

PART 6: Planning Applications for Decision

Item 6.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/06068/FUL
 Location: 19 Hartley Old Road, Purley, CR8 4HH
 Ward: Purley and Woodcote
 Description: Demolition of a single-family dwelling and erection of a 3 storey block containing 9 flats with associated access, car parking, cycle and refuse storage (Amended plans).
 Drawing Nos: CX15-101D, CX15-102, CX15-103G, CX15-104F, CX15-105G, CX15-106D, CX-107B, CX15-108A, CX15-109A, CX15-110C, CX15-111B, CX15-112B, CX15-113A, CX15-114, CX15-115A, CX15-116, SUDS, Flood report, Transport statement, M4(2) statement, Energy report, Ecological survey, Badgerland fence design details, Hard landscape rev B, Soft landscape rev B, 5 year landscape management plan, Planting schedule A, Tree specification A, Arboricultural report, Bat survey report 001, Reptile survey 001, Phase 1 habitat survey plan.
 Applicant: Mr Rafael Porzycki of Aventier Ltd
 Case Officer: Nathan Pearce

	1B 2P	2B 3P	2B 4P	3B 4P	4B+	Total
Existing Provision				1		1
Proposed Provision		5	1	3		9

1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received and it has been referred by a ward Councillor, been referred by the Hartley & District Residents' Association (HADRA) and a petition has 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. Construction Logistics Plan

3. Details of facing materials
4. Landscaping
5. Cycle and refuse stores
6. Play space
7. 19% reduction in CO2 Emissions and 110l Water Restriction
8. Car parking
9. Permeable forecourt material
10. Arboricultural report
11. Trees – Details in accordance with tree report
12. Visibility splays
13. Sustainable urban drainage details
14. Windows restrictions
15. Building maintenance strategy
16. Ecology conditions
17. Time limit of 3 years
18. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) CIL
- 2) Code of practise for Construction Sites
- 3) Construction Logistics Plan
- 4) Trees and shrubs
- 5) Refuse
- 6) 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 three storey building including accommodation in roof-space.
- Provision of 5 x 2 bedroom flats (3 person), 1 x 2 bedroom (4 person) flat, 3 x 3 bedroom flats.
- Provision of 7 off-street parking spaces including one disabled bay.
- Provision associated refuse/cycle stores.

3.2 Amended plans were received on 04/12/2019 showing a redesigned front elevation, additional private amenity provision, revised landscaping, revised internal cycle and refuse stores and one 2 bed unit being redesigned to a 3 bed unit. A re-notification of neighbours was undertaken on 14/01/2020.

Site and Surroundings

3.3 The application site is a large detached property situated on the east side of Hartley Old Road. The topography of the site is a sloping site. The land rises from the lower level on the north side where no.17 is, to a higher level on the south of the site.

- 3.4 The surrounding area is mainly residential in character. Whilst there is no distinct style in regard to the properties along Hartley Old Road, the majority of properties appear to be detached family dwellinghouses. The site has a Public Transport Accessibility Level (PTAL) of 1b.



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

Planning History

- 3.5 None relevant

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) and emerging housing targets. The proposed development would provide an appropriate mix of units including 3x three-bed houses and 1x four-person, two-bed flat.
- The proposed development would be of an appropriate mass, scale, form and design that would be in keeping with its context, thus preserving the appearance of the site and surrounding area.
- The proposed development would not cause unacceptable harm to the amenities of neighbouring residential occupiers.
- The proposed development would not have an adverse impact on the operation of the highway.
- Subject to the imposition of conditions, the proposed development would not cause unacceptable harm to visual amenity of trees.

- Subject to conditions, the proposals would not have an adverse impact on flooding.
- 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.

