

1 APPLICATION DETAILS

Ref: 22/01073/FUL
 Location: Land to The Rear Of 26 Warham Road, South Croydon CR2 6LA
 Ward: Waddon
 Description: Erection of a two-storey detached dwellinghouse.
 Drawing Nos: Proposed: 026WA-A-01-001; 01-002; 02-101; 02-102; 02-103; 02-104; 02-105; 03-101; 03-102; 03-103; 03-104; 05-101; 05-102; 05-103; 06-101; 06-102; 06-103; 06-104 (13/01/23)
 Existing: 026WA-A-01-001; 01-002 ; 02-001; 02-002; 03-001; 03-002; 05-001; 05-002; 06-001; 06-002; 06-003; 06-004 (06/05/21)
 Applicant: Bluefield Estates Ltd
 Agent: James Cohen, UPP Architects & Town Planners
 Case Officer: Yvette Ralston

	Housing Mix				
	1 bed	2 bed	3 bed	4 bed	TOTAL
Existing					0
Proposed (Market housing)				1	1

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 5	
Car Parking maximum standard	Proposed
0	0
Long Stay Cycle Storage minimum	Proposed
2	2
Short Stay Cycle Storage minimum	Proposed
0	0

1.1 This application is being reported to committee because:

- Objections above the threshold in the Committee Consideration Criteria have been received

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission

2.2 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- a) Sustainable Transport contributions of £1,500

b) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.

2.4 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) Submission of Construction Logistics Plan

Prior to above ground floor slab level

- 4) Submission of materials/details including the external privacy screens to the first-floor rear facing bedroom windows
- 5) Submission of SUDS details
- 6) Submission of Landscaping Plan showing hard and soft landscaping, details of new trees, biodiversity enhancement measures and boundary treatments

Pre-occupation

- 7) Submission of refuse storage details

Compliance

- 8) Provision of cycle parking
- 9) Obscure glazing on front (south) facing first floor bedroom window and side (east) facing skylights
- 10) In accordance with Arboricultural Impact Assessment, Method Statement and Tree Protection Plan
- 11) Delivery of 1 x M4(2) accessible unit
- 12) Compliance with requirements of the Fire Statement
- 13) Removal of Permitted Development rights for the house
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practice for Construction Sites
- 4) Highways informative in relation to s278 and s38 works required
- 5) Compliance with Building/Fire Regulations
- 6) Construction Logistics Informative
- 7) 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 within 3 months of the committee meeting date, 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 Permission is sought for:

- Erection of 1 x 2-storey 4-bedroom house to the rear of 26 Warham Road
- Pedestrian access from Warham Road
- Bin and bike storage
- Private amenity space



Figure 1: Proposed new dwelling

Site and Surroundings

- 3.2 The site is located to the rear of 26 Warham Road. The land was previously used as part of the amenity space for the flats of 26 Warham Road. The access runs parallel to the access road for 28 Warham Road. The site is flat and there are no land use designations. The surrounding area is residential comprising a mix of flats and houses. It has a PTAL of 5 and Warham Road is a classified road.



Figure 2: Proposed Site location plan

Planning Designations and Constraints

- 3.3 The site is subject to the following formal planning constraints and designations:
- PTAL: 5
 - Warham Road is a Borough Classified Road
 - Flood Risk Zone: 1
 - Surface water flood risk: low
 - Critical Drainage Area (designated by the Environment Agency)

Planning History

- None

Pre-application history

- 21/03345/PRE: Erection of a new single-family dwelling.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development of 1 new residential unit in this residential area is acceptable.
- The site has a high Public Transport Accessibility Level (PTAL 5) and is therefore in an area that the London Plan encourages new residential development
- The proposed design is high quality
- Impacts on neighbouring amenity have been mitigated through design interventions
- The proposed quality of accommodation is high

- A car free development is acceptable given the high PTAL of the area and the backland nature of the site.

4.1 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.

