

**PART 6: Planning Applications for Decision**

**Item 6.1**

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 18/00749/FUL  
 Location: 34 Arkwright Road, South Croydon CR2 0LL  
 Ward: Sanderstead  
 Description: Demolition of existing building: erection of a two storey building with accommodation in roof space comprising 6 two bedroom and 1 three bedroom flats: formation of associated access and provision of 7 parking spaces, cycle storage and refuse store.  
 Drawing Nos: BX27-S1-101B; BX27-S1-102B; BX27-S1-105B; BX27-S1-106B; BX27-S1-107B; BX27-S1-108B; BX27-S1-109B; BX27-S1-110B; BX27-S1-111B; BX27-S1-112B all uploaded on 21<sup>st</sup> August 2018 and BX27-S1-103C and BX27-S1-104C uploaded on 23<sup>rd</sup> August 2018.  
 Applicant: Mr Gerasimos Stamatelatos (Aventier Ltd)  
 Agent: N/A  
 Case Officer: Robert Naylor

	<b>studio</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Apartments</b>	0	0	6 (3 person)	1 (4 person)	0

*All units are proposed for private sale*

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
7 (including one disabled space)	14

1.1 This application is being reported to committee because the ward councillor Lynne Hale has made a representation in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

**2.0 RECOMMENDATION**

- 2.1 That the Planning Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- 1. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. Materials to be submitted
- 3. Details of Refuse/Cycles/Boundary/Electric vehicle charging point to be submitted
- 4. Car parking provided as specified
- 5. No additional windows in the flank elevations
- 6. Hard and soft landscaping to be submitted

7. 19% Carbon reduction
8. 110litre Water usage
9. Permeable forecourt material
10. Trees - Accordance with the Arb Report
11. Street Tree replacement
12. Inclusive access ground floor
13. Visibility Splays
14. Construction Logistics Plan to be submitted
15. In accordance with details of FRA
16. Ecological survey required.
17. Time limit of 3 years
18. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Community Infrastructure Levy
- 2) Code of practise for Construction Sites
- 3) Wildlife protection
- 4) 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:

- Demolition of existing detached house
- Erection of a two storey building with accommodation in roofspace
- Provision of 6 x two bedroom flats and 1 x three bedroom flat fronting Arkwright Road.
- Provision of 7 off-street spaces with associated access via Arkwright Road
- Provision associated refuse/cycle stores

3.2 The scheme has been amended during the application process in respect to a revised parking area and the layouts of the proposed building being pushed back further into the site more akin to the existing front building line. The internal layouts of the second floor have been amended to incorporate balconies to Units 6 & 7. The Design Access and Transport Statement, Detailed Design Review, Flood Risk Assessment & SuDs report have also been updated and amended.

### **Site and Surroundings**

3.3 The application site is currently occupied by a single family bungalow with accommodation in the roof space set well in the surrounding street scene of Arkwright Road on the eastern side. The site is bounded by a small access road that leads to 34a and 34b Arkwright Road which are two detached properties located at the rear of the pre-application site and backing onto the properties located in Ridge Langley.



Fig 1: Aerial street view highlighting the proposed site within the surrounding streetscene

- 3.4 Arkwright Road has a varied character, made up of a mix of single/two storey properties in relatively generous plots, with good spacing, with the area in general are made up of traditional dwellings. The site is located in Sanderstead ward and the area has also been designated as an area of surface water flooding and critical drainage area.

### **Planning History**

- 3.5 Small side and rear extensions were undertaken in the 1970's and the erection of a double garage to the rear that was granted in 1980.
- 3.6 Of relevance to this application is a similar scheme at 54 Arkwright Road by the same developer that was recently granted planning permission by Planning Committee for the demolition of existing building, erection of a two/three storey building with accommodation in roof space comprising 6 x two bedroom and 1 x three bedroom flats, formation of vehicular access and provision of 7 parking spaces, cycle and refuse storage and landscaping (Ref: 17/03916/FUL).

