

**PART 5: Planning Applications for Decision****Item 5.3****1 SUMMARY OF APPLICATION DETAILS**

Ref: 18/02695/FUL  
Location: 23 The Drive  
Ward: Coulsdon Town  
Description: Construction of a part one/part three storey four bedroom detached house in rear garden with associated access driveway from The Drive, car parking and refuse storage  
Drawing Nos: 078/001/PA/100, 078/001/PA/105, 078/001/PA/110, 078/001/PA/111, 078/001/PA/210, 078/001/PA/211, 078/001/PA/215, 078/001/PA/216, 078/001/PA/217, 078/001/PA/310, 078/001/PA/311, CGI images x 4, Arboricultural Impact Assessment, Preliminary Ecological Appraisal – Final Report and Energy Strategy Report  
Applicant: Mr Papworth  
Agent: Mr Mike Bliss  
Case Officer: Georgina Galley

- 1.1 This application is being reported to Committee because the Ward Councillor (Cllr Luke Clancy) has made representation in accordance with the Committee Consideration Criteria and requested committee consideration.

**2 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) Materials to be submitted with samples
- 3) Car parking to be provided as specified in the application
- 4) Removal of permitted development rights for enlargements and outbuildings
- 5) No additional windows in the flank elevations
- 6) Windows in flank elevations to be obscure glazed
- 7) Rear flat roof not to be used as a balcony
- 8) Landscaping scheme to be submitted including hard/soft landscaping, retaining walls, boundary treatments and planting as boundary screening, details of green roof, SUDs techniques and habitat enhancement methods
- 9) Recommendations and habitat enhancements outlined in 'Preliminary Ecological Appraisal – Final Report' to be implemented
- 10) Trees at rear to be retained
- 11) Permeable forecourt material to be used for the lifetime of the development
- 12) Construction Logistics Plan to be submitted
- 13) 19% reduction in carbon emissions

- 14) Water usage restricted to 110 litres per person per day
- 15) Commencement of development within three years of consent being granted
- 16) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) CIL liability
- 3) Code of Practice for Construction Sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

3.1 The proposal comprises the following:

- Provision of part one/part three storey detached four bedroom dwelling in rear garden;
- A new access drive to the proposed dwelling would be created to the side of the donor property where the existing detached garage is currently located;
- Cycle storage and bin storage would be provided at the front of the proposed dwelling.

### **Site and Surroundings**

3.2 The application site consists of a two storey detached house that is located on the southern side of The Drive. The site consists of the rear garden area of No. 23, which slopes steeply downwards towards Brighton Road. The area is residential in character and mainly consists of similar sized detached properties. The site has a PTAL rating of 2 which means that it has moderate access to public transport. There are no on-street parking restrictions along the road.

### **Planning History**

3.3 17/02866/PRE – Pre-application advice sought in relation to a new house in the rear garden of No. 23 The Drive. It should be noted that the house shown as this submission was part one/part three storeys in height.

3.4 Rear of No. 31 The Drive

3.5 15/01666/P – Planning application for erection of four bedroom house; formation of vehicular access and provision of associated parking – Refused.

This application was refused on the following grounds:

1. *The development by reason of its siting, appearance, size, height and design including the changes in land levels and access road would result in an unsatisfactory cramped backland development harmful to the character of the*

*area and that would be detrimental to the amenities of the occupiers of adjoining residential properties resulting in visual intrusion, poor outlook, loss of privacy and noise and disturbance;*

- 2. The trees on this site are subject to TPO 10, 2015. The siting of the hard surfaces and the change of existing land levels would be likely to compromise the retention of a number of visually important, preserved trees. The loss of these trees would be detrimental to the character of the area.*

- 3.6 16/02390/P – Outline planning application for erection of detached house; formation of vehicular access and provision of associated parking – Refused

This application was refused on the following grounds:

- 1. The likely development including the access road would result in an unsatisfactory cramped backland development harmful to the character of the area and that it is likely the resulting house would provide a poor level of accommodation for future occupiers and would have a detrimental effect on the amenities of the occupiers of adjoining residential properties by reason of visual intrusion, poor outlook, loss of privacy and noise and disturbance;*
- 2. Several trees on this site are subject to TPO 10, 2015. The siting of the hard surfaces and the change of existing land levels would be likely to compromise the retention of a number of visually important, preserved trees. The loss of these trees would be detrimental to the character of the area;*
- 3. Several trees on this site are subject to TPO 10, 2015. The development does not follow the recommendations of BS 5837:2012 'Trees in Relation to Construction', on the principles to be applied to achieve a satisfactory relationship of trees with structures, which are essential to allow development to be integrated with trees. The potential loss of visually important trees as a result of this proposal would be detrimental to the character of the area.*

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

- The principle of residential development on the site is acceptable;
- The design and appearance of the development is appropriate given the gradient of the site;
- There would be no undue harm to the residential amenities of adjoining occupiers;
- The living standards of future occupiers are acceptable and compliant with the Nationally Described Space Standards and the London Plan;
- The level of parking and impact upon highway safety and efficiency is acceptable;
- Sustainability aspects of the development can be controlled by condition.