5.2 East Surrey Badger Society: The Society objects to the proposed planning application on the grounds that the development will result in the loss of badger habitat and could lead to the already stressed badger group disappearing completely. [OFFICE COMMENT: Further advice has been received from the Council's ecological advisors who recommend that, subject to conditions, the impact on badgers is acceptable]

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by 12 letters of notification to neighbouring properties in the vicinity of the application site plus a re-notification of the amended plans. The number of representations received from neighbours, a petition, a Residents' Association, local ward Councillors and Local MP in response to notification and publicity of the application are as follows:

No of individual responses:164 Objecting: 161 Supporting: 0
 Comment: 2

No of petitions: 1 (objecting)
 Signatures: 52

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 – 8.6
Loss of family home	Addressed in the report at paragraph 8.2 – 8.6
Poor quality development	Addressed in the report at paragraphs 8.2 – 8.6
<i>Design</i>	
Out of character	Addressed in the report at paragraphs 8.7 – 8.12
Massing too big	Addressed in the report at paragraphs 8.7 – 8.12
Over intensification – Too dense	Addressed in the report at paragraph 8.7 – 8.12
Visual impact on the street scene (Not in keeping)	Addressed in the report at paragraphs 8.7 – 8.12

Accessible provision	Addressed in the report at paragraphs 8.23
Number of storeys	Addressed in the report at paragraphs 8.9
<i>Amenities</i>	
Negative impact on neighbouring amenities	Addressed in the report at paragraphs 8.13 – 8.18
Loss of light	Addressed in the report at paragraphs 8.13 – 8.18
Loss of privacy	Addressed in the report at paragraphs 8.13 – 8.18
Overlooking	Addressed in the report at paragraphs 8.13 – 8.18
Disturbance (noise, light, pollution, smells etc.)	Addressed in the report at paragraphs 8.13 – 8.18
Refuse store	Addressed in the report at paragraphs 8.31
<i>Traffic & Parking</i>	
Negative impact on parking and traffic in the area	Addressed in the report at paragraphs 8.25 – 8.32
Not enough off-street parking	Addressed in the report at paragraphs 8.25 – 8.32
Negative impact on highway safety	Addressed in the report at paragraph 8.25 – 8.32
Refuse and recycling provision	Addressed in the report at paragraph 8.25 – 8.32
<i>Other matters</i>	
Construction disturbance	Addressed in the report at paragraph 8.41
Impact on wildlife	Addressed in the report at paragraphs 8.33 – 8.38
Impact on flooding	Addressed in the report at paragraph 8.40
Local services cannot cope	Addressed in the report at paragraph 8.43
Lack of affordable homes	Addressed in the report at paragraph 8.42
Impact on trees	Addressed in the report at paragraphs 8.33 – 8.35

6.3 Cllr Simon Brew (Purley & Woodcote Ward) has referred the application to committee and raised the following issues:

- Contrary to local plan paragraph 11.122 in failing to respect existing residential character and local distinctiveness
- Lack of affordable homes
- Side windows overlook neighbouring property
- Insufficient waste capacity

- Increased density is contrary to DM10 paragraph 2a
- Insufficient car parking given low PTAL
- Insufficient protection of badger sett

6.4 The Kenley & District Residents' Association has referred the application to committee and raised the following issues:

- The development pattern, layout and siting is out of character
- The scale, height, massing, density and increased height is out of character
- The appearance, existing materials and built and natural features are out of character.
- Insufficient car parking
- Poor quality living environment for future occupiers
- Impact on privacy and light of neighbouring occupiers
- Overintensification of the site
- Too close to side boundaries
- Does not comply with sustainable design principles
- Incorrect accessibility statement
- Insufficient Construction Logistics Plan
- Inadequate wildlife protection

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 2015

- 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
- 7.6 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 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 on residential amenities;
- Standard of accommodation;
- Highways impacts;
- Impacts on trees and ecology;
- Sustainability issues; and
- Other matters