5.2 The following were consulted regarding the application:

Trees

5.3 No objection subject to compliance with the Tree Survey submitted.

Strategic Transport

5.4 Discussed in the 'Access, parking and highway impacts' section below

6 LOCAL REPRESENTATION

6.1 A total of 39 neighbouring properties were originally notified about the application and invited to comment.

6.2 A re-consultation on revised plans took place between 18/01/23 and 03/02/23. The main change was to the footprint / rear elevation of the proposed house.

6.3 The total 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: 39 Objecting: 35 Supporting: 1 Neutral: 0

6.4 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
Impacts on neighbouring amenity	
Harm to amenities of neighbours (including 1 Barham Road, 1A Barham Road, existing flats at 26 Warham Road, 28 Warham Road (flats and garden), 30 Warham Road).	Addressed in this report
Land Ownership / Loss of Garden	
<ul style="list-style-type: none"> • The application results in the loss of garden space for the flats of number 26, specifically 2 gardens to 2 of the flats 	<ul style="list-style-type: none"> • The application complies with the "backland" policy in the Local Plan. The garden space to the flats of number 26 is in private ownership and the

<ul style="list-style-type: none"> • Access to the house would have to cross garden space of 26 Warham Road and permission for this is not given. 	<p>division of the garden space needs to be resolved privately. The correct ownership certificate has been served and the occupants of the other flats have been made aware of the application and been able to comment.</p>
Impacts on trees and ecology	
<ul style="list-style-type: none"> • Trees have been felled • Loss of wildlife in the garden • Loss of green space • Air pollution 	<ul style="list-style-type: none"> • The trees are not protected so the Council cannot prevent their removal. 2 new trees are proposed.
Accessibility and Quality of Accommodation	
<ul style="list-style-type: none"> • Disabled access not been considered • Too many bedrooms proposed 	<ul style="list-style-type: none"> • These matters are not harmful to adjoining occupiers, but are addressed in this report.
Transport and access	
<ul style="list-style-type: none"> • No vehicular access to the site and no parking • Will lead to parking congestion on Barham Road and the local area • Lambeth parking methodology does not consider parking stress in the evenings • No fire suppression or access to emergency vehicles. • There is very limited parking space outside the property so the parking survey seems inconsistent. The survey does not recognise the evening conditions when there are often a large number of casual users using the 'Restaurant Quarter' • 	<ul style="list-style-type: none"> • Addressed in the report • The Lambeth parking methodology considers parking stress overnight when most residents are at home. • Fire appliance access addressed in the report.
Character and design	
<ul style="list-style-type: none"> • Inappropriate garden development • Design is not in keeping/out of character with nearby properties • Building is obtrusive / large • Additional refuse storage required at the front of number 26 will have a negative visual impact on the street 	<ul style="list-style-type: none"> • Addressed in the report

Other	
<ul style="list-style-type: none"> • Location plan inaccurate: shows the site bordering the garden of 24 Warham Road rather than garden of 1A Barham Road • Boundary wall with 1A Barham Road needs to be protected • Noise and disturbance from construction • Sets a precedent for other rear garden developments 	<ul style="list-style-type: none"> • Garden boundary changes outside of the site are not a material planning consideration. • No change to the boundary wall on the right-hand side of the site is proposed. A Party Wall Agreement can be agreed between the respective owners. • A CLP will be required by condition. • Each application is assessed on its own merits.
Support	
<ul style="list-style-type: none"> • Good design with windows that do not cause overlooking to the neighbours 	

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 (2021). 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
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire Safety
- H1 Increasing housing supply
- H2 Small sites
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T4 Assessing and mitigating transport impacts
- T5 cycling
- T6 car parking
- T6.1 Residential parking

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- SP8 Transport and communications
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- Policy DM18: Heritage assets and conservation
- 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 in new development
- DM40 Kenley and Old Coulsdon

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. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

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)
- 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. Flood risk and energy efficiency
8. Fire safety
9. Conclusions

Principle of development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036. The London Plan sets out a housing target for the borough 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 a small-sites housing target of 641 per year.

