

PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: 22/00973/FUL
 Location: Land R/O 30-34 Hartley Old Road, Purley, CR8 4HG
 Ward: Purley and Woodcote
 Description: The erection of 6x two storey semi-detached dwellinghouses with accommodation within the roof, alterations to and widening of existing vehicular access, formation of access road, alterations to land levels, and associated car parking, cycle, refuse storage and landscaping.
 Drawing Nos: 001 Rev A, 2020 P 472 001 Rev E, 2020 P 472 003, 2020 P 472 004 Rev A, 2020 P 472 005 Rev B
 Applicant: B3 Homes
 Case Officer: Hayley Crabb

	Houses	Total
Existing	0 (backland site)	0
Proposed Houses	6 x 4-bedroom houses	6

All units are proposed for private sale

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 1b	
Car Parking maximum standard	Proposed
9	10
Cycle Storage minimum	Proposed
12	12

1.1 This application is being reported to committee because:

- The ward councillor (Cllr Simon Brew) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.
- The application has been referred by the Hartley and District Residents' Association who made representations in accordance with the Committee Consideration Criteria and requested committee consideration
- Objections above the threshold in the Committee Consideration Criteria have been received.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission subject to the completion of a S.106 agreement to secure the following heads of terms:

- (a) A financial contribution of £9000 towards sustainable travel improvements

- 2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
- 2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings

Pre-commencement

- 3) Construction Logistics Plan to include a survey of the public highway
- 4) Tree Protection Plan/mitigation measures

Prior to above ground floor slab level

- 5) Materials (including samples)
- 6) Details of cycle storage, refuse store (including number of receptacles and area for bulky waste), electric vehicle charging points
- 7) Ecology condition (biodiversity enhancement strategy)
- 8) SUDs

Pre-occupation

- 9) Landscaping scheme including replacement trees/tree pits/boundary treatment/retaining walls/gates/lighting and a maintenance and management plan
- 10) Implementation of access road/car parking/visibility splays as specified

Compliance

- 11) No additional windows in the flank elevations other than as specified/obscure glazed (first floor windows)
- 12) No balcony, roof garden or similar area shall be provided above the single storey rear elements permitted and no alterations shall be carried out to create access to it.
- 13) Remove Permitted Development
- 14) Ecology condition (in accordance with ecological appraisal recommendations)
- 15) In accordance with Fire Strategy Statement
- 16) Water efficiency requirements

- 2.4 Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Community Infrastructure Levy
- 2) Code of practice for Construction Sites
- 3) Party Wall Act
- 4) Highways
- 5) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

- 2.5 That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.
- 2.6 That, if by 3 months the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

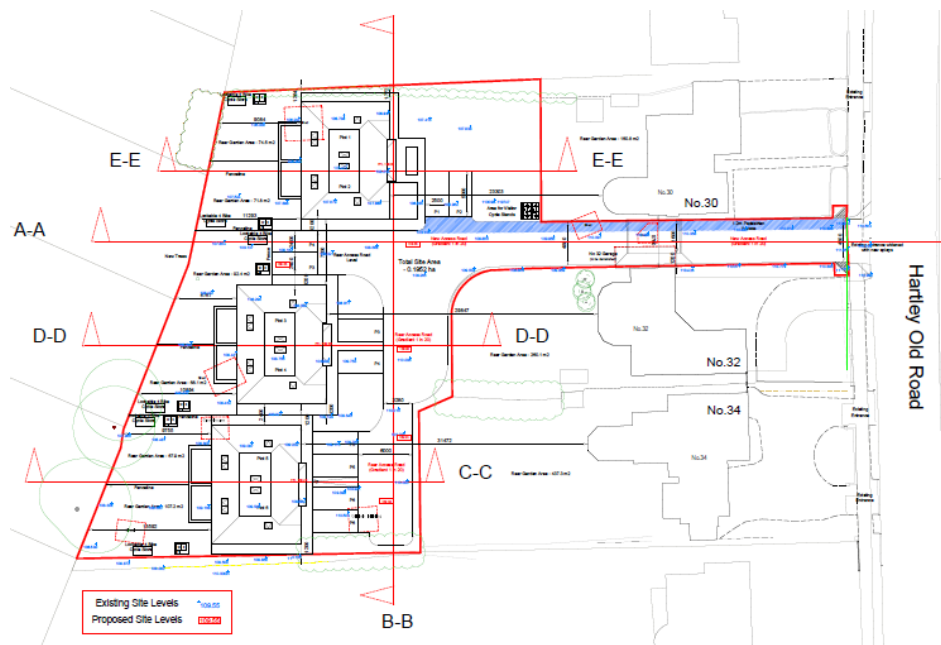
3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The proposal comprises the following:

3.2 Erection of 3 pairs of two storey semi-detached dwellinghouses (with accommodation within the roof space, comprising 6 x 4-bedroom (8 person) units);

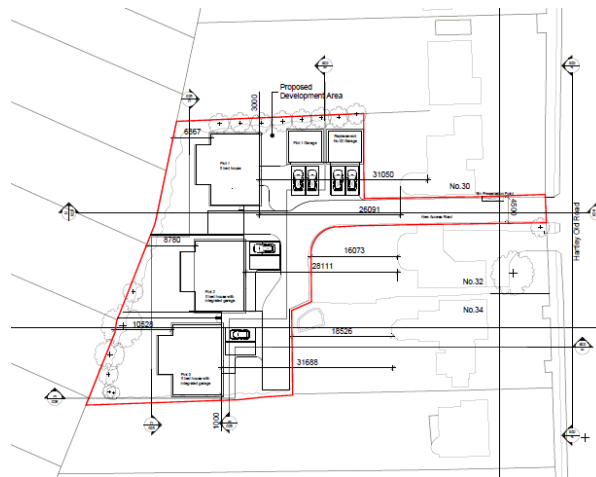
- Provision of access road, refuse and cycle provision;
- 10 parking spaces.



