

PART 6: Planning Applications for Decision

Item 6.3

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/03241/FUL
 Location: 81 Higher Drive, Purley, CR8 2HN
 Ward: Purley and Woodcote
 Description: Demolition of the existing dwelling. Erection of a three storey building comprising 2 three bedroom and 7 two bedroom flats. Formation of vehicular access and provision of associated parking, cycle storage and refuse store.
 Drawing Nos: CX02-S1-101; CX02-S1-102; CX02-S1-103D; CX02-S1-104D; CX02-S1-105C; CX02-S1-106D; CX02-S1-108; CX02-S1-109; CX02-S1-110C; CX02-S1-111; CX02-S1-112; Surface Water and SuDS Assessment; Arboriculture Report and Impact Assessment prepared by Crown Consultants dated 26th June 2018
 Applicant: Mr Haris Constanti (Aventier Ltd)
 Agent: N/A
 Case Officer: Robert Naylor

	studio	1 bed	2 bed	3 bed	4 bed
Apartments	0	0	6 (3 person) 1 (4 person)	2 (4 person)	0
Total	0	0	8	1	0

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
9 (including one disabled space)	18

1.1 This application is being reported to committee because the ward councillor Councillor Steve O’Connell 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 and detailed drawings to be submitted, including window reveal minimum 100mm

3. Details of Refuse/Cycles/Boundary/Electric vehicle charging point/ child play space to be submitted
4. Hard and soft landscaping including garden and path lighting to be submitted
5. Construction Logistics Plan to be submitted
6. Ecological survey provided
7. Car parking provided as specified
8. No additional windows in the flank elevations
9. Side windows obscured glazed
10. 19% Carbon reduction
11. 110 litre Water usage
12. Permeable forecourt material
13. Trees - Accordance with the Arb Report
14. Inclusive access ground floor
15. Visibility Splays
16. In accordance with details of FRA
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 8 x two bedroom flats and 1 x three bedroom flat fronting Higher Drive.
- Provision of 9 off-street car parking spaces (including 1 disabled bay) with associated access Higher Road
- Provision associated refuse/cycle stores

3.2 The scheme has been amended during the application process, including amendments to the internal layout of the scheme, elevational detail alterations to the rear elevation, as well as a minor extension to the rear balconies of 12cm. Bed 02 in Unit 2 and Unit 7 have been widened, and Bed 02 in Unit 5 has been shown as a double bedroom in order to improve the quality of the internal accommodation. Furthermore, the usable width of the balconies has been increased to 1.5 metres which has resulted in a 12cm increase to the depth of the building. In relation to the rear elevation, the finial has been removed, a single soldier course introduced to the top of the balcony balustrade and altered brick and miss brickwork design. The Design Access and Access report has also been updated and amended. It was not considered necessary to reconsult the neighbours as the amendments were considered to be minor and did not materially alter the originally consulted scheme.

Site and Surroundings

- 3.3 The application site is located on the north side of Higher Drive, close to the junction with Densham Drive. It is currently occupied by a fairly large two-storey detached single family dwelling house and associated outbuildings.



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

- 3.4 The site is located in a predominately residential area and occupies a fairly generous plot. The surrounding area is a mixture of a number of differing units including 2-storey and 3-storey units, including some flatted development, including a recently approved scheme at 76 Higher Drive which is close to the application site. The site adjoins a surface water flood risk area.

Planning History

- 3.5 Planning history of the site is detailed as follows:

- 03/03731/P - Planning permission was granted on the 17th December 2003 for the retention of boundary wall
- 11/01410/P - Planning permission was granted on the 5th August 2011 for the retention of detached building at rear
- 11/1617/P - Planning permission was granted on the 29th July 2011 for the erection of single storey front extension
- 11/02257/P - Planning permission was granted on the 18th November 2011 for the retention of single storey side/rear extension
- 12/02215/P - Planning permission was granted on the 28th July 2012 for the erection of a single storey side extension
- 16/001649/P – Planning permission was refused on the 6th June 2016 for the demolition of side extension; erection of two storey/first floor front/side and single storey rear extensions; subdivision to form 2 four bedroom houses and provision of associated parking. The reasons for the refusal were the scheme would detract from

the appearance of the building and would be detrimental to the amenities of the street scene by reason of dominance, siting and design; and the rear extension would be detrimental to the residential amenities of future occupiers by reason of its size and siting resulting in visual intrusion.

- 16/04376/FUL – Planning permission was refused in November 2017 for the erection of single/two storey front/side/rear side extensions to include an annex. The reason for the refusal was the scheme would detract from the appearance of the building and would be detrimental to the amenities of the street scene by reason of dominance, siting and design.