The Principle of Development

- 8.2 Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular can play in resolving the current housing crisis. It is acknowledged that windfall schemes which provide sensitive renewal and intensification of existing residential areas play an important role in meeting the demand for additional housing in Greater London, helping to address overcrowding and affordability issues. Furthermore the Croydon Local Plan 2018 anticipates that roughly a third of housing delivery over the plan period will come from District Centres and windfall sites. The impact of the emerging London Plan is set out in paragraph 7.8 above.
- 8.3 The site is a windfall site which could be suitable for sensitive renewal and intensification.
- 8.4 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.
- 8.5 The proposal, whilst incorporating flatted accommodation, has been designed to appear as a large house which would maintain the overall character of neighbouring properties. The residential character of Hartley Old Road consists of detached houses.
- 8.6 The existing unit is a 4-bed house and the proposal would provide 3 x 3 bed and 1 x 2 bed (4 person) units which would provide adequate floorspace for families. Policy SP2.7 sets a strategic target of 30% of new homes to be 3-bedroom homes and CLP acknowledges that 2-bed, 4-person homes can be treated as family homes (in line with DM1.1) during the first 3 years of the Plan. The target of 30% of 3-bed and 4-bed units has been met. 2-bed, 4-person units are considered family units also, therefore it is considered that more units could be achieved from the site given the high amount of larger units that are proposed. The overall mix of accommodation would be acceptable and would result in a net gain in family accommodation.

- 8.7 Representations have raised concern over the intensification of the site and overdevelopment. The site is in a suburban setting with a PTAL rating of 1b and as such, the London Plan indicates that a suitable density level range is between 150-200 habitable rooms per hectare (hr/ha). Whilst the proposal would be within this range (153 hr/ha), it is important to note that the London Plan indicates that it is not appropriate to apply these ranges mechanistically, and also provides sufficient flexibility for higher density schemes (beyond the density range) to be supported where they are acceptable in all other regards. In this instance the proposal is acceptable, respecting the character and appearance of the surrounding area, and does not demonstrate signs of overdevelopment (such as poor quality residential units or unreasonable harm to neighbouring amenity). As such the scheme is supported.

The effect of the proposal on the character of the area and visual amenities of the streetscene

- 8.8 The existing property is not protected from demolition by existing policies and its demolition is acceptable subject to a suitably designed replacement building coming forward. The proposal seeks to replace it with 9 units within a single building. The scheme has been specifically designed to resemble a large house, rather than a block of flats. Officers are satisfied that the scheme respects the street-scene.
- 8.9 The Croydon Local Plan has a presumption in favour of three storey development and the application seeks to provide a three-four storey property providing a high quality built form that respects the land level changes, pattern, layout and siting in accordance with Policy DM10.1.
- 8.10 The height, scale and massing of the scheme would be acceptable, given that the site works well with the topography and would sit well with the adjoining properties.