Proposed site location Plan (001 Rev E)

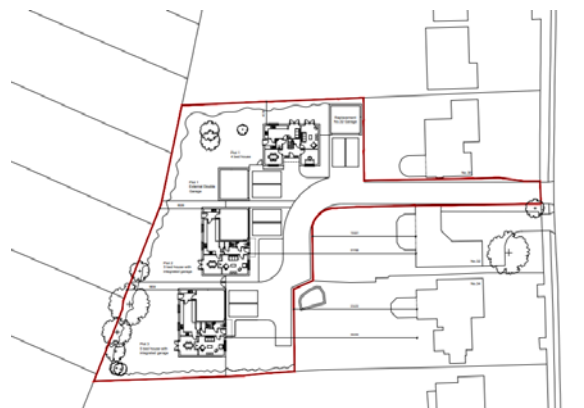
Background

3.3 Permission was granted for a similar scheme on 07.02.2020 (reference 19/00884/FUL).



Approved site plan 19/00884/FUL

- 3.4 Permission was previously granted for a similar scheme on 12.04.2017 (reference 16/02965/P)



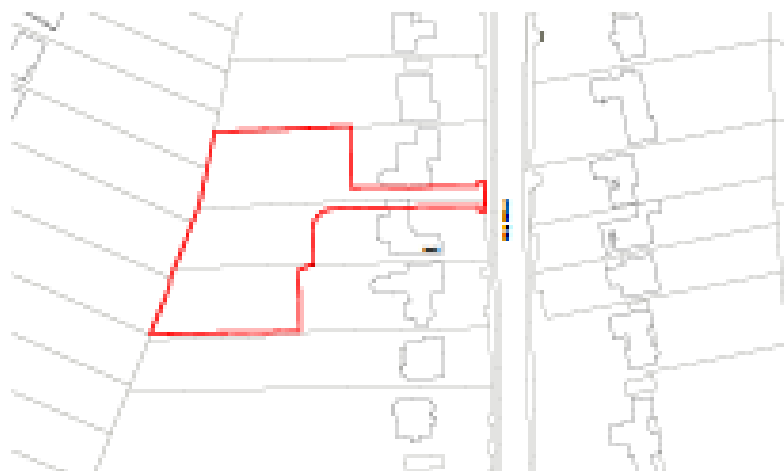
Approved site plan 16/02965/P

- 3.5 Amended plans and clarification details have been submitted as part of the application process and are considered accordingly, however these did not change the nature of the proposal originally consulted upon and therefore re-consultation was not required.

Site and Surroundings

- 3.6 The site currently forms part of rear gardens of neighbouring properties nos.30, 32 and 34 Hartley Old Road, located on western side of Hartley Old Road, Purley.
- 3.7 It should be noted that some works have recently commenced on site, although it is not clear whether those works are unauthorised. No. 32's garage has been demolished, trees have been removed from the site and changes in land levels undertaken.
- 3.8 Hartley Old Road is characterised by generally large detached houses/bungalows of varying sizes and styles. It should also be noted some of the properties incorporate mock Tudor detailing and painted white/render.
- 3.9 A flatted scheme has been constructed at no. 19 Hartley Old Road for 9 flats and the dwelling at no. 11 has been demolished to make way for a residential scheme of 1 x three-storey block containing 3 x 2-bedroom flats and 4 x 3-bedroom flats and 2x 4-

bedroom semi-detached houses (see history section below). See history section for development history for other developments in the immediate locality.



Site Location Plan

Planning Designations and Constraints

3.10 The site is subject to the following formal planning constraints and designations:

- PTAL: 1b
- Flood Risk Zone: Very low risk of surface water flooding as identified by the Croydon flood maps

Planning History

3.11 The following planning decisions are relevant to the application:

16/02965/P - Erection of 2 five-bedroom detached houses with attached double garage and 1 four bedroom detached house with detached garage; formation of access road – Planning Permission granted by the Planning Committee (decision 12.04.2017). This has now lapsed.

19/02020/PRE - Pre-Application Enquiry for construction of 3 detached dwelling houses.

19/00884/FUL – Erection of 3 x 5-bedroom 9 person detached dwelling houses with associated parking and landscaping. Demolition of the garage to 32 Hartley Old Road to enable the construction of a new vehicle access / crossover – Planning Permission granted by the Planning Sub Committee (decision 07.02.2020).

20/03988/PRE – Pre-Application Enquiry for three pairs of semi-detached houses

22/04424/DISC – Discharge of condition 2 (external facing materials), 4 (tree/ecology), 5 (landscaping), 7 (various matters), 8 (various matters), 10 (SUDs), 11 (CLP), 12 (vehicular access) attached to planning permission 19/00884/FUL for the erection of 3 x 5 bedroom 9 person detached dwelling houses with associated parking and

landscaping. Demolition of the garage to 32 Hartley Old Road to enable the construction of a new vehicle access / crossover – Application currently outstanding.

3.8 There are varying extensions and replacement dwellings. However, the following are considered of relevance:

36-38 Hartley Old Road (PROPOSED BACKLAND DEVELOPMENT)

21/06302/FUL - Erection of 4 x 4-bedroom semi-detached dwelling-houses with associated parking and landscaping at land rear-of 36-38 Hartley Old Road. Construction of a new vehicle access / crossover – Application pending consideration at the time of writing this report.

5-7 Hartley Old Road (PROPOSED BACKLAND DEVELOPMENT)

22/02039/FUL - Alterations to land levels, erection of 2 pairs of semi-detached dwellinghouses to the rear of nos. 5 & 7 Hartley Old Road, provision of associated vehicular access/access road and parking, hard and soft landscaping, amenity space, cycle provision and refuse and recycling storage. Not determined / An appeal has been submitted.

11 Hartley Old Road (INCLUDES BACKLAND DEVELOPMENT) (UNDER CONSTRUCTION)

20/05200/FUL - Demolition of single-family dwellinghouse and erection of 1x three-storey block containing 3x 2-bedroom flats and 4x 3-bedroom flats and 2x 4-bedroom semi-detached houses with associated access, car parking, cycle and refuse storage – Planning Permission granted subject to a S106 agreement on 28.01.2021.

Various condition discharge applications have been submitted.

19 Hartley Old Road (CONSTRUCTED)

18/06068/FUL - 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 – Planning Permission granted subject to a S.106 agreement on 06.03.2020.