3.6 Of relevance to this application is a scheme at 76 Higher Drive by a different developer that was granted planning permission by the Planning Committee for the demolition of the existing house and erection of two/three storey building with accommodation in roof space comprising 6 two bedroom, 2 three bedroom and 1 one bedroom flats, and formation of vehicular access and provision of associated parking (Ref: 17/01641/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 13 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, Steve O'Connell MP, local groups including Foxley Residents Association, etc in response to notification and publicity of the application are as follows:

No of individual responses: 32 Objecting: 32 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:

Objections

- Not in keeping with the surrounding area and sets a precedent for further development
- Large building footprint, density and layout
- Over development
- Over bearing scale – three storeys is too high
- Design, appearance and materials
- Building is positioned too close to the road
- Impact on nearby conservation area
- Loss of privacy, light and overlooking issues
- Increased noise, disturbance and smell
- Location of the bin store and associated smells to neighbouring property
- Noise and dust pollution, and general disruption from construction works
- Extent of paving/ car parking within the front forecourt
- Inability to park within the parking spaces
- Inadequate parking provision, including visitor parking
- On-street parking will compromise safety of Higher Drive, including obscuring the junction with Densham Drive
- PTAL is not accurate for the site/ surrounding area
- Visibility of vehicles entering/ exiting the site
- Tree removal and landscaping works
- Impact on wildlife and their natural habitats
- Environmental impacts
- Use of hazardous materials [OFFICER COMMENT: Officers are not aware of any hazardous materials which are proposed to be used in the scheme. Structural works and materials will be subject to building control, and details of external finishes and materials are required by condition.]
- No provision or contribution to affordable housing [OFFICER COMMENT: The scheme is for 9 units which is under the affordable contribution threshold of 10 units]
- Pressure on surrounding infrastructure including schools and medical facilities

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

- Increased number of neighbours to converge with if an issue were to arise
- Questioning the quality of the developers' previous developments.
- Increased pressure on surrounding drainage and sewage infrastructure
- Reduction in the surrounding property values.
- Consultation process is flawed [OFFICER COMMENTS: The application has been advertised and dealt with under the Statutory guidance]

6.4 The following Councillors made representations:

- Cllr Steve O'Connell (Kenley Ward Councillor) objecting:
 - Overdevelopment
 - Detrimental impact on trees
 - Low PTAL and insufficient parking

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
- DM40 – Kenley and Old Coulsdon

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 two three-bedroom units and one larger two-bedroom four-person unit, which the borough has an identified shortage of. The existing building is not a small family dwelling which policy seeks to retain. 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 and three storey properties including some flatted developments.

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 (2 storeys with the third storey located within the roof) to be located at the site. The proposed building is larger than the existing bungalow and maintains the stepped appearance between the two side adjoining properties. The scheme respects the scale and form of the existing two-

storey area and sensitively intensifies it in accordance with DM10.1 through the provision of a three storey building with accommodation in the roof. 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 pitched roof forms and appropriate materials (face brick including decorative brick courses, white upvc framed windows, interlocking double plain grey tiles and render 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. The front of the site is already given over to hardstanding and the proposal will increase the amount of soft landscaping to the front of the site, and indeed across the entirety of the site. The existing situation involves off street parking within the front forecourt and the proposal would retain this feature which is not uncommon in the surrounding area. The proposed new areas of soft landscaping at the ground floor and along the boundary of the site will to soften the appearance and this can be conditioned.
- 8.8 Representations have raised concern over the intensification of the site and overdevelopment. The site has a suburban setting with a PTAL rating of 1a and as such the London Plan indicates that the density level ranges for the site would be 150-200 habitable rooms per hectare (hr/ha). The density level of the proposal is 230hr/ha, which is slightly beyond the upper limit of the range. Notwithstanding this, the density of the proposed development is considered to be acceptable as the London Plan makes clear that density ranges should not be applied mechanistically and the proposed density is only slightly beyond the desired range. Furthermore, the site is considered capable of accommodating the scale of the proposed development, with

the proposed building sitting comfortably within the plot, without significantly adversely impacting the surroundings.

- 8.9 Representations have raised concern that the proposal would impact on the surrounding conservation area. It is not clear as to which conservation area the objector is referring to. There are no conservation areas within surrounding area. However, there is an area of nature conservation importance approximately 135 metres to the north-east of the site and 115m south-east of the site. This has been discussed further in the Environment and Sustainability section of this report.
- 8.10 Having considered all of the above, with the consideration of housing need in the area, 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) 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, and only two units on the upper floors do not benefit from private balconies. However, on balance this is considered acceptable as they are south-west facing units and 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 81b and 83 Higher Drive and property at the rear of the site, 22 Woodland Way.