8.4 Croydon Local Plan Policy SP2 explains that developments should ensure land is used efficiently. London Plan policy H1 states that boroughs should optimise housing delivery on sites of PTAL 3-6 or within 800m of a train station or town centre boundary. The site has a PTAL of 5 and is a 650m walk from South Croydon Station. It is therefore suitably located in policy terms for some residential development, subject to compliance with other material planning considerations.

8.5 Local Plan policy SP2.7 sets a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to ensure that the borough's need for family sized units is met. The proposal is for 1 x 4b6p home which would contribute towards the Council's need for family sized homes.

Design and impact on the character of the area

8.6 Policies SP4.1 and DM10.1 of the Local Plan state that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape. Proposals should respect the development pattern, layout and siting; the scale, height, massing, and density; and the appearance, existing materials and built and natural features of the surrounding area. London Plan policy D3 states that a design-led approach should be pursued and that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness.

Backland development and access arrangements

8.7 The application site is a backland site of c. 260sqm in area at the end of the garden of number 26 Warham Road. The site was previously used as part of the amenity space for the building at 26 Warham Road (a large Victorian house, converted to flats). From

the officer's site visit it was apparent that the area of the application site was overgrown and appeared unused. Policy DM10.4e states that in the case of development in the grounds of an existing building which is retained, a minimum length of 10m and no less than half or 200sqm (whichever is the smaller) of the existing garden must be retained for the host property after the subdivision of the garden. The existing garden to 26 Warham Road (shared between the 4 flats) is 490sqm. Following the development, it would retain an area of approximately 230sqm and a length of 21m which comfortably complies with the policy requirement of DM10.4e.

- 8.8 Policy DM10 requires that dwellings constructed within rear gardens of existing properties are subservient in scale to the main house. The main property on 26 Warham Road is a 4 storey (including basement) Victorian style block comprising 4 flats. The proposed dwelling at the rear is relatively small scale at 1-2 storeys and 7.2m in height to the ridge, which is approximately 7m lower than the main property on the site (which is 14m tall). It is therefore appropriately subservient.
- 8.9 There are no examples of backland development of this style in the immediate vicinity however there are other types of backland development present. Number 1a Barham Road is constructed in the rear garden of 18-20 Warham Road approved under application ref: 84/00416/P on 04/05/1984, but this has a street facing frontage. There are other types of backland development in the immediate vicinity, mainly comprising car parks and rows of garages serving the flats in the area, for example garages for Fairhaven Court directly opposite and a car park for Lincoln Court to the west. The adjacent site (number 28) has an access road providing access to a car parking area for number 28 and this runs alongside the proposed access to the dwelling. The principle of access to the rear of the site is therefore established and is not out of character.
- 8.10 The dwelling would be partially visible in views down the access road adjacent when approaching from the west. It would also be visible from the rear windows of dwellings along Warham Road and Barham Road, but it is small scale and of a high-quality design so this is not harmful to the visual amenity of the area.
- 8.11 Access would be by foot only via a flat pedestrian path that is 1.2m wide alongside the access road for number 28. Amendments have been made to the approach to the dwelling during the assessment of the application to ensure that it is a safe and pleasant approach. The proposed boundary treatment separating the access path from the private amenity spaces of 26 Warham Road would comprise 1.5m high hedging and ground lights. A new hedge in this location would offer an enhancement to the amenity space for the flats which current does not have any soft landscaping against the fence which separates it from the adjacent access road. The dwelling would be separated from the rear gardens of number 26 by a fence at the front with a gate to provide access. The proposal has been developed in a way that is considered to respond successfully to the constrained backland nature of the plot and the constrained access to the site. Given that the development would be car-free (with pedestrian access only), and that the access to the entrance would be well designed, the proposed backland layout and arrangement would be acceptable.

