ALL DIMENSIONS MUST BE CHECKED ON SITE PRIOR TO COMMENCEMENT. PLEASE REPORT ANY DISCREPANCY TO THE ARCHITECT OR CONTRACT ADMINISTRATOR
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Revisions			
P1	01.08.19	TT	FIRST ISSUE



Drawing Location Plan		Date Aug-19	
Project/Client 32 Hartley Old Road, Purley Mr A & Mrs M Smithson		Scale @ A3 1:500	
Job reference 1744 001	Drawing number	Revision P1	Purpose of Issue Approval

HazleMcCormackYoung LLP/Chartered Architects/
 Leap House/ Frog Lane/ Tunbridge Wells/ Ken
 TN1 1YT / t 01892 515311 / f 01892 515285

HMY
 Agenda Item 5.2

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PART 5: Planning Applications for Decision

Item 5.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 19/00884/FUL
 Location: Land R/O 30 - 34 Hartley Old Road, Purley, CR8 4HG
 Ward: Purley and Woodcote
 Description: Erection of 3 x 5-bedroom 9-person detached dwellinghouses with associated parking and landscaping. Demolition of the garage to 32 Hartley Old Road to enable the construction of a new vehicle access / crossover.
 Drawing Nos: 1744 001 Rev P1; 1744 002 Rev P1; 1744 010 Rev P1; 1744 011 Rev P1; 1744 012 Rev P1; 1744 013 Rev P1; 1744 015 Rev P1; 1744 016 Rev P1; 1744 017 Rev P1; 1744 020 Rev P1; 1744 021 Rev P1; 1744 025 Rev P1; 1744 026 Rev P1.
 Applicant: Mr Andrew Smithson
 Case Officer: Lucas Zoricak

	5B 9P	Total
Existing Provision	0	0
Proposed Provision	3	3

1.1 This application is being reported to Planning Sub Committee because objections above the threshold in the Committee Consideration Criteria have been received and because the Ward Councillor (Cllr Oviri) and Hartley and District Residents Association requested Committee Consideration.

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. Details of facing materials and wildlife habitat specification
- 3. Obscure glazing
- 4. Tree protection documents and bat / reptile survey
- 5. Hard and soft landscaping to be submitted
- 6. Refuse strategy
- 7. Details of new street

8. Details of boundaries, cycle storages, visibility splays
9. PD rights removed
10. Sustainable urban drainage details
11. Construction Logistics Plan
12. Vehicular access details
13. Condition survey
14. 19% reduction in CO2 Emissions
15. 110l Water Restriction
16. Time limit of 3 years
17. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) CIL
- 2) Party Wall Act 1996
- 3) Code of practise for Construction Sites
- 4) Highways – Proposed design drawings to be submitted
- 5) Highways – Details of the crossover and access road to be submitted
- 6) Highways – Application to the highways team
- 7) Highways – S278 agreement
- 8) 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:

- Erection of 3 x 2-storey 5 bedroom 9 person detached dwelling houses within rear gardens of Nos.30, 32 and 34 Hartley Old Road. The dwellings would share a similar appearance, material and built form. The dwellings would feature gable roofs and comprise a single storey rear extension. The dwellings would sit on plots of approximately 400m² and have rear gardens of between approximately 110m² to 150m²;
- Construction of a new 4.5m wide access road and vehicular crossover. The demolition of the existing side garage abutted to No.32 would allow for the formation of a new private access link between the proposed cul-de-sac development and Hartley Old Road;
- Provision of 10 off-street spaces for the proposed development (3 parking spaces for dwellings on Plot 2 and Plot 3, 4 parking spaces for dwelling on Plot 1) and 4 off-street parking spaces for 32 Hartley Old Road.

3.2 Permission was recently granted for a similar scheme (reference 16/02965/P). The proposed development has the following differences:

- Reposition of the dwelling on Plot 1 and rotated so the rear elevation is not facing directly towards the garden of No.28;
- Removal of flank openings facing No.28 Hartley Old Road;
- Reposition of the external garage for dwelling on Plot 1;
- Reduction of the internal garages from 2 to 1 parking spaces;
- Addition of a single storey rear extension to each dwelling;
- Removal of front projecting gables;
- All dwelling would be finished in brickwork and hung tiles;
- The width of the access road has increased from 4m to 4.5m.