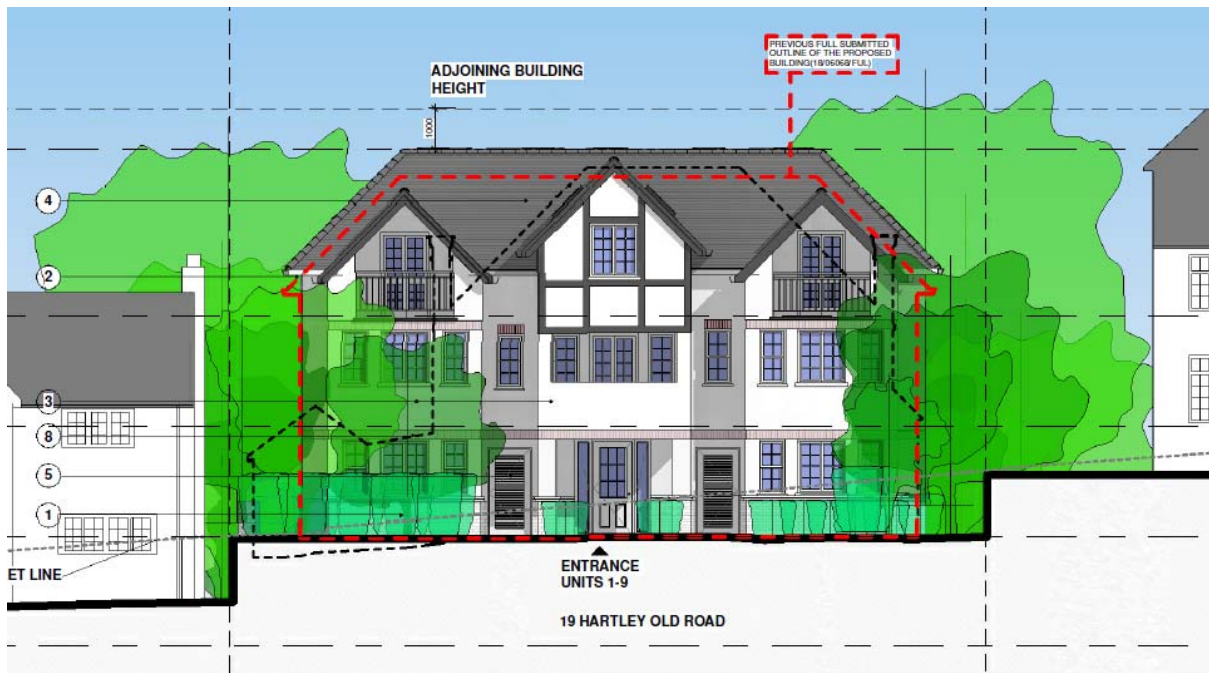


Fig 2: Elevational view highlighting the proposal in relation to neighbouring properties.

8.11 The design of the building would incorporate a traditional styled appearance consisting of gables and bays to the front elevation, maintaining the overall street scene with use of an appropriate materials palette with an adequate balance between render, soldier course brickwork, mock tudor frame, glazing and appropriate roof proportions. The main front element would present a traditional architectural response, consisting of gabled bays. It is noted that half timbered detailing is predominantly found on the buildings in the immediate area and that the majority of these buildings are fully rendered or use render above a brick ground floor, with hung tile roofs also being characteristic. As such, whilst there are concerns about the appearance of render over time, a rendered building is considered to be an appropriate design response in this situation. A condition is recommended to require details of a building maintenance strategy so that the appearance of the building can be adequately controlled.

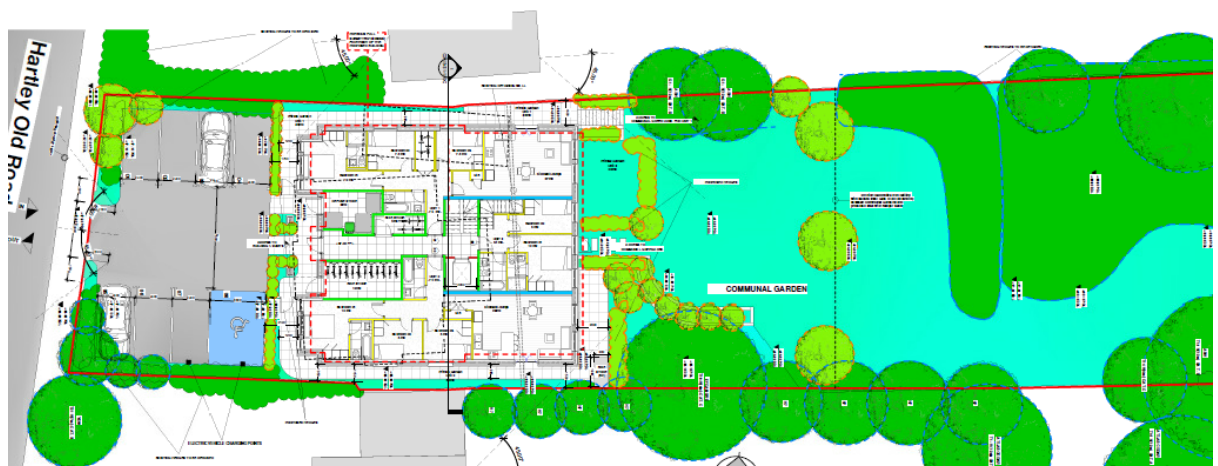


Fig 3: Proposed first floor site plan showing proposal in relation to neighbouring properties

8.12 Policy DM10.2 seeks to create well defined and designed public and private spaces and advises that forecourt parking should only be allowed where it does not cause undue harm to the character or setting of the building and is large enough to accommodate parking with sufficient screening to prevent vehicles encroaching on the public highway. Whilst the frontage would be given over to hard-standing to allow for off street parking there would be some soft landscaping surrounding it, along with a section of soft landscaping along the boundary. Given the overall scale of the development and number of forecourt hardstanding areas in the vicinity, the extent of hardstanding would not be excessive. The site would offer sufficient opportunities for soft landscaping to the rear.