Various condition discharge applications have been submitted.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 Approval is recommended for the following reasons:

- The principle of residential development on the site is acceptable.
- The design and appearance of the development is appropriate for the site.
- There would be no undue harm to the residential amenities of adjoining occupiers.
- The living standards of future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the London Plan.
- The proposed development would not cause unacceptable harm to the amenities of neighbouring residential occupiers.

- Subject to the imposition of conditions, the proposed development would not have an adverse impact on the operation of the highway:
- Subject to conditions, the proposals would not have an adverse impact on flooding.
- Trees/landscaping and ecology can be controlled by conditions; and
- Sustainability aspects can be controlled by conditions.

4.2 The following sections of this report summarise the officer assessment and the reason for the recommendation.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 A total of 17 neighbouring properties were notified about the application and invited to comment. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 35	Objecting: 34 (including HADRA)
	Supporting: 0
	Comment: 1

6.2 The following local groups/societies made representations:

- Hartley and District Residents' Association

6.3 The following Councillor made representations:

- Councillor Simon Brew

6.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objection	Officer comment
Overdevelopment	
Overdevelopment/density	These are not individually planning considerations; however the material planning matters which contribute to overdevelopment (design, amenity impacts, transport impacts, infrastructure, etc.) are addressed in this report
Character and design	
Not in keeping/inappropriate/ obtrusive by design/loss of garden	Addressed in this report. The site does not fall within a Conservation Area or the

space/materials/crammed in/ listed building/conservation Area/green belt/loss of garden space	Metropolitan Green Belt. The properties are also not listed
Neighbouring amenity	
Residential amenity/overlooking/ loss of light/noise and disturbance/ smells/ overshadowing/ loss of privacy/impact on health	Addressed in this report
Trees and ecology	
Impact on trees/loss of trees/impact on foliage and fauna/animals/protected species/clean air/landscaping	Addressed in this report. A preliminary landscape plan has been submitted. Suitably worded conditions can be attached in respect of trees and biodiversity.
Transport and Highways impacts	
Parking/traffic generation/lack of parking/on-street parking/highway and pedestrian safety/electric vehicle charging points (EVCP), refuse	Addressed in this report. Suitably worded conditions can be attached in respect of parking/access, EVCP and cycle provision
Other	
Other sites (brownfield) should be considered.	Other sites may be subject to other planning applications; however the Council needs to make a decision on this planning application.
Would set a precedent	Each application is judged on a case-by-case basis.
Infrastructure	The development would be liable for Community Infrastructure Levy which would assist in the delivery of the infrastructure needed to support development in the area
Lack of information (materials, fenestration, colour schemes and documents)	In line with the NPPF, it is considered the matters can adequately be dealt with via suitably worded conditions where appropriate
No Construction Logistics Plan (CLP)	A CLP would be conditioned as a pre-commencement condition
Preliminary Ecological Appraisal out of date.	A revised Preliminary Ecological Appraisal has been submitted 04.08.22 which has been assessed.
Flooding/ SUDs/Sewage	

Flooding/SUDs/Sewerage	Addressed in this report. SUDs can be secured via condition.
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6.3 The following additional issues were raised in representations that officers have considered, and would like to bring make the Committee aware of, noting that they are not material to the determination of this particular planning application:

- Communication has taken place between developers
- The proposal may impact local property values.

6.4 Councillor Simon Brew has objected on the following grounds:

“I fully support every reason they (HADRA) give as to why this application should be refused”.

6.5 Hartley and District Residents Association (HADRA) referred the application to Planning Committee and have raised the following issues:

- Lack of information (Officer comment: A sufficient level of information has been submitted to determine the application. Suitably worded conditions would be used to secure any further information)
- Small sites policy/subservience (Officer comment: The design impacts of the proposal, and the principal of development with relation to the London Plan and Local Plan policies on windfall and small sites are considered in this report)
- Impact on residential amenity (Officer comment: Considered later in this report)
- Ecology (Officer comment: Considered later in this report)
- Infrastructure (Officer comment: The application would be CIL liable, and a financial contribution is sought for sustainable transport measures)
- Impact on local character, including cumulative impact (Officer comment: The application has been considered in light of the nearby approved developments as listed in this report, and the design impacts are considered in this report.)
- Amended drawings/information (Officer comment: The information includes revised section details, an updated Arboricultural report (due to the removal of trees), site plan, transportation matters and ecological details. The “Wheatcroft Principle” has established that anyone affected by substantial changes to an application should be given an opportunity to make representations. In this case, the information has not changed the nature of the proposal originally consulted upon and therefore it was considered neighbours would not be disadvantaged in this case from not being consulted on the submitted information).
- Safety of excavation (Officer comment: This is not material to the determination of the planning application, and is regulated by the Health and Safety Executive)
- Pre-application advice – (Officer comment: This is made without prejudice to any final decision that the Council may wish to take in respect of the proposal)
- Landscaping (Officer comment: A preliminary landscape drawing has been submitted and a condition is recommended)
- Construction Logistics Plan (Officer comment: A CLP would be conditioned as a pre-commencement condition)
- Sewage (Officer comment: The sewage undertaker has responsibility for planning for sufficient sewage capacity in the area, and has the right to connect to the network)

- Site clearance/unauthorised works (Officer comment: This is an enforcement matter, separate to the current planning application)

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D7 Accessible housing
- D12 Fire Safety
- D14 Noise
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- H1 Increasing Housing Supply
- H2 Small Sites
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character □ DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM30 Car and cycle parking.
- DM42: Purley

- 7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

- 7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). 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.

SPDs and SPGs

- 7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

8 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity
5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Fire Safety
8. Flood risk and energy efficiency
9. Other Planning Issues
10. Conclusions

Principle of development

- 8.2 The Croydon Local Plan states that the Council will apply a presumption in favour of development of new homes. It sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher target of 2,079 homes per year.
- 8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net

completions on small sites (below 0.25 hectares in size) over 10 years, with small sites housing target of 641 per year.

8.4 Policy H1 (Increasing housing supply) and Policy H2 (Small sites) of the London Plan 2021 explain that:

- Boroughs should optimise the potential for housing delivery on all sites (H1)
- Councils should pro-actively support small site development to significantly increase the contribution that small sites make towards housing delivery (H2).
- Councils should support small housebuilders (H2).