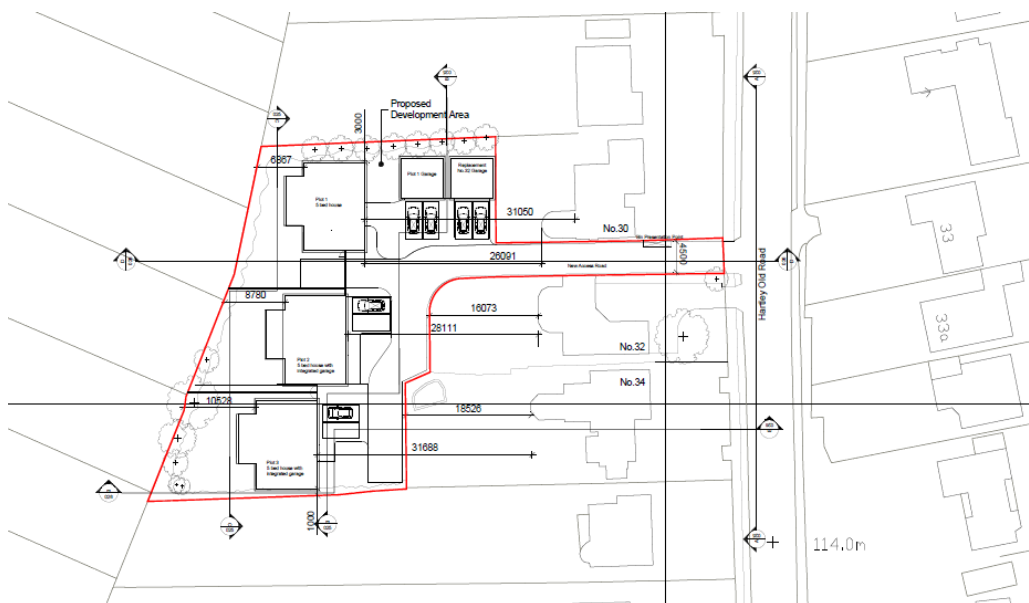


Figure 1 Proposed site plan

Site and Surroundings

- 3.4 The site currently forms part of rear gardens of neighbouring properties Nos.30, 32 and 34 Hartley Old Road, located on western side of Hartley Old Road, Purley. The land appears to have been informally subdivided from neighbouring properties' gardens for some time, but this represents the lawful use of the site. The site is on a significant slope, with the ground rising to the south. The level also decreases to the west (rear) of the site with the properties on Hartley Down being significantly lower.
- 3.5 Hartley Old Road is characterised by generally large detached houses of single and two-storey dwelling. Buildings sit in large plots and are set back from the street, generally with hardstanding to the front. There are no infill cul-de-sacs of the type proposed in this part of Hartley Old Road.
- 3.6 The site has a Public Transport Accessibility Level (PTAL) of 1B which confirms poor access to public transport. The application site lies within an area at very

low risk of surface water flooding as identified by the Croydon flood maps. There are no other constraints affecting the application site.