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

81B Higher Drive

- 8.16 The overall front building line of the proposal is set forward of the existing building line and that of 81B Higher Drive. However, the proposed front building line aligns with the wider predominate front building line of the properties on the north-eastern side of Higher Drive and given that the first floor protrudes a maximum 1.2 metres beyond the front building line of No. 81B, no overbearing or loss of light impacts is anticipated to the front of this neighbouring property.
- 8.17 The main increase in the overall footprint of the building is experienced at the rear of the site, with approximately 4m deeper than the existing property in parts and the height of the main building increasing by two storeys at the rear adjacent to the shared side boundary. The scheme would pass the 45 degree BRE test for loss of light to the rear elevation windows and this impact on 81B in terms of outlook is considered acceptable as the proposed building is setback approximately 3-3.7m from the shared boundary at the rearmost part. No. 81B is also located in excess of 0.5m from this boundary. There is a close board fence and proposed vegetation along this boundary which would help mitigate any issues of overlooking at ground floor level. Further details of planting and boundary treatment would be required by condition.
- 8.18 The neighbouring property also has a ground floor and first floor side facing window. The ground floor window serves a lounge but this currently looks out on to the side elevation of the existing building at close proximity. The proposal would be taller but moved off the boundary by just under 2m and so the overall impact on this window is considered acceptable. In regards to the first floor side facing window, this is obscurely glazed and has been confirmed as being a bathroom. As such, no adverse amenity impact is anticipated to this non-habitable room which already experiences restricted outlook and light from the obscured glazing.
- 8.19 There are a number of windows proposed on the first floor at the side, as well as a number of rooflights. The first floor side windows have a cill height of 1.8 metres and as the rooflights are high level so 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.

83 Higher Drive

8.21 The neighbouring property at 83 Higher Drive comprises a single storey structure along the shared boundary and the two-storey component is setback approximately 10m from the shared boundary. There is an existing high level side boundary fence and no windows on the side 2-storey flank of this property.

8.22 The rear of the proposal would be approximately 2.6m deeper than the neighbouring property. Given the separation between the two properties, and that the rear protrusion is not excessive in visual terms despite the increase in the height and depth at the rear, this is considered acceptable.

8.23 In respect to loss of light, the extension would pass the 45 degree BRE test for loss of light to the rear elevation windows.

8.24 There are flank windows proposed on the first floor levels of the proposed development, as well as roof lights. The roof lights are located at a high level and therefore it is unlikely that they would provide either actual or perceived levels of overlooking and loss of privacy. The upper floor flank windows also comprise a cill height of 1.8m which would reduce the potential for perceived and actual overlooking, however, it is still considered suitable to require these to be obscurely glazed.

8.25 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.

22 Woodland Way

8.26 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.

8.27 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 9 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 provide a more formal layout and some planting which can be secured through a condition to retain the existing leafy 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. The capacity of the cycle storage facilities would comply with the London Plan (which would require 18 spaces) and the store would be covered and provided within the front forecourt. 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. Furthermore, we would require further details of how the store will be secured, accessible and the proposed materials used.
- 8.28 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.
- 8.31 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 two category C small trees will be removed from the front of the site along the south-eastern side boundary. Given that these trees are not protected, their proximity to the existing dwelling and their low quality and amenity value, officers have no objection to the loss

of these trees subject to planting mitigation. The works should be undertaken in accordance with the Arboriculture Report and Impact Assessment recommendations and this has been conditioned.

- 8.33 There are seven trees within the curtilage of the adjacent property, No. 83 which are subject to Tree Preservation Orders. Two of these protected trees are within close proximity to the proposed bin store. The Arboriculture Report and Impact Assessment details that these trees will be protected and therefore the works should be undertaken in accordance with the Arboriculture Report and Impact Assessment recommendations and this has been conditioned.
- 8.34 The current landscaping plan highlights a number of shrubs to be planted at the rear and the front of the site. It is considered that the landscaping could be improved through a greater diversity of plant species, more appropriate species selection and introduction of low level plant beds instead of the compartmentalised hedging within the rear garden. As such a landscaping condition has been attached to ensure that the landscaping provided would provide suitable scheme at the site.
- 8.33 The application site is not near a Site of Special Scientific Interest but a Site of Nature Conservation Importance (SNCI) is located 75m from the site. The application site shares no direct physical relationship with this area and so the proposal would have no direct impact on the SNCI. 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.
- 8.34 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.