8.5 Policy H2 of the London Plan (2021) explains that incremental intensification of existing residential areas within PTALs (Public Transport accessibility level) 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites. Whilst the site is located within PTAL 1b, it is approximately 700m walking distance to Reedham Station. Therefore, sensitive intensification can be supported subject to the proposal complying with the relevant planning considerations below.

8.6 The existing use of the site is residential (C3) and as such the principle of redeveloping the site for residential purposes is acceptable in land use terms. It should be noted that planning permission has been granted for 3 houses to the rear of 30-34 Hartley Old Road (19/00884/FUL) which is extant (decision 07.02.2020). This constitutes a “fall-back position” and can still be implemented. The fall-back position establishes the principle of developing the site with 3 buildings providing housing, and the main difference is that the current application would provide 6 semi-detached houses (3 pairs) rather than 3 larger detached houses.

8.7 Although the previous application 16/02965/P for 3 houses at rear has now lapsed, it is material that permission was granted in 2017, and that for at least 5 years there have been consents for redevelopment of the site; therefore affected parties have a reasonable expectation that development is likely to come forward on the site.

8.8 Given the above the principle of additional homes at the site is acceptable subject to further consideration below.

Design and Character

Layout and Siting

8.9 Policy DM10 of the Croydon Local Plan (2018) requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP4.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 also require development to be of a high quality which respects and enhances local character. Policies D2, D3, D4 and D5 of the London Plan (2021) are also of relevance.

8.10 London Plan Policy H2 requires boroughs to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

- 8.11 As noted above, the site is within 800m of a station and the London Plan supports incremental intensification on such sites.
- 8.12 The proposed development would lay the houses out in a cul-de-sac arrangement to the rear of the retained houses at 30, 32 and 34 Hartley Old Road and as such would be backland development.
- 8.13 As noted above, two consecutive applications for planning permissions have previously been granted consent on the site. Permission was previously granted for a similar cul-de-sac layout on 12.04.2017 (reference 16/02965/P), which pre-dated the current development plan. At the time the UDP (Policy H5) did not seek to protect rear gardens from development, and the impacts of the backland nature of the site on local character were assessed. The following planning decision (19/00884/FUL) placed weight on the extant consent, and the officer report explained that the proposed development would be subservient to the frontage buildings due to the design and separation distances, and raised no objection to the backland development.
- 8.14 The site is in the rear gardens of three houses on Hartley Old Road; nos. 30 32 and 34. As there is an extant consent on the site, and the applicant could still construct the 3x detached houses which have consent, the principle of backland development is established, which is a significant material consideration.
- 8.15 Local Plan Policy DM10.4 supports development in rear gardens subject to a minimum of 10m length and 200sqm area of garden being retained for the host property. The retained back gardens for the houses at 30, 32 and 34 Hartley Old Road would all have retained gardens of at least 11.8m in length. The gardens at nos.32 and 34 would be 260.1sqm and 437.3sqm respectively, however the garden at no.30 is shown on the plans as falling short of the policy with a 160.8sqm garden. That would still be a large garden, and the measurement excludes a part of the garden to the rear of the garage (which is useable amenity space and could be included); and the space taken up by a conservatory. If no. 30 had not constructed a conservatory, the amount of retained garden would be approximately 206sqm, in compliance with the policy requirement. Given that the retained garden at no.30 would be substantial, that the minimum length would be retained, and that the principle of redevelopment is already established by the extant consent, this is not considered in practical terms to cause material harm which would warrant refusal.
- 8.16 During the previous application (19/00884/FUL) it was acknowledged that the proposal would be the first cul-de-sac in the immediate area, creating a different layout to the existing character of the area (where dwellings front onto the street). It should be noted since this permission that planning permission has been granted at no. 11 Hartley Old Road (application 20/05200/FUL) which includes a building at rear (development under construction). The flatted scheme (9 flats) at no. 19 Hartley Old Road has been constructed. There are also currently planning applications before the Council for backland development at the adjacent site, 36-38 Hartley Old Road and the application in relation to no. 5-7 Hartley Old Road an appeal has been lodged which at the time of writing this report has not been confirmed as a valid appeal.

Character and Appearance

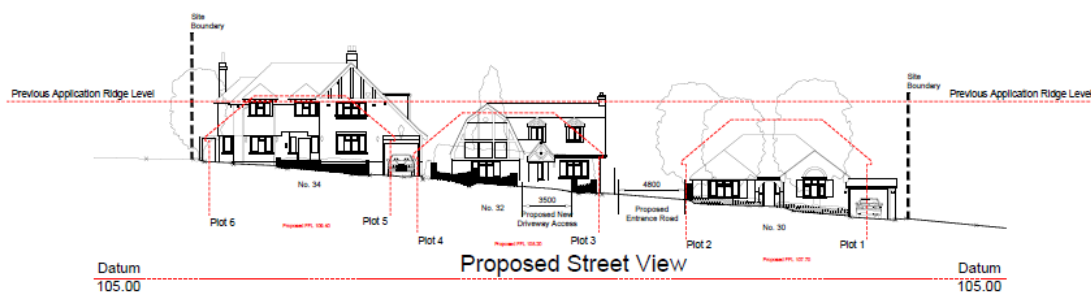
- 8.17 The nearby buildings generally face the street, and although the proposal would be a backland development, it would create a new cul-de-sac with houses facing the new "street" within the site. This would resonate with the local pattern of development. The

principle of development in a cul-de-sac has previously been established and as explained above, there are other backland developments within the vicinity.

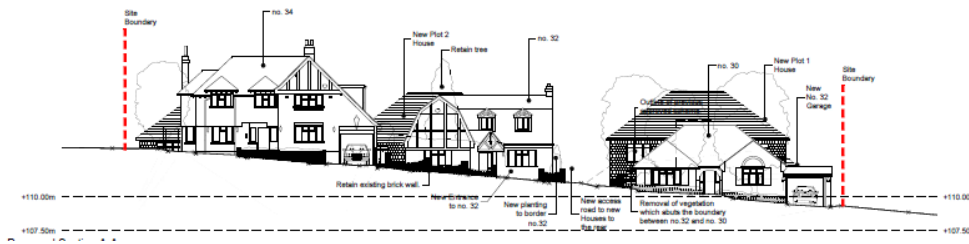


Proposed Site Layout

8.18 A contextual analysis has been provided within the Planning, Design and Access Statement. The proposed dwellings would sit within close proximity to the side and rear boundary of the site, which would not be that dissimilar to the previous approval on the site (19/00884/FUL). The houses would have a different footprint and of a different design to the previous scheme providing 6 dwellings as opposed to 3 (although there would still be 3 buildings). The proposed dwellings would be staggered in height with the proposed dwellings to the rear of no. 30 set at a lower land level. A submitted street scene drawing shows the proposed dwellings to the rear of no. 30 would be comparable in massing and design to the extant permission and would also have a lower ridge height than that previously approved. See the drawings below.