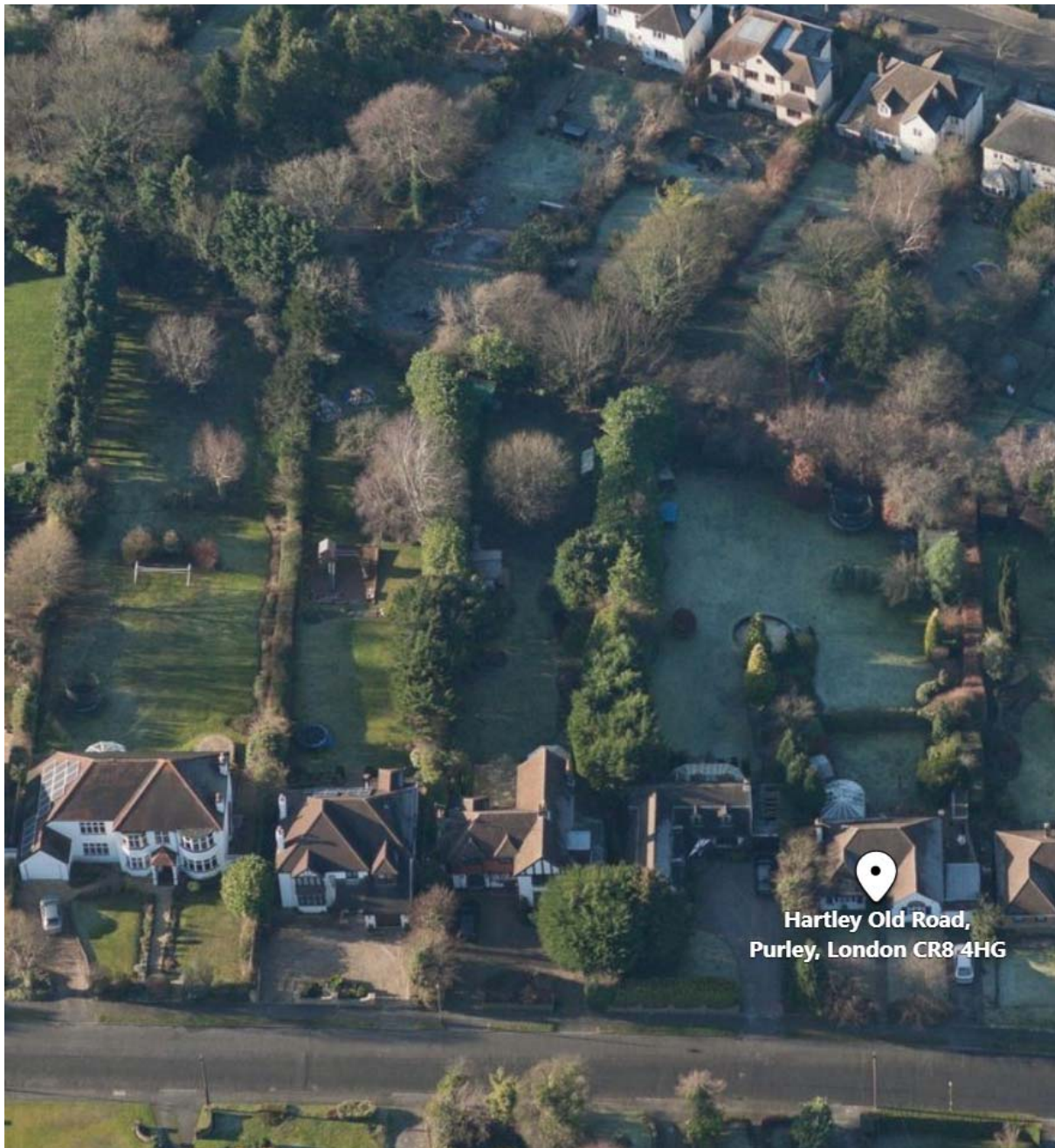


Figure 2 Aerial photograph of site and surrounding area

Planning History

- 3.7 19/02020/PRE - Construction of 3 detached dwelling houses - 29.04.2019.
- 3.8 Planning permission was granted (by Planning Committee) on 12th April 2017 for the erection of 2 five bedroom detached houses with attached double garage and 1 four bedroom detached house with detached garage; formation of access road (LBC ref. 16/02965/P). The scheme has not been commenced, but is still extant.

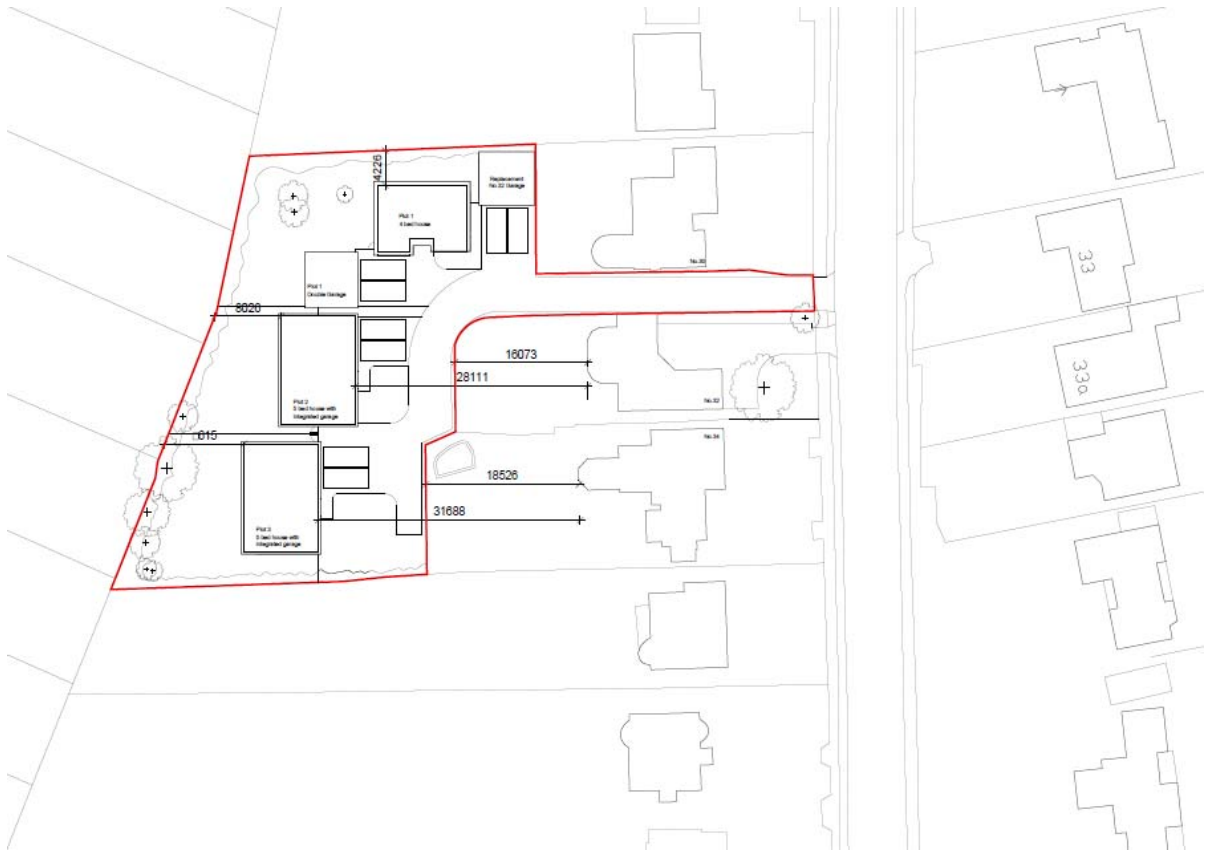


Figure 3 Previously approved site plan (main difference is orientation of plot 1)

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development would create good quality residential accommodation that would make a positive contribution to the borough's housing stock and would make a small contribution to the Council achieving its housing targets as set out in the London Plan (2016) and Croydon Local Plan (2018). The proposed development would provide an appropriate family size dwelling.
- The proposed development would be of an appropriate mass, scale, form and design that would respect the established built form of the surrounding area.
- The proposed development would not cause unacceptable harm to the amenities of neighbouring residential occupiers.
- Subject to the imposition of conditions, the proposed development would not have an adverse impact on the operation of the highway.
- Subject to conditions, the proposals would not have an adverse impact on flooding.
- Sustainability aspects can be controlled by conditions.
- The principal of the scheme was approved in 2017 (ref. 16/02965/P) and this is considered to be a better scheme in terms of its appearance and impact on neighbouring amenity.