#### **5 CONSULTATION RESPONSE**

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

## **6 LOCAL REPRESENTATION**

6.1 Thirteen letters were sent to adjoining occupiers to advertise the application. 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: 11      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:

- Out of character;
- Over-development;
- Inappropriate as built into steep slope;
- The Drive is already used as a rat run by commuters and access to and from the property would add more danger to traffic;
- Increased pressure on parking;
- Loss of view of the trees at rear and Farthing Downs;
- Noise and disturbance;
- Increased number of people occupying the road;
- Access for emergency vehicles;
- Precedent [OFFICER COMMENT: each application is assessed on its own merits]
- If this one is approved, it will be inconsistent with the recent decision on No 31.
- Parking will be impossible as the drop from the road to the rear is so great, almost all cars will bottom out and will thus be unusable;
- Cars will have to park on the road;
- Overlook of the rear gardens of Brighton Road - although at present screened by trees, this screen will be much less effective when the trees are leafless in winter;
- It is quite possible that the trees will be removed altogether when it is found that they shade the house for much of the day;
- Increased bins on road;
- Loss of trees will impact air pollution;
- Impact on wildlife.

6.3 Cllr Luke Clancy has objected to the scheme, making the following representations:

- Over-development;
- Impact on neighbours;
- Waste arrangements.

## **7 RELEVANT PLANNING POLICIES AND GUIDANCE**

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

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in 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, including achieving well designed places that take the opportunities available for improving the character and quality of an area and the way it functions.

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

Consolidated London Plan 2011 (LP):

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

Croydon Local Plan 2018 (CLP):

- SP2 on Homes
- SP6.3 on Sustainable Design and Construction
- DM1 on Housing choice for sustainable communities
- DM10 on Design and character
- DM13 Refuse and recycling
- DM23 on Development and construction
- DM25 on Sustainable Drainage Systems and Reducing Flood Risk
- DM29 on Promoting sustainable travel and reducing congestion
- DM30 on Car and cycle parking in new development
- DM37 on Coulsdon