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

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.
- The living standards of future occupiers are satisfactory and Nationally Described Space Standard (NDSS) compliant
- The level of parking and impact upon highway safety and efficiency is considered acceptable and can be controlled through conditions.
- Sustainability aspects can be controlled by conditions

## 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 11 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, Chris Philp MP, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 182   Objecting: 180   Supporting: 2   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:

### Objections

- Not in keeping with the surrounding area
- Over development
- Over bearing scale – three storeys is too high
- Too dense
- On-street parking will compromise highway safety near to the junction.
- Loss of privacy, light and overlooking issues
- Increase in traffic
- Inadequate parking provision
- Increase in noise and disturbance
- Impacts on drainage and flooding
- Disruption during construction phase
- No affordable housing [OFFICER COMMENT: The scheme is for 7 units which is under the affordable contribution threshold of 10 units]
- Impact on local school and medical facilities
- Houses not flats should be built
- Impacts on wildlife and flora and fauna
- Waste and recycling are inadequate
- Violation of Human Rights [OFFICER COMMENTS: Article 8 rights are a material planning consideration and have to be balanced against all other material considerations. Case law has highlighted that the planning system is an appropriate forum for householders within which they have rights to make representations to the LPA, and that real evidence is required that a development would harm private and family life.]
- Inadequate landscaping – [OFFICER COMMENT: Condition 6 requires further information hard and soft landscaping to be submitted for approval of the LPA]

### Support

- Need for housing in the area

6.3 The following procedural or non-material issues were raised in representations and are addressed below:

- Developer selling on sites for profit [OFFICER COMMENTS: This is not a material planning consideration and the Local Planning Authority (LPA) cannot control how a developer chooses to progress and finance sites.]
- Consultation process is flawed [OFFICER COMMENTS: The application has been advertised and dealt with under the Statutory guidance]
- Restrictive Covenants preventing limiting use of the land to a single dwelling [OFFICER COMMENT: Restrictive covenants and planning applications operate independently of one another and not a material consideration. Private covenants prohibiting certain types of use is a civil matter and not in the remit of planning control]
- Incomplete submission [OFFICER COMMENT: The standard of the submission is considered acceptable for officers and respondents to reach a reasonable and informed view on the application as submitted. All the plans are scalable and sufficient to form the current recommendation]
- Boundary dispute [OFFICER COMMENT: Representation have been made that the boundaries are incorrect. This would be a civil matter between the relevant parties and not a material planning consideration]

#### 6.4 The following Councillors made representations:

- Cllr Lynne Hale (Sanderstead Ward Councillor) Objecting – NB: The representation was originally made by Cllr Dudley Mead which was taken over by Cllr Hale following the local elections.
  1. Overdevelopment due to size, density, bulk and massing
  2. Over-intensification and out of keeping with the streetscene
  3. Density out of character with nearby properties
  4. Loss of green areas to increased hard standing.
  5. It would detrimental to the amenities due to overlooking and loss of privacy

## 7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

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

#### 7.4 Consolidated London Plan 2015

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees

#### 7.5 Croydon Local Plan 2018

- SP2 - Homes
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM18 - Heritage assets and conservation
- DM23 - Development and construction
- DM28 - Trees
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development
- DM43 – Sanderstead

#### 7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

### **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Access and parking
6. Sustainability and environment
7. Trees and landscaping

## 8. Other matters

### **Principle of Development**

- 8.2 The London Plan and Croydon Local Plan identify appropriate use of land as a material consideration to ensure that opportunities for development are recognised and housing supply optimised. It is acknowledged that windfall schemes which provide sensitive renewal and intensification of existing residential areas play an important role in meeting demand for larger properties in the capital, helping to address overcrowding and affordability issues.
- 8.3 The application is for a flatted development providing additional high quality homes within the borough, which the Council is seeking to promote, and also provides a three bedroom unit, which the borough has an identified shortage of. The site is located within an existing residential area and as such providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues the principle is supported.

### **Townscape and Visual Impact**

- 8.4 The existing bungalow does not hold any significant architectural merit and therefore demolition is supported. There are a variety of house types and styles in the vicinity, including detached two storey properties, bungalows with accommodation in the roofspace, incorporating chalet style roofs and low level eaves.
- 8.5 Policy DM10.1 states that proposals should achieve a minimum height of 3 storeys, and the proposal is for a three storey building to be located at the site. Whilst it is acknowledged that the proposal represents an increase in the ridge height of the existing, the ridge height is akin to the adjoining properties which are both read as two storey, and the scheme therefore respects the scale and form of the area. The current bungalow is located on a ground level that is raised from the existing street level, and the proposal is to lower the ground level similar to that of the existing street, in order to reduce the overall height of the scheme. As such the massing is considered acceptable within the context of the site. In particular, the asymmetric articulation of the form across the front elevation, including the deep eaves in the centre, is welcomed.
- 8.6 The design of the building incorporates a traditional styled appearance, albeit using more contemporary materials, consisting of two gables to the front elevation and two bay elements are appropriate materials (plain clay hung tiles, render, white timber framed windows and clay roof tiles which can be secured through a condition) with an adequate balance between brick and glazing and appropriate roof proportions.