Street scene drawing 22/00973/FUL (proposed)



Street scene drawing 19/00884/FUL (extant consent)

- 8.19 As noted above, Policy DM10.1 requires developments in the grounds of existing buildings to be retained to be subservient to that building. Given the extant scheme and separation distance afforded between the new and donor properties, the heights of the buildings would be considered acceptable and in line with the above policy.
- 8.20 Given the extant permission with the loss of garden space already considered acceptable, it is considered the siting, design and massing of the proposed dwellings would not be out of keeping with the character of the area or considered to be an overdevelopment of the site. Whilst the area is characterised by predominately detached houses/bungalows, it is not considered the provision of semi-detached houses would be out of character given the siting of the proposed development (noting that London Plan Policy H1 supports the diversification of the type and mix of housing supply).
- 8.21 As such, the proposed development, by reason of its proposed scale, siting, design, bulk, form and massing would respect the established built form of the area/local context and would sufficiently maintain the local character of the Hartley Old Road street scene.



Site Location Plan

- 8.22 The dwellings would be separated from the properties to the front (Hartley Old Road) by between 23 to 31 metres (approximate) and over 60 metres to the properties to the rear (Hartley Down). As such, significant separation distances would be maintained. The proposed development would not be readily visible within the street scene.

8.23 Given the fall-back position and the form and siting of the revised scheme in relation to the consented scheme (19/00884/FUL), the proposal would not be harmful to the visual amenity of the street scene/character of the area and it is therefore considered to accord with the Local Plan Policy DM10.1.

Materials and Detailing

8.24 The properties in the vicinity of the site vary in size and style with some incorporating mock tudor detailing. The proposed dwellings would be a mix of brick and render (with tudor detailing).



Proposed Front Elevation

8.25 Whilst full details have not been provided, it is considered the details can adequately be secured via condition to ensure a high quality scheme is brought forward which is in keeping with the character of the locality. Whilst concern has been raised regarding securing materials via condition, it is considered the use of conditions are used in order to ensure a development is acceptable.

Landscape and Topography

8.26 The site has been cleared for redevelopment, including some re-grading of land. As a result, officers have requested an updated site survey showing the existing (post clearance) levels, to ensure that there is sufficient certainty about the impacts of the development. The land has been re-graded, and it is unclear whether the extent of this re-grading was such that it required planning consent. However, following the clearance and regrading, the land levels at the rear of the site are lower than those at the front of the site, meaning that the proposed homes will sit at a lower level to those at the front. The previously consented scheme allowed significant amounts of hardstanding, with fences along the boundaries, and there is no additional space for soft landscaping around the rear boundaries of nos.32 and 24 Hartley Old Road. Given that this arrangement has already been consented, that it will not be visible from the street, and that there is significant scope for new soft landscaping elsewhere within the site, no objection is raised in this respect. An outline landscaping plan has been submitted showing new tree planting (of 4.25-6m in height for “instant impact”), hedge planting, shrubs, and lawned rear gardens. A condition is recommended requiring details and soft landscaping.

Design and Character Summary

8.27 Given the history of the site and the fall-back position, the local context, and the design of the proposal, it is considered in this instance the development would be acceptable

in terms of its character and appearance. In light of the above, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of visual amenity and character of the area.

Quality of residential accommodation

8.28 The proposed houses should be designed in line with the standards set out in the Nationally Described Space Standards (NDSS) and the London Plan Housing SPG, particularly with regard to minimum floor space standards (including minimum sizes and widths for rooms/storage

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. storage space (sqm)
1	4b/8p	142	130	74.5	11	Utility room >3sqm	3
2	4b/8p	142	130	71.8	11	Utility room >3sqm	3
3	4b/8p	142	130	92.4	11	Utility room >3sqm	3
4	4b/8p	142	130	68.1	11	Utility room >3sqm	3
5	4b/8p	142	130	67.9	11	Utility room >3sqm	3
6	4b/8p	142	130	107.2	11	Utility room >3sqm	3

Scheme considered against London Plan Policy D6 and Table 3.1

8.29 It is proposed to provide 6 x 4 bedroom (8 person) homes over 3 floors. The Technical Housing Standards require a 4 bedroom (8 persons) unit over 3 floors to have a minimum gross internal floor area (GIA) of 130m² with 3m² built in storage. Each house would exceed the required space standards and would provide an adequate level of accommodation for future occupiers. Given a utility room is proposed within each of the proposed dwellings and the accommodation exceeds the space requirement, it is considered there would be sufficient space available for storage. Given the orientation of the site it is also considered sufficient light and outlook would be provided with all homes being dual aspect. All the houses would have level threshold access.

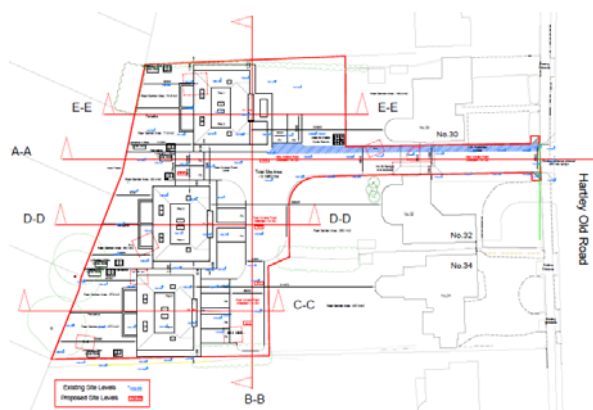
8.30 The London Housing SPG states that a minimum of 5 m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. Policy DM10.4 requires proposals for new residential development to provide private amenity space that is of high quality design, and enhances and respects the local character; provides functional private amenity space.