Character and design

- 8.12 The proposed dwelling is designed in a contemporary style and with a unique shape / stepped footprint to mitigate impacts on neighbouring amenity. The proposed building is part single, part 2 storeys in height with an asymmetrical pitched roof that overhangs

above the rear windows and the covered entrance area on the western side of the dwelling. The roof pitch would have a residential appearance, reflecting the various pitched roof forms of the surrounding houses, albeit within a smaller form. The rear elevation is angled so that views are directed towards the west, away from the rear garden and dwelling of number 1 Barham Road, and “fins” or privacy screens are also proposed on the side of the first-floor windows to direct views away from the property (details of which would be required by condition). Windows on the side elevations would be positioned at a low level (below the fence line) or would be obscured rooflights, and the first-floor window on the front facing the flats at number 26 would also be obscured without unduly harming the quality of internal accommodation. Windows would have deep reveals with black aluminium frames. The varying sizes and shapes of the windows are appropriate on the modern design of the dwelling. The facades would be clad in timber and cedar shingles would be used on the western elevation, beneath the roof overhang. The Local Plan requires the use of robust, low maintenance materials. As the proposed development is one house, within single ownership, maintenance requirements are simpler than those associated with buildings in multiple ownerships; furthermore, Cedar is a high quality and low maintenance timber, suitable for external cladding. The timber cladding would have some resonance with its verdant surroundings, and reflect timber traditionally used on rear garden buildings (such as garden sheds). On that basis, the proposed material is considered appropriate for its setting.

- 8.13 The architectural style of the area is mixed, featuring large Victorian style dwellings such as the host dwelling on the application site, purpose-built blocks of flats opposite and adjacent with examples of flat roofs, pitched roofs and mansard roofs, plus large semi-detached houses/flats on Barham Road. The site itself does not have a street facing frontage and there is no predominant character type in the area, so the proposed high quality contemporary design is considered to be an acceptable response to development on this constrained, backland plot. The proposed dwelling would not be visible from the street, and overall is considered to represent a positive contribution to the character of the area.
- 8.14 In terms of site layout, the dwelling would have private amenity space at the front and rear. A bike store would be within the curtilage of the site, which would be screened by the boundary fence and would not be harmful in design terms. The bin storage is proposed at the front of the site, alongside the bin storage for the flats within number 26 (which are currently screened by a fence). Additional bins in this location would be screened from the street scene, with details to be secured by a condition. Subject to appropriate details, this would be in keeping with the existing arrangement and would not cause harm to the character and appearance of the area.

Summary

- 8.15 The principle of backland development is acceptable given the policy compliance, the presence of various types of backland development in the area (mainly garages and car parks) and the small scale, subservient nature of the proposed dwelling. The proposed high quality contemporary design is considered to be acceptable, with appropriate provision for cycle and bin storage. The proposal would be characterfully designed and would make a positive contribution to the character of the area. The proposal is considered to comply with Local Plan policies SP4 and DM10 and London Plan policy D3.

Quality of residential accommodation

- 8.16 The National Design Guide states that well-designed homes should be functional, accessible and sustainable. London Plan policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments and requires that 75% of the GIA of each dwelling has a floor to ceiling height of over 2.5m. Local Plan policy DM10.4 and London Plan policy D6 set out the standards for external private amenity space which is for 5sqm per 1-2 person unit and an extra 1sqm per occupant thereafter.
- 8.17 The table below summarises the assessment of the internal and external spaces of the proposed new dwellings against London Plan policy D6.

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1 (house)	4b6p	121.37	115 (2 storeys)	188sqm	9	1.17	3

Table 1: scheme considered against London Plan Policy D6 and Table 3.1

- 8.18 The proposed house would be spread across 2 storeys, with a large open plan living/kitchen/dining space at rear of the ground floor of the dwelling, where the main windows are positioned. A single bedroom, study and bathroom are proposed at the front of the ground floor, with 3 further bedrooms and 2 bathrooms at first floor level. The dwelling would comply with the floorspace requirements of the London Plan. The unit would be triple aspect and provide adequate windows for ventilation and outlook. Floor to ceiling heights would comply with London Plan policy D6 as over 75% of the floorspace has a ceiling height of over 2.5m, and there is a double height section in the living room on the western side. The double bedrooms on the upper floor would be served by windows plus obscure skylights.
- 8.19 The amount of dedicated storage space shown on the plans is 1.17sqm which is below the 3sqm requirement, however there is also a walk in wardrobe at first floor level and ample storage space in all the bedrooms and the study, so although this is not marked specifically on the plans there is sufficient space to comply with the requirements of London Plan policy D6. The dwelling would be accessed via a front door on the west (side) elevation, which is in a legible location following the path from Warham Road. The dwelling would have private amenity space at the front and back, bounded by fencing / existing walls.
- 8.20 The proposal would provide a generous family home, with 4 bedrooms in total, including a ground floor bedroom and bathroom suitable for those with limited mobility, and a study to allow for home-working. The quality of accommodation for future occupiers internally and externally would be very high.