Fig 2: CGI highlighting the view of the proposed development from the street

- 8.7 The application site has a generous rear garden which is not visible from the public highway. The boundary will continue to be landscaped which would be in keeping with the area. Whilst it is acknowledged that the front of the site would be given over to hard-standing to allow for off street parking for the new dwellings, this is a feature of the surrounding area and there are areas of soft landscaping at the ground floor and along the boundary of the site to soften the appearance which can be conditioned. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 8.8 The reconfiguration of the front for parking requires a central access point for the vehicles to enter and exit the site in forward gear which requires an existing street tree to be removed. The tree is in poor condition (category U) and there is no objection from arborists to its removal providing that a replacement is provided nearby. This can be secured by a condition.
- 8.9 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 1a and as such the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha) the proposal would within this range at 162 hr/ha.
- 8.10 The scale and massing of the new build will respects the pattern and rhythm of neighbouring area, and would result in a high quality design. Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

### **Housing Quality for Future Occupiers**

- 8.11 All the units of the proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS). Whilst it is acknowledged that some of these units are on the cusp they all meet the minimum GIA requirements as set out in the NDSS, and are acceptable.
- 8.12 With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional unit. All the units located on the ground floor have access to private amenity space in excess of minimum standards, whilst the remaining properties at the upper floors all have private balconies. There is a significant amount of space proposed as communal gardens at the rear of the site. This could accommodate child play space (which can be conditioned)
- 8.13 In terms of accessibility, level access would be provided from the front door to the three ground floor units (which includes the family unit). London Plan states that developments of four stories or less require disabled unit provisions to be applied flexibly to ensure that the development is deliverable. Given the limitations of the footprint to provide the required accommodation, it is considered that one of the ground floor units should be M4(3) adaptable and the other one should be M4(2), This can be secured by condition. A disabled space is proposed for the parking area.
- 8.14 The development is considered to result in a high quality development including a three bedroom family unit all with adequate amenities and provides a good standard of accommodation for future occupiers.

### **Residential Amenity for Neighbours**

- 8.15 The properties that have the potential to be most affected are the adjoining properties at 32 and 36 Arkwright Road and the two properties at the rear of the site 34a and 34b Arkwright Road.