8.31 In terms of the private amenity space provision, the dwellings would each have access to a rear garden which exceeds the required standard.

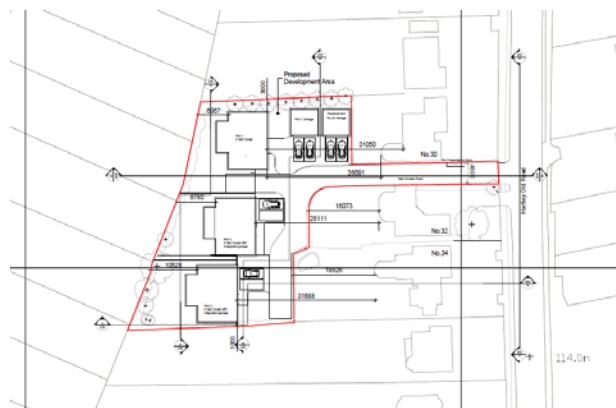
8.32 Whilst the proposal would see an uplift in the number of units/people on site, it is considered the proposed development would offer future occupiers a good standard of amenity, including the provision of private amenity space, and thus accords with relevant policy.

Impact on neighbouring residential amenity

- 8.33 London Plan Policy D3 (Optimising density through the design-led approach) of the London Plan explains that developments should secure safe and inclusive environments, secure outlook, privacy and amenity, provide green space and achieve outdoor /indoor environments that are inviting for people to use. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 8.34 The properties with the potential to be most affected are the adjoining properties Nos.28 and 36 Hartley Old Road, host properties Nos.30, 32, 34 Hartley Old Road and properties adjacent to the rear of the application site Nos.37, 39, 41 and 43 Hartley Down.



22/00973/FUL (Current application)



19/00884/FUL (Extant consent)

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

- 8.35 With regard to the impact on the amenity of the donor properties, the proposed dwellings (Plots 1-6) would not be that dissimilar to the previous approval, with a sufficient garden space provided/retained for the new dwellings/host properties. The new dwellings would maintain a separation distance of approximately 23-31m with the donor properties. While a degree of mutual overlooking is expected in a suburban residential setting, the impact on privacy and overlooking would be mitigated by the separation distance between the properties. Given these factors and the separation distance afforded, the proposed new dwellings would not result in any significant harm to the donor properties in terms of loss of light, outlook, loss of privacy, openness,

overbearing form or sense of enclosure or any other identifiable harm as to withhold planning permission.

- 8.36 With regard to the impact on No.30 Hartley Old Road, the proposed dwellings (Plots 1 and 2) would be approximately 23m from the rear of no. 30 (closer to the host property to the previously approved scheme) and the garages previously proposed would be replaced with parking spaces. It is considered the proposed development would not have a significantly overbearing impact on this property. See images in paragraph 8.11 above.

28 Hartley Old Road

- 8.37 No.28 Hartley Old Road is a detached dwelling. The proposed dwellings on Plot 1 and 2 would be separated approximately 28 metres from the rear wall of this property and set between 1.3 and 1.7m from the side boundary. The dwelling on Plot 1 would have a first floor bathroom window on its side elevation facing the garden of no.28 which would be conditioned to be obscure glazed. Whilst the proposed dwelling would be closer to the boundary to the extant scheme, it is considered it would not result in any greater impact than currently experienced in terms of loss of privacy or overlooking of this neighbouring property in terms of not directly overlooking the first 10m of the garden area. It is considered to not result in greater overlooking than the consented scheme.

36 Hartley Old Road

- 8.38 The separation distance between the proposed dwellings on Plots 5 and 6 and the rear of No.36 Hartley Old Road would be approximately 39 metres. Whilst a first floor bathroom window is proposed along the side wall, facing the rear garden of this neighbour and front facing windows, it is considered a condition could be imposed for the side facing window to be obscure glazed and therefore considered it would not result in any greater impact than currently experienced in terms of loss of privacy or overlooking of this neighbouring property in terms of not directly overlooking the first 10m of the garden area. It is considered to not result in greater overlooking than the consented scheme.

- 8.39 It should be noted that there is an application currently before the Council for the erection of 4 x 4 bedroom semi-detached dwelling-houses with associated parking and landscaping at land rear-of 36-38 Hartley Old Road (application 21/06302/FUL). At the time of writing this report, this application is currently under consideration. It is considered however the proposed development would not prejudice the development potential of the neighbouring site, given the proposed layout.

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

- 8.40 8.28 In terms of the impact on the occupiers situated to the rear of the site, the separation distance from the main rear wall of the new homes in Hartley Down to the rear of the proposed dwellings would be approximately 60 metres. Given the siting of the proposed dwellings to nos. 37, 39, 41 and 43 Hartley Down, it is considered the proposed development would be of sufficient distance to not have any adverse impact on the amenity of these occupiers in terms of loss of light, overshadowing, outlook, privacy, overlooking, overbearing form or sense of enclosure as to withhold planning permission. It is however recommended for a condition to be attached removing permitted development rights in order to protect neighbour amenity, and for a condition

to be attached that the flat roof of the single storey element at rear shall not be used as a balcony or roof garden and no alterations shall be carried out to create access to it in order to protect neighbour amenity.

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

8.41 These properties are located on the opposite side of the road, opposite donor properties nos.30, 32 and 34 Hartley Old Road and an approximate separation distance of 90 metres between the proposed dwellings and the front elevation of these properties would be sufficient to prevent any harmful impact on the amenities of these occupiers.

Other Amenity Impacts

8.42 With regard to the noise, disturbance, smells, impact on health, whilst the proposal would result in an increase in occupants to the extant scheme, it is however considered the proposed development would not result in undue noise, disturbance or smells as a result of the increased number of occupants on the site and relationship with neighbouring properties. As such, the proposed development is considered acceptable in terms of the neighbouring amenity.

8.43 With regard to noise, disturbance, impact on health, conditions would be attached for a Construction Logistics Plan to be submitted (pre-commencement condition) and an informative placed on the decision in respect of the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites" which should be adhered to in order to minimise disruption and noise.