Accessibility

- 8.21 London Plan policy D7 requires 10% of new-build housing to be M4(3) 'wheelchair user dwellings' and the remainder M4(2) 'accessible and adaptable'. Step-free access to the front door of the dwelling would be provided via the path from Warham Road, and this path would also provide level access to the bin and bike storage areas. Step free

access to the rear garden would also be provided. There is a slight gradient down from the street into the site, which would not prevent the development from achieving appropriate step-free access. Internally there are stairs and occupiers could install a chair lift or similar if required, and as noted above there would be a ground floor bedroom and bathroom allowing those with limited ability to use stairs to be accommodated. The house would comply with M4(2) standards and a condition would be attached to ensure it is finished as such.

Impact on neighbouring residential amenity

- 8.22 Policy DM10.6 of the Local Plan states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels. Representations have raised concerns about neighbouring amenity impacts notably overlooking towards various neighbouring properties.

26 Warham Road

- 8.23 26 Warham Road is the block of 4 flats to the front of the site. The separation distance between the rear elevation of 26 Warham Road and the front elevation of the proposed dwelling would be 26m, and the separation distance from the rear elevation of 26 Warham Road to the fence in front of the proposed dwelling would be 21m. The London Housing Design Guide states that 18-21m is a 'useful yardstick' for separation distances between dwellings to ensure visual privacy and goes on to state that designers should demonstrate 'how the design as a whole uses a variety of measures to provide adequate visual and acoustic privacy for every home' for example considering the position and aspect of habitable rooms, gardens and balconies and avoiding windows facing each other. In this case, the separation distance is considered to be adequate.
- 8.24 In addition, the house has been designed to minimise the number of windows facing towards the rear of number 26. There is 1 south facing window at ground floor level serving the study however this would be below the fence line so would not raise overlooking concerns. The first-floor window would be a secondary bedroom window which would be obscured and would have timber style louvres on the front to minimise overlooking towards the rear garden(s) of number 26.
- 8.25 The path providing access to the proposed new dwelling from Warham Road would pass by the side windows of the ground floor flat within 26 Warham Road. The 2 windows in the side elevation of the ground floor unit serve a bathroom and a kitchen, neither of which would be classified as habitable rooms. The main habitable rooms within the flat are the bedrooms and the living room which have outlook towards the rear, front and opposite side. In the current arrangement, the occupiers of the lower ground floor flat of number 26 have to walk down the steps in proximity to these windows to access their front door which is at the rear of the block. The proposal would introduce a fence in front of these side facing ground floor windows to ensure privacy from the new occupiers walking past to access the house at the rear. This does not raise amenity concerns given that these windows are to non-habitable rooms and there would not be significant amount of overlooking generated by people coming and going to and from only 1 house.

8.26 Representations have raised concerns about the loss of part of the garden space for the ground floor flat. This loss would be a 1.2m strip on the western side to provide the path, plus some hedging (which would be a visual improvement compared to the existing situation). It is unknown if the area at the back (forming the application site) historically belonged to one of the flats, but it appeared to be unused from the site visit. The site is owned privately, and it is not a material planning matter to consider how the garden space is divided (subject to compliance with the “backland” policy, which is complied with). Overall, the proposal would retain over 200sqm of garden space for the existing flats, and therefore the reduction in garden would not be unacceptable.