8.13 The application site is a substantial plot within an established residential area. The scale and massing of the new build would generally be in keeping with the overall scale of development found in the immediate area whilst sensitively intensifying it and the layout of the development would respect the streets' pattern and rhythm.



Fig 4: CGI of site showing proposal in relation to neighbouring properties

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 and the Suburban Design Guide SPD 2019 in terms of respecting local character.

The effect of the proposal upon the amenities of the occupiers of adjoining properties

8.14 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation

of a sense of enclosure. The properties with the potential to be most affected are the adjoining properties at 17 & 21 Hartley Old Road, dwellings opposite on Hartley Old Road and to the rear on Old Lodge Lane.

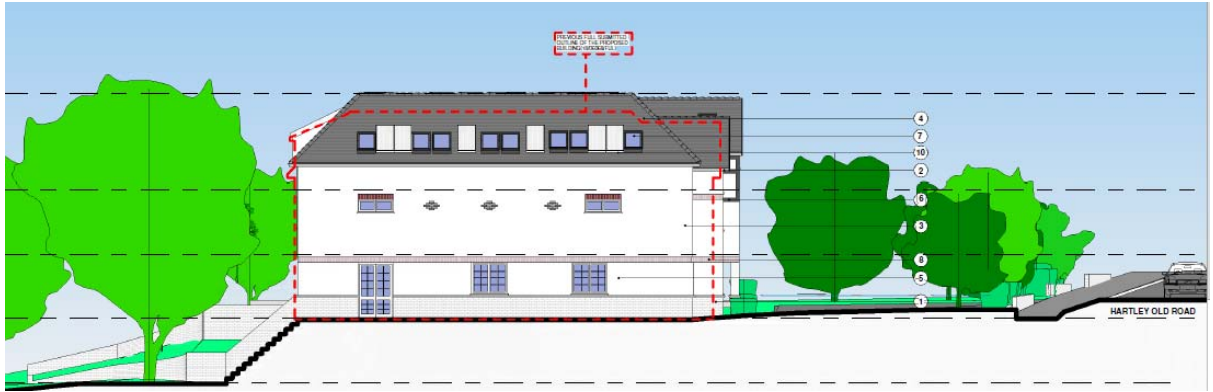


Fig 5: Surrounding properties

17 Hartley Old Road

8.15 This dwelling is to the north and is at a lower level than the proposal site. It has 1 obscure glazed side facing window that is considered to serve a non-habitable room. It has a front facing and a rear facing ground floor habitable room windows for which the development would break the horizontal and vertical 45 degree lines. A Vertical Sky Component Analysis under BRE guidelines has concluded that there would be a negligible impact on the window receptors for these windows.

The height, forward and rear projections of the proposed dwelling are considered to have an acceptable relationship to no.17 in terms of the impact of daylight & sunlight on the habitable room windows.



21 Hartley Old Road

- 8.16 There is a side facing ground floor habitable window that faces the proposed development. This is considered to be one of two windows serving that room, with the other on the front façade. A Vertical Sky Component Analysis under BRE guidelines has concluded that there would be a moderate impact on the window receptors. This is considered to be acceptable because it is one of two windows serving that room, the impact on the front facing window is considered to be negligible. It also has 1 first floor side facing window that is considered to serve a non-habitable room (bathroom).

This dwelling is to the south and is at a higher level than the proposal site. The rear of the proposed building would not break a 45 degree line drawn from rear habitable room windows, it is considered that given the separation distances and the angles that there would not be a significant impact on these dwellings in terms of loss of light, outlook, privacy or sense of overbearing. This is considered to be an acceptable relationship in a suburban setting such as this.