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 42 letters of notification to neighbouring properties in the vicinity of the application site and a site notice displayed outside No.32 Hartley Old Road on 11.10.2019. The number of representations received from neighbours, a Residents' Association (Hartley and District Residents Association) and a local ward Councillor in response to notification and publicity of the application are as follows:

No of individual responses: 27 Objecting: 27 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:

Summary of objections	Response
<i>Principle of development</i>	
Overdevelopment and intensification	Addressed in the report at paragraphs 8.2 – 8.14
Precedent	Addressed in the report at paragraphs 8.2 – 8.14
<i>Design</i>	
Over intensification – too dense	Addressed in the report at paragraphs 8.2 – 8.1
Out of character	Addressed in the report at paragraphs 8.6 – 8.14
Excessive scale and massing	Addressed in the report at paragraphs 8.6 – 8.14
Visual impact on the character of the area	Addressed in the report at paragraphs 8.6 – 8.14
Harm to the suburban character	Addressed in the report at paragraphs 8.6 – 8.14
<i>Amenities</i>	
Negative impact on neighbouring amenities	Addressed in the report at paragraphs 8.15 – 8.23
Loss of amenity space (rear garden)	Addressed in the report at paragraphs 8.15 – 8.23
Loss of light	Addressed in the report at paragraphs 8.15 – 8.23
Loss of privacy	Addressed in the report at paragraphs 8.15 – 8.23
Overlooking	Addressed in the report at paragraphs 8.15 – 8.23
Disturbance (noise, pollution etc.)	Addressed in the report at paragraph 8.22 – 8.23

<i>Traffic & Parking</i>	
Negative impact on parking and traffic generation in the area	Addressed in the report at paragraphs 8.30 – 8.36
Negative impact on highway safety	Addressed in the report at paragraph 8.30 – 8.36
Inadequate access for emergency vehicles	Addressed in the report at paragraphs 8.33
<i>Other matters</i>	
Loss / reduction of trees	Addressed in the report at paragraphs 8.37 – 8.38
Wildlife / loss of natural habitat	Addressed in the report at paragraphs 8.39
Drainage / Flooding	Addressed in the report at paragraphs 8.40
Construction disturbance	Addressed in the report at paragraph 8.42

6.3 Cllr Oni Oviri (Purley and Woodcote Ward) has referred the application to Planning Committee and raised the following issues:

- Overdevelopment of the site
- Scale and siting of the proposed development
- Loss of garden space
- Loss of amenity to neighbours (overlooking, privacy)
- Out of character
- Noise and disturbance

6.4 Hartley and District Residents Association referred the application to Planning Committee and have raised the following issues:

- Loss of greenspace and wildlife habitat
- Overlooking and privacy
- Loss of trees and vegetation
- Noise and disturbance
- Insufficient information submitted (Construction Logistics Plan, Sustainable Drainage Strategy, Refuse/recycle/cycle storage etc.)

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. Such 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 (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) revised in February 2019. 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;
- Delivery of housing
- Promoting social, recreational and cultural facilities and services the community needs
- 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 2016

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self sufficiency
- 5.18 Construction, Demolition and excavation waste
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 8.3 Community infrastructure levy

7.5 Croydon Local Plan (adopted February 2018)

- SP1 – The places of Croydon
- SP2 – Homes
- DM1 – Housing choice for sustainable communities
- SP4 – Urban Design and Local Character
- DM10 – Design and character

- DM13 – Refuse and recycling
- SP6 – Environment and Climate Change
- DM23 – Development and construction
- DM24 – Land contamination
- DM25 – Sustainable drainage systems and reducing flood risk
- SP7 – Green Grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and Communications
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development
- DM42 – Purley

7.6 Suburban Design Guide Supplementary Planning Document (SPD) 2019

The SPD is a Housing Design Guide that provides guidance on suburban residential developments and extensions and alterations to existing homes across the borough. The SPD is a design guide for suburban developments likely to occur on windfall sites where existing homes are to be redeveloped to provide for several homes or proposals for building homes in rear gardens.

7.7 Other relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- National Technical Housing Standards, 2015
- National Planning Practice Guidance

7.8 Emerging New London Plan

Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan is currently with the Secretary of State and no response had been submitted to the Mayor from the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but

slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.

It is important to note, should the Secretary of State support the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.

For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The principle of residential development of the site has previously been established. A new Croydon Local Plan has been adopted since then, but the previous approval is a material consideration which should be given weight in decision making.