8.44 In the light of the fall-back position and the above, it is considered that the dwellings, by reason of their proposed scale, siting, separation distances, means of openings, orientation, design, bulk, massing and height would not have an undue impact on the amenities of the neighbouring properties and adjacent sites. As such, the impact on neighbouring amenity would be acceptable and in line with the above reference policies.

Trees, landscaping and biodiversity

8.45 Policy DM10.8 of the Croydon Local Plan (2018) states in exceptional circumstances where the loss of mature trees is outweighed by the benefits of a development, those trees lost shall be replaced with new semi-mature trees of a commensurate species, scale and form. Policy DM28 of the Croydon Local Plan (2018) seeks to protect and enhance the borough's woodlands, trees and hedgerows and that development is not permitted resulting in the avoidable loss or deterioration of irreplaceable habitats, including ancient woodland, hedgerows and veteran trees. Policy G7 of the London Plan (2021) is also of relevance.

8.46 With regard to the previous consent on the site, application 19/00884/FUL, the committee report states "whilst the application site contains some mature and semi-mature trees and shrubs, the application site is not covered by a Tree Preservation Order, nor is the site within a conservation area so trees on the site are not subject to planning controls. It is proposed to retain some of the hedge to the rear site boundary (rear of Plot 2 and Plot 3), 6 trees and hedges within the centre of the site would be felled. New vegetation is proposed on the boundary with No.28 Hartley Old Road. Tree

protection measures and method statements for any works within root protection areas have been conditioned on Council's Arboricultural Officer request".

- 8.47 Since then, trees have been removed from the site. A revised Arboricultural Report has been submitted (22.09.22). The tree officer previously raised concern regarding the overall loss of trees, that the newly built form would leave very little usable amenity space for new tree planting to be undertaken, specifically in regard to mitigating the loss of trees proposed to be removed to facilitate the new development.
- 8.48 Clearance works have taken place on site which has included the removal of trees and land level changes. Given this, the full-back position, the trees not being protected, and that replacement trees are proposed (which have been shown on a preliminary landscape proposals plan to compensate for the loss of trees), it is considered in this instance that the application would be acceptable. The landscaping plan shows 11 new trees, planted at 4.25-6m tall for instant impact, along with several shrubs and hedges. Given that the site has been cleared and the quality of the planting medium is not clear, a suitably worded condition would be attached for replacement trees to be provided in suitable tree pits due to any existing topsoil having been removed from the site. This would be secured as part of an overall landscaping scheme for the site. The trees in the rear gardens of the neighbouring properties would not be affected by the proposal. It is also recommended for the submitted Arboricultural mitigation measures to be secured via condition/tree protection measures.
- 8.49 Policy G6 of the London Plan (2021) states development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. This is reiterated in Policy DM27 of the Croydon Local Plan 2018 (Protecting and enhancing our biodiversity).
- 8.50 Protected species are a material planning consideration. A revised Preliminary Ecological Appraisal has been submitted (04.08.22) which has been assessed by the Councils' ecological assessor who has raised no objection subject to securing biodiversity mitigation and enhancement measures. They have recommended all mitigation and enhancement measures/or works to be carried out in accordance with the submitted Preliminary Ecological Appraisal (Arbtech, August 2022) and implemented in full. It is also recommended for a biodiversity enhancement strategy to be submitted prior to slab level. The proposed headline biodiversity enhancements are supported, and would secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021).
- 8.51 The Council's ecologist has advised that the biodiversity enhancement strategy could also include provision of a log pyramid for invertebrates such as Stag Beetle (*Lucanus cervus*).
- 8.52 With regard to ponds nearby, an email dated 21st October 2022 was submitted confirming "there are no ponds within 500m of the development area and the site itself is considered unsuitable for both aquatic- and terrestrial-phase amphibians and therefore the risk of a potential impact on newts is negligible". The Preliminary Ecological Appraisal (p6) also states with regard to amphibians that "No suitable habitat on site for amphibians and there are no ponds within 500m of the development area. No records of common amphibians or GCN were provided with the BRD and there are no GCN licenced sites within 1km of the site on the Magic database.

8.53 The proposal would therefore not cause harm to protected species on the site, and subject to the recommended conditions would make appropriate provision for habitats and biodiversity net gain.

Access, parking and highway impacts

8.54 Policy SP8 of the Croydon Local Plan (2018) concerns traffic generation, sustainable travelling and parking standards. Policies DM29 and DM30 of the Croydon Local Plan (2018) promotes sustainable travel and reducing congestion. Policies T4, T5, T6 of the London Plan (2021) are also of relevance.

8.55 The TFL guidance on Public Transport Accessibility Levels (PTAL) assumes that people will walk up to 640 metres (approximately eight minutes) to a bus service and up to 960 metres (12 minutes) to a rail service. The site is approximately 700m from Reedham Station. The nearest bus stops are approximately 600m away on Old Lodge Lane. The PTAL for the site is shown indicatively on the TFL WebCAT website as being 1B (very poor), although the calculation excludes all bus routes (even though they are in walking distance), so in practice the site is accessible by several transport modes and the PTAL may be higher.

8.56 The London Plan (2021) requires that the maximum parking standards for a PTAL 0-1 in outer London for 3+ bedroom homes should be up to 1.5 spaces per dwelling. This therefore equates to a maximum 9 parking spaces for the proposed 6 homes.

8.57 The previous scheme for 3 houses proposed an over provision of parking with 8 parking spaces and two garages, including a garage and two parking spaces for no. 32. No parking for no.32 (which has a large driveway) is proposed within the current application.

8.58 10 parking spaces are proposed. Plots 1 and 2 would each have one parking space per dwelling. The remainder of the houses would have two parking spaces each. This is considered acceptable.

8.59 The proposed vehicular access would be wider than that approved for the extant consent. It would incorporate a shared vehicular access and a 1.2m wide pedestrian route (demarcated using a different surface treatment). Concern has been raised regarding the siting of the pedestrian route. Whilst the site would be intensified with more occupants, it is considered given the previous extant scheme did not include a pedestrian route and the proposed access road would be demarcated with a different surface, it is considered it would not be detrimental to on vehicular/pedestrian safety. An amended plan has been submitted of the gradients of the access road. The gradient has been shown as 1:20 which is a gentle slope and considered acceptable for this scale of development.