Dwellings opposite on Hartley Old Road and to the rear on Old Lodge Lane

- 8.17 It is considered that given the separation distances that there would not be a significant impact on these dwellings in terms of loss of light, outlook, privacy or sense of overbearing. This is considered to be an acceptable relationship in a suburban setting such as this.

General

- 8.18 As regards 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 units would increase the number of vehicle movements to and from the site, but this would not be significant and would not be overly harmful.

The effect of the proposal upon the amenities of future occupiers

- 8.19 The Nationally Described Space Standards (NDSS) provide minimum technical space standards for new dwellings in terms of the gross internal floor areas and

storage. All of the proposed units would meet the minimum required gross internal floor area.

- 8.20 The units would have access to private and communal amenity space which meets the required standard.
- 8.21 The private amenity space for unit 1 would consist of a thin strip along the north side of the building. This area measures 35 sqm, which exceeds the minimum standards and, whilst narrow, would be usable. It also provides direct access to the communal amenity space and is on balance acceptable.
- 8.22 Unit 3 would be on a split level with two bedrooms on the ground floor and one bedroom & kitchen/lounge on the basement level. The basement windows would look out on to their private amenity space and rear garden beyond it that is at a lower level.
- 8.23 The local plan also requires all flatted development to provide new child play space as well as the amenity space to be provided. In terms of the child play space, this can be secured through use of planning conditions.
- 8.24 In terms of accessibility, a lift is proposed to the block of flats. As such all units can meet M4(2) standard and one two-bedroom unit meets M4(3), in compliance with policy.
- 8.25 Overall the development is considered to result in a high quality development, including an uplift in family accommodation, and will offer future occupiers a good standard of amenity, including the provision of communal amenity space and child play space, and thus accords with relevant policy.

Traffic and highway safety implications

- 8.26 The Public Transport Accessibility Level (PTAL) rating is 1b which indicates poor accessibility to public transport. The London Plan and Policy DM30 of CLP2018 sets out that maximum car parking standards for residential developments based on public transport accessibility levels and local character. This states that 1-2 bedroom properties should provide a maximum of up to 1 space per unit, with up to 1.5 spaces per unit being provided for 3 bedroom properties. In line with the London Plan, the proposed development could therefore provide up to a maximum of 10.5 spaces. It is important to note however that it is not necessarily desirable to provide car parking up to the maximum standards given the requirements of both the London Plan and Croydon Local Plan which seek to reduce reliance on car usage and promote/prioritise sustainable modes of transport. As such a lower level of car parking can be supported and is encouraged in line with the ambitions of the Development Plan.
- 8.27 A parking survey has been provided which shows the stress occupancy over the two beats ranged from 8 cars parked in the closest 64 spaces to 11 cars parked. This would give a parking stress level of 13%-17% respectively, with plenty of available local parking spaces close to the site, and as such accords with the policy requirements for a development of this nature in this location. The

proposed car parking provision is considered acceptable when taking into account the site constraints, the need to provide high quality multi-functional spaces whilst preserving the existing trees on-site and ensuring the best use of land.

- 8.28 There are a number of representations that refer to the parking provision, on-street parking and highway safety at the site. In respect to highway safety, the scheme provides 8 off-street parking spaces including 1 disabled space and these will need to adhere to the parking visibility splays and parking standards to ensure that safety requirements are adhered to and these have been secured through conditions.
- 8.29 The parking layout arrangement has been amended and the refuse store has been located within the building allowing an additional parking space to be provided. A swept path plan shows that vehicles will be able to enter and exit in first gear.
- 8.30 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 18 spaces) as these are located in a secure and covered cycle store within the rear communal amenity space. Vertical cycle parking would not be appropriate. This can be secured by way of a condition.
- 8.31 The refuse arrangements would be acceptable and for a nine units scheme would require 1 x 1100ltr landfill receptacle; 1 x 1280ltr for dry recycling and 1 x 140ltr food recycling, which has been accommodated within the site. The refuse store would be located in front of the building with access to the hardstanding. It can be secured by condition.
- 8.32 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.