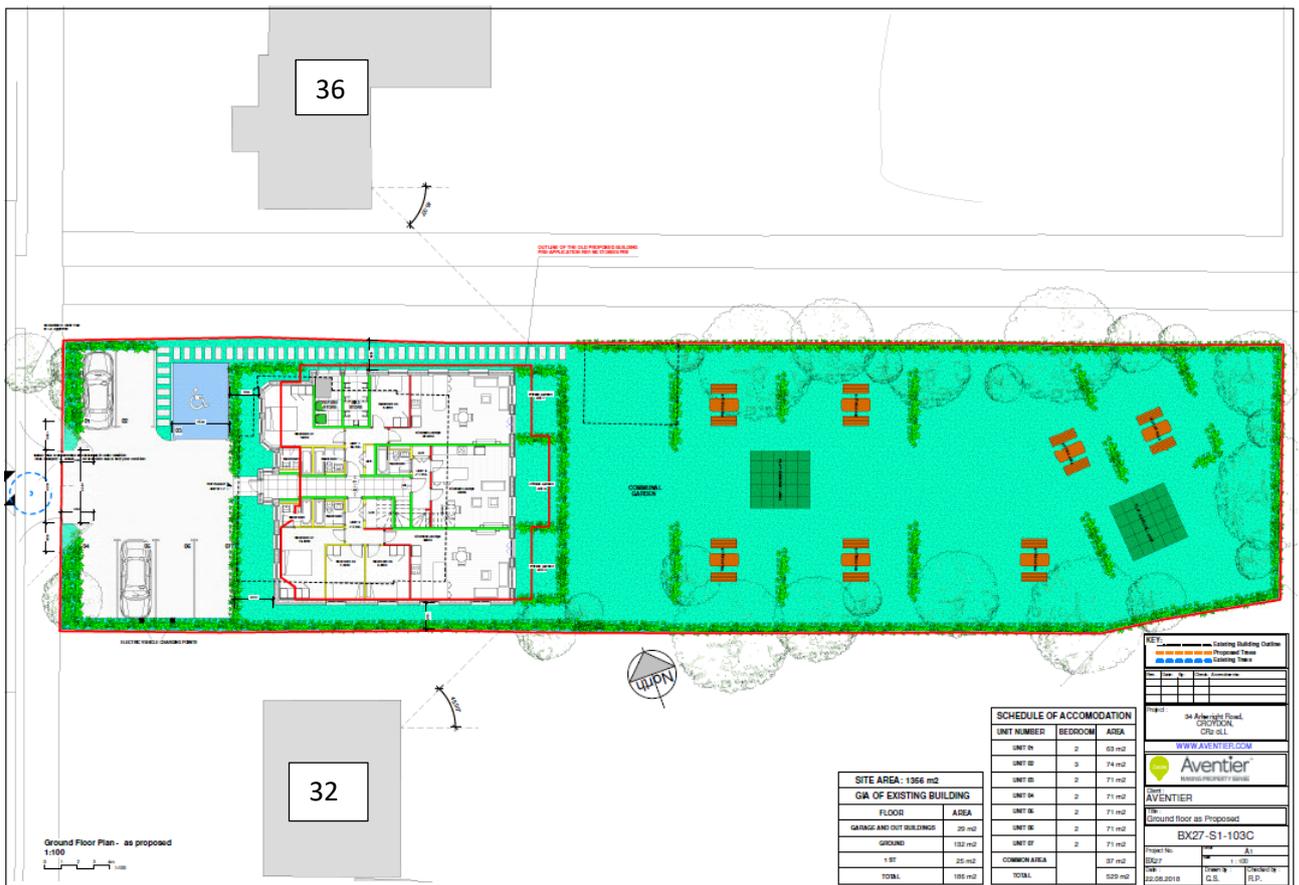


Fig 3: Ground floor plan highlighting the relationship with the adjoining occupiers.

### 32 Arkwright Road

- 8.16 The front building line of the proposal is set back from the existing building line and seeks to replicate a similar building line to the adjoining property to provide more consistency within the streetscene. However the main increase in the overall footprint of the building is experienced at the rear of the site, with approximately 4.3m deeper than the existing property and the height of the main building increasing by two storeys. This impact on 32 in terms of outlook is considered acceptable as the buildings are well spaced on large plots.
- 8.17 The scheme would pass the 45 degree BRE test for loss of light to the rear elevation windows and is to the north of this property. The new bulk of the proposal would be the first floor and roof element which is located approximately 1.6m from the boundary with number 32 which is also located in excess of 4.0m from this boundary. There is a close board fence and extensive vegetation along this boundary which is sought to be retained, and would help mitigate any issues of overlooking at ground floor level.
- 8.18 The property has windows in the rear and flank elevations at upper floor adjoining the proposed site. Planning permission was granted in March 2016 for the alterations; construction of three dormer extensions to front roof slope and one dormer extension in the rear roof slope; Erection of single storey link extension to adjacent detached garage and construction of pitched roof over the existing garage which indicates that the rear upper floor windows serve a bedroom and non habitable rooms including a w/c and a landing. The flank window also serves a bedroom. However both of the bedrooms appear dual aspect with the separation distances this is acceptable.

- 8.19 There are no windows proposed on the first floor at the side and as the rooflights are high level it is unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. Nevertheless it is considered prudent to condition obscure glazing to ensure that any future overlooking is mitigated along the flank elevations.
- 8.20 Whilst there would be a degree of overlooking as a consequence of the rear fenestration, this is not uncommon in a suburban location. Given the design, layout and separation between the properties the current boundary treatment and provision of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.

### 36 Arkwright Road

- 8.21 There is an access road between the property and the site proposal which separates the buildings by approximately 10m. The rear of the proposal would be approximately 4.2m deeper than the current property. Given the significant set off from the boundary the extension is not excessive in visual terms despite the increase in the height and depth at the rear.
- 8.22 In respect to loss of light, the extension would pass the 45 degree BRE test for loss of light to the rear elevation windows. It is acknowledged that there are two flank windows which front the proposal in the upper floors which serve a w/c and a bedroom, however these would pass the 25 degree tests in respect to facing windows.
- 8.23 There are no flank windows proposed at first floor levels and the rooflights are located at a high level it is unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. There would be a degree of overlooking as a consequence of the rear fenestration and location of the balconies, however this is not uncommon in a suburban location. Given the design, layout and separation between these properties the current boundary treatment and provision of a suitable landscaping scheme (secured by way of a planning condition) this is deemed acceptable to ensure no undue impact on the amenities of neighbouring properties.