8.60 Details of electric vehicle charging points have not been shown, however it is recommended for details to be secured via condition.

8.61 A new vehicular access is shown on the plans for no. 32 Hartley Old Road, however that is outside the side boundary and therefore not included within the application. It would however be possible for no.32 to retain access from the proposed access route. In order to ensure that the proposal does not result in the removal of parking for no.32 (which would permanently displace parking on-street), a Grampian condition is

recommended, requiring the applicant to provide details of the parking arrangement for no.32 before the development can be occupied.

- 8.62 The site includes the land needed for appropriate visibility splays, and a condition is recommended requiring details.
- 8.63 Cycle stores has been shown within the rear gardens of the proposed dwellings. The site plan states the cycle stores would be lockable and provide space for 4 bikes each. Two bike spaces are required per house. It is considered the side access would be wide enough (at least 1.2m wide) in order for bikes to be taken along the side access to the front. It is recommended for full details. An area has also been provided for visitors (for 4 bikes) although it may be possible for each home to provide some storage for their visitors. It is recommended for a condition to be attached for these details to be secured via condition.
- 8.64 Policy DM13 of the Croydon Local Plan (2018) states refuse/recycling should be sensitively integrated within the building, ensure facilities are well screened, provide adequate space for temporary storage of waste (including bulky waste) materials generated by the development and provide layouts that ensure facilities are safe, conveniently located and easily accessible by occupants, operatives and their vehicles.
- 8.65 The access route would be a maximum of 4.8 metres in width, which is wider than the extant permission which was 4.5m wide. At its narrowest point, it would narrow to 3.6m which would allow a large vehicle such as a refuse collection vehicle to enter the site. A larger hardstanding area/turning area is proposed to the extant consent, with a different layout. Swept Path details have been provided demonstrating a larger vehicle (refuse vehicle) would be able to turn on site and leave in forward gear. The officer report in respect of application 19/00884/FUL states "The access route would be a maximum of 4.5 metres in width, which is adequate for both refuse vehicles and emergency vehicles. Room within the site to turn these vehicles is not included. It is acceptable that there is not dedicated turning space for emergency vehicles, given the infrequency with which they may be required and that they may not need to enter the site, subject to Building Regulations approval". Given that the proposal is an improvement on the extant permission and swept path details have been provided demonstrating a larger vehicle can turn on site and leave in forward gear, this is considered satisfactory.
- 8.66 Each of the proposed dwellings would have an area for waste/refuse which is not large enough to accommodate the required number of receptacles. The refuse should be within an enclosed store and large enough to accommodate three household waste bins and not 2 as shown. It is considered the details can adequately be secured via condition. An area of bulky waste area (10m²) has not been identified on the proposed site plan. It is considered there would be space available for bulky waste (adjacent to the visitor cycle parking area, or within individual front gardens). Given the infrequency with which the bulky waste area may be required, it is considered a larger vehicle can access the proposed development at rear. It is recommended for details of its location to be secured via condition.
- 8.67 The applicant has confirmed agreement to a S.106 agreement to secure a contribution towards sustainable transport initiatives in line with Policy SP8.12 and SP8.13. It is recommended that a financial contribution of £1500 per unit is secured towards sustainable transport improvement measures.

Fire safety

- 8.68 Policy D5 of the London Plan (2021) seeks for inclusive design and Policy D12 of the London Plan (2021) states in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety.
- 8.69 Details of fire safety have been submitted which outlines fire safety measures for the development. The applicants Highway consultants have advised that “Paragraph 6.7.3 of Manual for Streets acknowledges that an access width (between gates) of 3.7m is required for fire access and to allow a working area around the vehicle. A minimum carriageway width of 2.75m is acceptable to allow a fire appliance to travel along a route. The proposed road narrowing of 3.6m is therefore compliant with Manual for Streets and Part B5 of the Building Regulations”. This has been assessed and considered the details are adequate. It is recommended for the details to be secured via condition; however it should be noted that fire safety together with other matters dealt with under building regulations legislation will be dealt with by Building Control.

Flood risk and energy efficiency

- 8.70 Policy SI 12 and Policy SI 13 of the London Plan 2021 state that development proposals must comply with the flood risk assessment and management requirements NPPF and utilise sustainable urban drainage systems (SUDS). The London Plan 2021 states that current and expected flood risk from all sources should be managed in a sustainable way and that particular surface water management issues should be identified, and measures implemented to aim to reduce these risks. Policies SP6.4 and DM25 seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS). The site falls within a critical drainage area. A SUDs Strategy has been submitted for consideration which states:

“All surface water arising can be managed on site. All surface water arising from roofed areas is controlled by direct infiltration through soakaways. Water butts will reduce potable water demand provide additional SuDS on site. All areas of hard standing on the site will be constructed using a permeable medium. There is no design exceedance outfall away from the site. Exceedance flows and flows arising from system failure can be accommodated on site within areas of landscape planting, soakaway crates and the sub-base to the hard standing”. It is recommended for Sustainable Urban Drainage System details to be secured via condition.

- 8.71 It should be noted that the SUDs Report is a draft and does not show the layout of the correct scheme. It is however considered the details can adequately be secured via conditioned given the plan within the report is not that dissimilar to that proposed. It is therefore recommended for a SUDs condition to be attached for details to be submitted.
- 8.72 With regard to sewage, this is not a planning consideration. The agent sent email dated 21.10.22 that the development would be connected to the existing connection at no. 30 Hartley Old Road.

8.73 A condition would be attached to ensure that mains water consumption would be designed to meet a target of 110 litres or less per head per day.

Construction Logistics

8.74 It is recommended for a condition to be attached for a Construction Logistics Plan to be submitted (as a pre-commencement condition) and for an informative to be placed on the decision in respect of works being carried out in line with the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites".

9 CONCLUSIONS

9.1 The provision of 6 residential family dwellings within the Borough is encouraged by the Council's Local Plan policies, national guidance in the NPPF and regional policies of the London Plan. The proposed new homes would add to the supply of family sized housing in the area, whilst respecting the local character. It would not result in unacceptable impacts in terms of highways, amenity, or environmental impacts, and would result in a sustainable form of development.

9.2 In addition, using legal agreement and appropriate conditions, the development would be acceptable.

9.3 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).