8.2 The principal issues of this particular application relate to:

- The principle of the development;
- Impact of the development on the character and appearance of the area;
- Impact of the development on residential amenities;
- Standard of accommodation;
- Transport and highways impacts;
- Environment and sustainability; and
- Other matters

The Principle of Development

8.2 Chapter 6 of the National Planning Policy Framework (NPPF) indicates that housing application should be considered in the context of a presumption in favour of sustainable development and that is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

8.3 Policy 3.3 of the London Plan 2016 recognises the pressing need for more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes which meet their requirements for different sizes and types of dwellings in the highest quality environments. The impact of the draft London Plan is set out in paragraph 7.8 above. Policy SP2 of the Croydon Local Plan (2018) outlines “the Council will apply a presumption in favour of development of new homes provided applications for residential development to meet the requirements of Policy SP2, SP3.14 and other applicable policies of the development plan.” It also requires that “land is used efficiently and that development address the need

for different types of homes in the borough and contributes to the creation or maintenance of sustainable communities. The London Housing SPG 1.2.32 outlines “proposals for well-designed, high quality new homes on site suitable for infill development should be considered positively by boroughs, unless there are robust reasons to refuse development.” The Supplementary Planning Document: Suburban Design Guide (2019) sets out guidance on subdivision of plots and infill development, stating that it is acceptable where it respects the character of the area. This will be assessed in more detail below.

- 8.4 The proposal would provide 3 x 5 bedroom 9 person family size dwellings. As such, the provision of a family sized unit (3 bed dwelling) would be in broad accordance with Croydon Local Policy DM1.2.
- 8.5 The proposal would see a residential development within rear gardens of Nos.30, 32 and 34 Hartley Old Road. The site is located within an established residential area and the scheme would provide 3 additional dwellings in the locality. As such, it is considered the principle of rear garden development on the site is acceptable, subject to material considerations below.

Impact of the Development on the Character and Appearance of the Area

- 8.6 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality. London Plan Policies 7.1, 7.4, 7.5 and 7.6 state that development should have regard to the character of the area and that architecture should make a positive contribution to the public realm and streetscape. Policies SP4 and DM10 of the Croydon Local Plan (2018) reiterate this and state that development should be of high quality design and enhance Croydon’s varied character. DM10.1 further states that proposals should be of high quality and whilst seeking to achieve a minimum height of 3 storeys should respect:
 - a. The development pattern, layout and siting;
 - b. The scale, height, massing, and density;
 - c. The appearance, existing materials and built and natural features of the surrounding area; the Place of Croydon in which it is located.

DM10.1 also goes on to state that developments in the grounds of existing buildings to be retained should be subservient to that building. Given the proposed development would not exceed 2-storeys and the separation distance afforded between the new and donor properties, the subservience of the buildings would be considered acceptable and in line with the above policy.

- 8.7 The area is characterised by single / two-storey detached dwellings. Paragraph 2.12.1 of the SDG (2019) advises that height of rear garden development may be equivalent to that of the neighbouring property where no part of the development is within 18m of the rear wall of the neighbouring property. The dwellings would be separated from the properties to the front (Hartley Old Road) by approximately 30 meters and with over 60 meters to the properties to the rear (Hartley Down). As such, significant separation distances would be maintained, in keeping with the suburban character of the area. The proposed two-storey detached dwellings would therefore respect the established built form of the

surrounding area and would sufficiently maintain the local character, in accordance with the Local Plan Policy DM10.1 and SDG.

- 8.8 The external finish of dwellings would be limited to brickwork and hung tiles, allowing for a coherent and sympathetic appearance of a group of 3 new dwellings.
- 8.9 Whilst the new dwellings would sit within close proximity to the side and rear boundary of the site, the dwelling would be sited on large plots, with garden areas in excess of 100m². Separation distances between the dwellings would ensure the development would not appear overly cramped. Whilst there would be a greater separation distance between Plot 1 and Plot 2, the dwelling on Plot 1 would be rotated (rear elevation would not facing directly toward the rear garden of No.28) and the front elevation would face the rear of No.30 Hartley Old Road. Plot 2 and Plot 3 would be positioned closer together and would mirror the siting of No.32 and 34 Hartley Old Road. As such, the proposal is not considered to be out of keeping with the character of the area with regards to density or site layout.
- 8.10 The two detached garages would be centrally located between Plot 1 and No.30 Hartley Old Road. Given the proposed sitting, scale, design and material, these elements are considered acceptable in terms of the visual amenity.
- 8.11 The topology of the site with a significant drop in levels from Hartley Old Road to the rear of the site (western boundary), would enable the development to be obscured from the Hartley Old Road streetscene.
- 8.12 Whilst dwellings in Hartley Old Road generally benefit from a hardstanding to the front, the proposal would be the first cul-de-sac in the immediate area, creating a different layout to the existing character of the area (where dwellings front onto the street). However, Nos.30 and 32 Hartley Old Road are detached dwellings and the separation distance between the properties would be maintained. There is also sufficient separation distance between two of the host properties for an access to be provided in the same manner as the existing access to a garage. There is sufficient width to the frontage of 32 Hartley Old Road that a new access could be accommodated without appearing cramped or having a detrimental impact on the tree to the front. This element is therefore not considered to harm the visual amenity of the area.
- 8.13 As such, the proposed development, by reason of its proposed scale, siting, design, bulk, form, massing and material, would respect the established built form of the area/local context and would sufficiently maintain the local character of the Hartley Old Road streetscene
- 8.14 In the light of the above, officers are of the opinion that the proposed development would comply with the objectives of the above policies and the Suburban Design Guide SPD (2019) in terms of the visual amenity.