### 34a and 34b Arkwright Road

- 8.24 Given the separation between this property and the proposal is in excess of 20m and the proposed landscaped boundary located between these properties which can be secured by condition, this relationship is acceptable.
- 8.25 Given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site. Subject to conditions the proposed development is not visually intrusive or result in a loss of privacy.

### **Access and Parking**

- 8.25 The site is located within a PTAL of 1a which is poor. The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. In Outer London areas with low PTAL (generally PTALs 0-1), boroughs should consider higher levels of provision which in this case would be 2 spaces per unit, although residential parking standards should be

applied flexibly. The provision of 2 spaces is a maximum provision and a 1:1 ratio would be more in line with the London Plan and Croydon Plan to reduce the reliance on the car and meet with sustainability targets.

- 8.26 The scheme provides 7 off-street parking spaces in a parking area at the front of the site which would equate to a 1:1 provision in respect to the units proposed at the site. There is a large existing area of hardstanding on the frontage, and the proposal would have additional spaces, however the scheme would allow for some planting which can be secured through a condition to retain the existing character. The parking layout and access arrangement permits access and exit movements in forward gear and would be acceptable subject to a condition providing the suitable visibility splays and as such would not harm the safety and efficiency of the highway network.
- 8.27 In compliance with the London Plan, electric vehicle charging points should be installed in the parking area and this can be secured by way of a condition. Cycle storage facilities would comply with the London Plan (which would require 14 spaces) as these are located within the footprint of the building and are therefore secure and undercover. However, consideration should be given to a more conventional layout with separate stands as it is sometimes difficult for wall stands to be used, as such further details will need to be secured by way of a condition.
- 8.28 Concerns have also been expressed in regard to the amount and type of excavation required at the site and further details are required as part of a construction method statement. A Demolition/Construction Logistic Plan (including a Construction Management Plan) will be needed before commencement of work and this could be secured through a condition.

### **Environment and sustainability**

- 8.29 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.
- 8.30 The applicants have submitted a Flood Risk Assessment (FRA) which based on a desktop study of underlying ground conditions, infiltration of surface water runoff following redevelopment may be feasible. To mitigate any residual risk of flooding, the FRA indicates that flood resilient construction techniques should be incorporated into the proposals and in order not exacerbate the risk of surface water flooding, surface water drainage arrangements for the redeveloped site should be in accordance with national and local policy requirements and should ensure that there is no increase in flows of surface water runoff when compared with the existing site.
- 8.31 Given the areas of hardstanding to be utilised as parking areas, permeable paving system should be incorporated as part of the scheme. This should accommodate surface water runoff from hardstanding areas in up to the 1 in 100 years plus 40% climate change event. This can be secured through a condition.

### **Trees and landscaping**

- 8.32 There are no trees on site subject to a tree preservation order. The applicants have submitted an Arboriculture Report and Impact Assessment which highlights that five small category C and U trees will be removed from the front of the site and

approximately 35 new trees along with shrubs and hedging will provide mitigation planting at the site. The works should be undertaken in accordance with the Arboriculture Report and Impact Assessment recommendations and this has been conditioned.

8.33 The relocation of the vehicular access route would require the removal of a street tree. This tree is a U category and could be removed providing that there is a suitable replacement which can be secured by condition and should be located on the greened traffic island near the site, subject to full details being provided. The current landscaping plan highlights a number of trees and shrubs to be located at the rear and the front of the site. There are concerns that some species proposed in the landscaping scheme, particularly at the front of the site could not be accommodated on site. As such a landscaping condition has been attached to ensure that the landscaping provided would provide suitable scheme at the site.

8.34 The application site is not near an area of special scientific interest or a site of nature conservation value. Respondents have indicated that protected species are present at the rear of the site. The applicant has indicated that they have conducted a walkover survey and confirmed that there was no evidence of protected species present. Also during the officer's site visit, there is no evidence to suggest that any protected species are on site. Nevertheless, given the levels of concern it would be prudent to attach a condition requiring a stage 1 survey to be undertaken prior to commencement. This has been attached.

8.35 With regard to additional wildlife concerns, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

### **Other matters**

8.37 Representations have raised concerns that local schools and other services will be unable to cope with additional families moving into the area. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

### **Conclusions**

8.38 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard given the proposed and conditioned landscape and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.

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