Ecology and Biodiversity

- 8.33 The site is bordered by established trees and shrubs adding to the overall amenity value and also providing a good degree of screening. The proposed landscape design protects most of the existing trees at the rear of the site and provides a large variety of bushes and hedges. A landscaping and planting plan has been submitted and can be conditioned.
- 8.34 The works should be undertaken in accordance with the tree protection plan; Arboricultural Report and Impact Assessment recommendations and this has been conditioned.



Fig 7: Extract from submitted soft landscaping scheme

- 8.35 There is a very large active main badger sett which extends from Hartley Hill through to 17 Hartley Old Road. Badgers and other wildlife have thrived in the woodland areas at the bottom of the long gardens. This strip of unmanaged habitat has been a wildlife corridor since before Old Lodge Lane was developed.
- 8.36 A Habitat Survey has been included with the application which shows evidence of a badger sett. A bat survey and reptile presence/absence survey have also been submitted. The Council's ecology consultant has reviewed the submissions and has concluded that the sett is well used and that there is a small population of slow worms on the site and that a summer bat roost was present in one of the buildings to be demolished.
- 8.37 The population of slow worms is considered to be low. Some concerns were raised as to the timing of surveys for reptiles, but advice has confirmed that the surveys are adequate to assess the population size and necessary remediation. The proposed remediation would require undergrowth to be cleared in a sensitive manner and slow worms to be moved to the area of the site (rear of garden) which would not be disturbed by the development, and that the landscaping scheme should include areas of habitat improvement suitable for slow worms. This can be controlled by condition.
- 8.38 The bat roost is considered likely to be used by 1 or 2 Pipistrelle bats (a common form of bat) in summer months and so, whilst of local importance, its removal is not unacceptable, with suitable mitigation. The mitigation is likely to consist of the creation of a temporary replacement roost and supervision of demolition works, with the full details being set out under a Natural England license to carry out works. With conditions to secure that a copy of the license is provided and mitigation undertaken, the impact is considered to be acceptable.
- 8.39 The impact of the development on the badger sett has been carefully assessed and further surveys have been undertaken. The sett is well used but the proposed building would be located at some 30m from the sett, The Council's ecological advisor has recommended that the impact on the sett is acceptable given suitable mitigation to ensure that it is not significantly disturbed during

construction and that foraging routes are not disturbed. The scheme originally proposed to fence off the area of the badger sett to prevent its disturbance by residents, but this element of the scheme has been amended to provide a gate for residents to access for maintenance. The fencing would only be erected between the communal gardens and the protected area, this would prevent badgers from entering the communal gardens but would not stop them from being able to cross into neighbouring gardens for foraging. The exclusion of the communal garden from their foraging area is not considered to adversely impact on the sett. With suitable mitigation to ensure that construction activity does not significantly affect the sett area the impact on badgers is considered to be acceptable. In order to ensure that no further impact would occur should the usage of the sett change, a condition requiring further supplementary ecological surveys for badgers prior to commencement of development has been.

- 8.40 The Council has certainty of the likely impacts on protected species and sites. Through the imposition of planning conditions and work undertaken to date, the local planning authority has operated in accordance with its statutory duties relating to biodiversity and national and local policy requirements.

Sustainability Issues

- 8.39 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.

Other Matters

- 8.40 The site is not located in any designated flood risk area. The applicants have submitted a Surface Water and SuDS Assessment which is based on a desktop study of underlying ground conditions. It is likely that infiltration of surface water runoff following redevelopment may be feasible. The parking area will incorporate permeable paving which will provide capacity for 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.
- 8.41 Representations have raised concern that construction works will be disruptive and large vehicles could cause damage to the highway. Whilst the details submitted to date might well be acceptable, it would be prudent to condition a Construction Logistics Plan to be approved, as appointed contractors may have an alternative approach to construction methods and the condition ensures that the LPA maintains control to ensure the development progresses in an acceptable manner.
- 8.42 Representations have been made in respect to a lack of affordable homes being provided at the site, however the scheme is for nine units and as such is under the threshold where the provision for affordable homes would be required.
- 8.43 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/planning balance

- 8.44 The principle of development is 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.
- 8.45 All other relevant policies and considerations, including equalities, have been taken into account.