Impact of the Development on Residential Amenities

8.15 The London Plan 2016 Policy 7.6 states that amongst other that development should “not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.” Policy DM10.6 of the Croydon Local Plan (2018) states the local planning authority would not support development proposals which would have an adverse effects on the amenities of the occupiers of adjoining buildings. Policy DM10 of the Croydon Local Plan (2018) and SPD Suburban Design Guide (2019) states proposals should not negatively impact upon neighbouring properties. The properties with the potential to be most affected are the adjoining properties Nos.28 and 36 Hartley Old Road, host properties Nos.30, 32, 34 Hartley Old Road and properties adjacent to the rear of the application site Nos.37, 39, 41 and 43 Hartley Down.

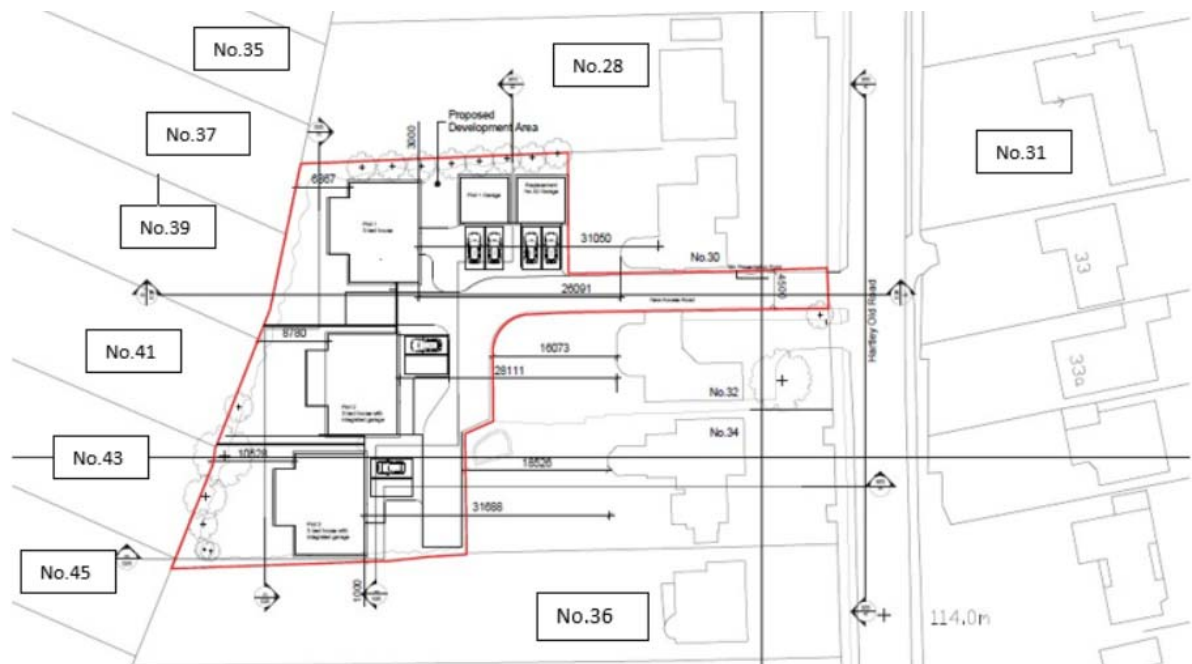


Figure 4 Proposed site plan in relation to neighbouring properties

30, 32, 34 Hartley Old Road (host properties)

8.16 With regard to the impact on the amenity of the donor properties, the proposed dwellings would be of similar scale and composition, with a sufficient garden space provided / retained for the new dwellings / host properties. The new dwellings would maintain a separation distance of approximately 30 metres with the host properties. While a degree of mutual overlooking is expected in a suburban residential setting, the impact on privacy and overlooking would further be mitigated by the separation distance between the properties. Given these factors and the separation distance afforded, the proposed new dwellings would not result in any significant harm to the host properties in terms of loss of light, outlook, openness, overbearing form or sense of enclosure.

8.17 In terms of the reduction of the amenity space of the donor property, Policy DM10.4 (e) of the Croydon Local Plan (2018) requires a development in the grounds of an existing building which is retained, a minimum length of 10 metres and no less than half or 200m² (whichever is the smaller) of the existing garden area be retained for the host property, after the subdivision of the garden. This is

primarily to provide sufficient outlook and amenity for existing dwellings whose plot is proposed to be subdivided, but also to maintain a sense of openness between gardens. The host properties would continue to enjoy over 10 metres garden depth (No.30 with unchanged 13 metres, No.32 with 17 metres and No.34 with 23 metres) with approximately 266m² of rear garden space retained for No.32 and approximately 390m² for No.34 which would accord with policy requirements. The size of the rear garden of No.30 (approximately 180 m²) would remain unchanged.