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

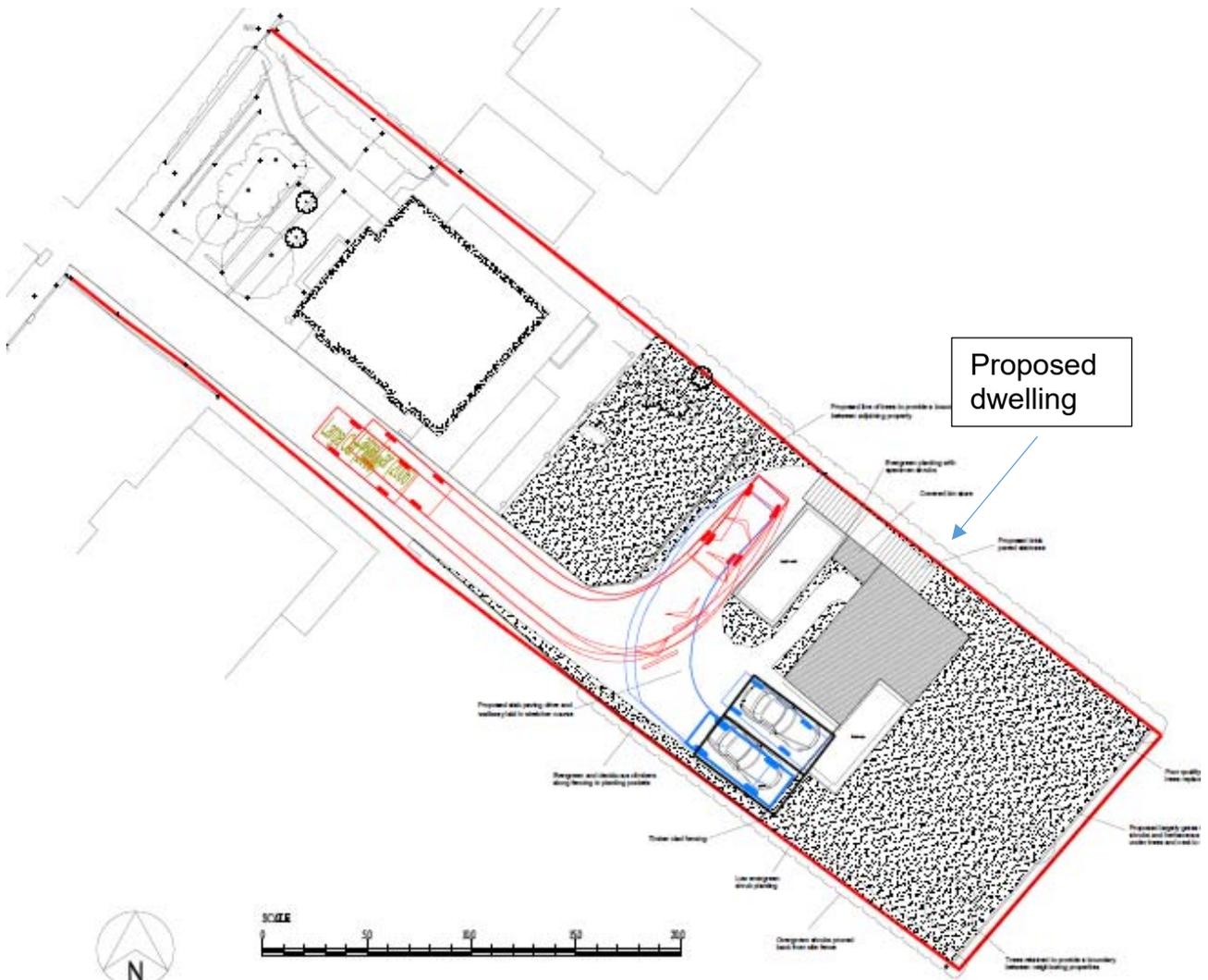
1. Townscape and visual impact
2. Trees and environment
3. Residential amenity of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and transport
6. Environment and sustainability

### **Townscape and visual impact**

- 8.2 Local Plan Policy DM10 supports back land development subject to impact on the character of an area and the amenities of adjoining properties. In the case of development in the grounds of an existing building which is retained, this policy states that a minimum length of 10m and no less than half or 200m<sup>2</sup> (whichever is the smaller) of the existing garden area should be retained for the host property, after the subdivision of the garden. Whilst the proposal would fail the second part of this policy (only 25% would be retained), it would comply with the first part in terms of the minimum depth and a useable area of garden space would remain this is considered acceptable overall.

8.3 Policy DM10.1 sets out that developments should seek to achieve three storeys whilst respecting the character of the area, particularly development pattern, layout and siting; scale, height, mass and density; and appearance, materials, features and the Place of Croydon.

8.4 The proposal would be located to the rear of the host property on a tight, sloping site. As such it would be at odds with parts of the existing development pattern of buildings fronting the street. However it responds to other elements and has been sensitively designed to be an appropriate width and depth of building, with a rear garden area.



8.5 The massing has been designed to make the most of the change in land level across the site and so would be one storey in height when viewed from the rear of the houses in The Drive and three storeys in height when seen from the rear of the properties along Brighton Road.



- 8.6 It is considered that the proposed dwelling would have limited views from public vantage points. Although the proposed dwelling would be capable of being viewed by the occupiers of a number of adjoining properties, it would have an acceptable impact on the surrounding area in terms of its design and appearance. The design of the dwelling has a modern appearance which breaks down its mass. Conditions are recommended in relation to sample materials, landscaping and boundary screening
- 8.7 It is acknowledged that two planning applications have been refused in the past for a new detached house at the rear of No. 31 The Drive under refs. 15/01666/P and 16/02390/P; however since this time the Croydon Local Plan has been adopted, with new policies relating to back land development. Each application is assessed on its own merits in accordance with the development plan and other material considerations relevant at the time.
- 8.8 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 adopted policies in terms of respecting local character.

### **Trees and environment**

- 8.9 The applicant has submitted an Arboricultural Impact Assessment which confirms that the proposed development would result in the removal of no Category A or B trees, 8 Category C trees and 2 Category C groups of trees/shrubs.
- 8.10 The report concludes that the proposed removal of the Category C trees and trees/shrubs would represent no more than what might be undertaken as part of reasonable maintenance of an overgrown garden. The impact would be mitigated by retention of the larger and more substantial sycamores (T19 and T20) together with the ash (T21), which provide valuable canopy cover and form part of a line of similar trees between the rear gardens of properties in The Drive and Brighton Road.