- 8.18 With regard to the impact of the garages on No.30 Hartley Old Road, both structures would be single storey and recessed from the rear boundary with this property and would be approximately 11m from the main rear elevation of no 30. Given the proposed scale and changes in ground levels, only the hipped roof form of the garages would be visible when viewed from rear of No.30, which is not considered to have a significantly overbearing impact on this property.

28 and 36 Hartley Old Road (adjoining properties)

- 8.19 No.28 Hartley Old Road is a detached dwelling. The dwelling on Plot 1 would be separated approximately 30 metres from the rear wall of this property and recessed 3 metres from the side boundary with this neighbour. The dwelling on Plot 1 would not introduce any first floor flank openings and the proposal would therefore not result in any greater impact than currently experienced in terms of loss of privacy or overlooking of this neighbouring property and is SDG compliant in terms of not directly overlooking the first 10m of the garden area. It should be noted that the previously approved scheme was orientated at 90° to the current proposal, so windows in the rear elevation looked directly over the rear section of 28's rear garden. This orientation is considered to not result in greater overlooking than the consented scheme.

- 8.20 Separation distance between the dwelling on Plot 3 and rear of No.36 Hartley Old Road would be approximately 40 metres. The separation distance of 1 metre would be incorporated between the flank of the new dwelling and the common boundary. While two first floor flank window openings, facing the rear garden of this neighbour, are proposed, the openings would serve a bathroom. Obscure glazing has been conditioned. As such, the issues with privacy and overlooking would be prevented.

37, 39, 41 and 43 Hartley Down (rear of site)

- 8.21 In terms of the impact on the occupiers situated to the rear of the site, SDG 2.9.11 (2019) advises that back to back distances between habitable rooms should be managed through acceptable distances (18 metres separation between new and 3rd party dwelling) which should provide sufficient privacy to existing and new residents. A separation distance from the main rear wall of properties in Hartley Down to the rear elevation of the proposed dwellings would be approximately 60 metres, which would excessively exceed the guidance set out in the SDG (2019). Given the separation distance, the proposed dwellings would not have any adverse impact on the amenity of the occupiers of Nos.37,

39, 41 and 43 Hartley Down in terms of loss of light, outlook, privacy, overlooking, overbearing form or sense of enclosure.

Nos.31, 33, 33A, 35 Hartley Old Road (opposite of site)

- 8.22 These properties are located on the opposite side of donor properties Nos.30, 32 and 34 Hartley Old Road and a 90 metres separation between the proposed dwellings and the front elevation of these properties would be sufficient to prevent any harmful impact on the amenities of these occupiers.

General

- 8.23 With regard to the noise and disturbance, the proposed development would not result in undue noise, light or air pollution as a result of an increased number of occupants on the site. The increased number of three residential dwellings in this area would not significantly increase the number of vehicle movements to and from the site and would not be overly harmful. As such, the proposed development is considered acceptable in terms of the neighbouring amenity.
- 8.24 In the light of the above, it is considered that the dwellings, by reason of their proposed scale, siting, separation distances, means of openings, orientation, design, bulk and massing would not harm the amenities of the neighbouring properties and adjacent sites through the loss of light, outlook, privacy, overlooking, overbearing form or sense of enclosure. As such, the impact on neighbouring amenity would be acceptable and in line with the above reference policies.

Standard of Accommodation

- 8.25 The Nationally Described Space Standards (NDSS) (2015) provide minimum technical requirements for new dwellings, including minimum space standard for proposed dwellings. Policy 3.3 of the London Plan (2016) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. With regards to amenity space, London Plan Policy 3.5 and Policies SP2.8 and DM10 of the Croydon Local Plan (2018) require all residential developments to provide a suitable quantum and quality of private space, and to accord with the Mayor of London's Housing Supplementary Planning Guidance and the nationally described Technical Housing Standards (2015). The London Housing SPG states that a minimum of 5m² of private outdoor space should be provided for 1 person dwellings, increasing by 1 sqm per occupant. Similarly, Croydon Local Plan (2018) Policy DM10.4 requires development proposals to provide 5m² of private amenity space for 1 person dwellings and an extra 1m² should be provided for each additional occupant.
- 8.26 The proposed floor space for each unit would meet the minimum requirements of the Nationally Described Space Standards for unit of this type. The proposed dwellings would exceed the minimum GIA requirements for 5 bed 8 person two storey unit in the Nationally Described Space Standards (2015). The minimum gross internal floor area requirement for a 5 bedroom 8 person two storey unit as

set out in the NDSS (2015) would be 128m². The gross internal floor area of each proposed dwelling would be approximately 255m².

- 8.27 The scheme is considered to accord with the principles of good design as the dwellings would be dual aspect and would meet the technical requirements of the Nationally Described Space Standards in terms of dwelling sizes, bedroom sizes and minimum storage. Given the orientation of the site sufficient light and outlook would be provided.
- 8.28 Level access is proposed to all dwellings.
- 8.29 In terms of the private amenity space provision, the dwelling would have access to rear garden of over 100m² which significantly exceeds the required standard.
- 8.30 Overall, the development is considered to result in a high quality development, including an uplift in family accommodation and would offer future occupiers a good standard of amenity, including the provision of private amenity space, and thus accords with relevant policy.

Transport and Highways Impact

- 8.31 Policies SP8 of the Croydon Local Plan (2018) concerns traffic generation, sustainable travelling and parking standards. Policy DM30 of the Croydon Local Plan (2018) seeks to ensure that there is an appropriate level of car and cycle parking.
- 8.32 The site is not located in a controlled parking zone and lies within an area with a PTAL rating 1B which indicates poor level of accessibility to public transport links. The London Plan and Policy DM30 of the Croydon Local Plan (2018) set out maximum car parking standards for residential developments based on public transport accessibility levels and local character. This states that a maximum of 1.5 spaces per unit should be provided for 4+ bedroom properties. Whilst the provision of 3 - 4 off-street parking spaces (internal / external garage and driveway) per dwelling would be excessive, there are similar levels of off-street parking provision in the surrounding area. In contrast to the previously approved scheme, 16 off-street parking space were approved. As such, it is on balance considered that the parking provision for the proposed development is acceptable and would not result in any additional harm to parking / transport along Hartley Old Road.
- 8.33 Whilst the external garage at 32 Hartley Old Down would be lost to facilitate the new access road, off-street parking re-provision (detached garaged with 2 parking spaces and driveway with 2 parking spaces) would be made on the application site and would be sufficiently serve this host property. Details of the new access road vehicular access have been conditioned as well as the Construction Logistics Plan.
- 8.34 The access route would be a maximum of 4.5 metres in width, which is adequate for both refuse vehicles and emergency vehicles. Room within the site to turn these vehicles is not included. It is acceptable that there is not dedicated turning

space for emergency vehicles, given the infrequency with which they may be required and that they may not need to enter the site, subject to Building Regulations approval.

- 8.35 A planning condition has also been recommended to agree cycle storage details, thereby meeting policy requirements for cycle parking space in the site to bring the development in line with standards set out in the London Plan (2016).
- 8.36 Whilst a refuse storage area has been indicated on the proposed site plans (draw.no.1744 010 Rev P1), further details regarding siting, quantity, elevational treatment and external material have been conditioned.
- 8.37 Overall, it is not considered the proposed development would have a significant impact on local parking facilities, with the parking provision outlined. With conditions, the development would be considered acceptable from a transport and highway perspective.

Environment and Sustainability

- 8.38 Trees: Chapter 11 of the NPPF seeks to conserve and enhance the natural environment. Policy DM28 of the Croydon Local Plan (2018) states that existing trees of value should be retained and any loss as a result of the development should be replaced.
- 8.39 Whilst the application site contains some mature and semi-mature trees and shrubs, the application site is not covered by a Tree Preservation Order, nor is the site within a conservation area so trees on the site are not subject to planning controls. It is proposed to retain some of the hedge to the rear site boundary (rear of Plot 2 and Plot 3), 6 trees and hedges within the centre of the site would be felled. New vegetation is proposed on the boundary with No.28 Hartley Old Road. Tree protection measures and method statements for any works within root protection areas have been conditioned on Council's Arboricultural Officer request.
- 8.40 Biodiversity: A bat survey and habitat survey have been undertaken which concludes that there is a low risk of impact on bats and some risk of impact on other protected species, namely reptiles. Bats are likely to forage amongst the vegetation but no roosts are likely to be affected as no buildings are to be demolished, although there is some potential for bats to roost amongst the trees. A condition is recommended to ensure that surveys of trees are undertaken prior to their felling which is considered a proportionate approach as bats are also protected under other legislation. There are some reptile-suitable habitats located on site so a more detailed survey to identify their presence can be secured by condition, which can also require mitigation measures if necessary. No evidence of badgers routinely using the site has been found. If a set were to be present, it would be protected under other legislation. A condition can also secure the other recommendations of the report relating to landscaping and biodiversity features.

- 8.41 Flooding: The site does not fall within a Flood Risk Zone (Flood Zone 1: land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%)) defined by the Environment Agency and is not located within area of risk from surface water flooding. However, it is noted that Hartley Old Road is located within area with very low surface water flood risk. Given the accumulation of surface water outside the properties (Hartley Old Road) the submission of a Sustainable Urban Drainage System has been conditioned.
- 8.42 Conditions 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 have been recommended.

Other Matters

- 8.43 Representations have raised concern that construction works would be disruptive and large vehicles could cause congestion and damage to the highway. Details regarding the construction and traffic management have not been submitted, so it would be prudent to condition a Construction Logistics Plan to be approved as the condition ensures that the local planning authority maintains control to ensure the development progresses in an acceptable manner.

Conclusions

- 8.44 Having considered all of the above, against the backdrop of housing need, officers are satisfied that the proposed development would comply with the objectives of the above policies, subject to the provision of suitable conditions.
- 8.45 All other relevant policies and considerations, including equalities, have been taken into account.