- 8.11 The retention of the trees at the rear of the site is supported and a condition would be appropriate. A condition is also suggested in relation to the recommendations and habitat enhancements outlined in Ecological Appraisal.

### **Residential amenity of adjoining occupiers**

- 8.12 The main properties that would be impacted by the proposed dwelling would be Nos. 21, 23 (the host dwelling) and 25 The Drive and Nos. 28 and 28A Brighton Road.

#### No. 21

- 8.13 Due to the steep drop of the land to the rear the proposed dwelling would only appear as a single storey property from the back of this neighbouring property. The proposed access drive would also be positioned on the other side to this shared boundary. On this basis, the impact in terms of daylight/sunlight, outlook and privacy would be acceptable.

#### No. 23

- 8.14 The proposal would be directly to the rear of no 23 but due to the level changes would only appear as single storey and so would have no impact in terms of light and outlook. Some disturbance from the new access would occur but as only one unit is served, this would be minimal. The proposal would significantly reduce the rear garden but this is on balance considered acceptable as an area of approximately 85m<sup>2</sup> would be retained for the host property.

#### No. 25

- 8.15 The impact in terms of daylight/sunlight, outlook and privacy would also be acceptable for this property as well given the single storey nature of the proposed dwelling as seen from this property. Whilst there would be windows and balcony areas facing towards this property, the windows could be conditioned so they are obscure glazed as they either serve non-habitable rooms or act as secondary windows. It is acknowledged that the proposed access drive would run adjacent to the shared boundary with this house, serving only one property the amount of noise and disturbance would be minimal and adequate planting could act as a screen and help to mitigate against any undue harm. It is considered that this could also be dealt with by way of a condition.

#### Nos. 28 and 28A Brighton Road

- 8.16 Whilst the rear of the proposed dwelling would appear as three storeys in height and would include a number of new windows, it would be set off the rear boundary with Brighton Road by approximately 10m and a number of existing trees would also be retained in this part of the garden to provide a buffer from the development. Policy DM10 requires that schemes do not directly overlook habitable rooms or private amenity space for the first 10m of neighbouring properties (measured from their rear back wall) so as to protect privacy; this proposal meets these requirements. It is acknowledged that these trees could change over time, and provide better screening at certain times of the year, but with a property to property separation distance of approximately 40m it is considered that this would be sufficient so as to not result in any unacceptable loss of daylight/sunlight, outlook or overlooking.
- 8.17 The proposed dwelling would be used solely for residential purposes, and in the context of the area it is not considered this would result in any additional undue harm

through noise and disturbance to surrounding occupiers. The development is acceptable in terms of its impact on residential amenities of adjoining occupiers.

### **Residential amenity of future occupiers**

- 8.18 The proposed dwelling would exceed the minimum standards set out in the Technical Housing Standards - National Described Space Standards (2015). The proposed dwelling would be dual aspect and a large rear garden area would also be provided. The development is considered to be acceptable in terms of living conditions for future occupiers.

### **Highways and parking**

- 8.19 The site has a PTAL rating of 2 which means that it has poor access to public transport links; however it should be pointed out Coulsdon Town train station is within reasonable walking distance of the site (12 mins).
- 8.20 The proposed development would include a new access to the side of the main house at No. 23 (adjacent to No. 25) and the provision of two car parking spaces and an associated turning area. The proposed number of spaces would comply with Table 6.2 of the London Plan which allows up to two spaces for four bedroom units. The development is considered acceptable in this respect. A condition would be appropriate regarding details of the hard surfacing for the access drive.
- 8.21 Although the proposed development would result in the loss of existing garage for the donor property, the impact on street parking would be minimal.
- 8.22 An integrated cycle storage area with space for two bikes would be provided by the main entrance to the dwelling with doors facing out towards the car parking area. This is considered acceptable.
- 8.23 A separate bin storage area would also be provided by the main entrance to the dwelling. The bins would need to be pulled to roadside by the occupiers; however there are no in principle objections to this arrangement.
- 8.24 A condition would be appropriate in relation to a Demolition / Construction Logistic Plan (including a Construction Management Plan).

### **Environment and sustainability**

- 8.25 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.

### **Conclusions**

- 8.26 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.
- 8.27 All other relevant policies and considerations, including equalities, have been taken into account.