24 Warham Road

8.27 24 Warham Road is a block of flats adjoining 26 Warham Road to the east of the application site. The new dwelling would be in proximity to the rear of the garden and the separation distance from the side elevation of the proposed dwelling to the boundary of number 24 would be 1m. The wall separating the 2 sites is low and no changes are proposed to this wall so the proposed dwelling would be highly visible from the rear, however at 1-2 storeys it is subservient in size to the street facing buildings and is well designed so does not raise significant visual amenity concerns.

8.28 The proposed dwelling would not have side facing windows on the eastern elevation but would have 3 rooflights in the side roof slope which would be obscured. These do not raise overlooking concerns towards number 24.

28 Warham Road

8.29 28 Warham Road is a block of flats to the west of the application site. The area at the rear, in proximity to the proposed new house, is used for car parking. The footprint of the proposed dwelling is stepped on this side to provide a covered entrance area. A ground floor bedroom window is proposed which would be below the fence line so does not raise overlooking concerns. At first floor level, a side facing bedroom window is proposed which would overlook the car parking area and access road to number 28 so does not raise privacy concerns.

1 Barham Road

8.30 1 Barham Road is the property to the rear of the application site. It is a 3-storey dwelling with a rear outrigger and an additional rear extension. Its rear garden adjoins the application site to its northern boundary. The existing boundary treatment at the rear is a brick wall. Amendments have been made to the footprint of the proposed new dwelling during the assessment of the application to mitigate overlooking towards 1 Barham Road.

8.31 Local Plan policy DM10.6e seeks to prevent direct overlooking to the first 10m of neighbouring gardens. Following amendments (which were reconsulted upon), the rear elevation of the proposed new dwelling would be stepped so that its windows are orientated towards the rear of the garden of number 1 Barham Road, and away from the first 10m and the rear elevation of the property. In addition, the rear facing bedroom windows at first floor level would have privacy screens on the side to direct views away from the rear of the property at 1 Barham Road. the double height window serving the living room would not have outlook from the upper level. These measures are considered to sufficient mitigation to avoid direct overlooking towards the rear of 1 Barham Road.

8.32 In addition, 2 new trees are proposed on the rear boundary (T21 Ash and T22 Walnut) to offer further screening. No changes are proposed at this stage to the existing brick wall on the rear boundary. Details of the size of the new trees and the boundary treatment would be required by condition.

1a Barham Road

8.33 1a Barham Road is located 23m to the east of the application site. The rear elevation of the dwelling at 1a Barham Road is visible from the site. Representations have stated that the rear garden of 1a Barham Road extends to the boundary with the application site (and this is not shown on the site location plan). Private garden boundaries are not material to the consideration of this application and this information would not alter the assessment of the proposal. There are no windows proposed on the eastern elevation of the dwelling with the exception of obscure glazed rooflights, so no overlooking concerns are raised towards 1a Barham Road. No changes are proposed to the brick boundary wall on this side as part of the application; full details of the proposed boundary treatments would be secured by condition.

Other amenity impacts and summary

8.34 Any potential noise and disturbance would not be any more than is usual from residential uses in residential areas.

8.35 The proposed dwelling is sited on a constrained site that is surrounded on all sides by existing residential occupiers, however the high-quality design has been developed to mitigate impacts on neighbouring amenity. The low height of the proposed dwelling at 1-2 storeys, the low eaves and its subservience to neighbouring properties, means that the dwelling is not considered to be overbearing to neighbours nor to raise any daylight and sunlight impacts. The amendments to the footprint, particularly on the rear elevation, and the positioning of the windows successfully mitigates overlooking concerns. The proposal is considered to comply with Local Plan policy DM10.6.

Trees, landscaping and biodiversity

8.36 Local Plan policy DM28 and London Plan policy T7 seek to retain existing trees and vegetation. An Arboricultural Impact Assessment and Tree Protection Plan has been submitted. A total of 20 trees have been surveyed. Only 2 are located on the application site (T16 and T12) and the remainder are located outside just outside the site.

8.37 One walnut tree on the eastern side of the site is proposed for removal (T14) (although this is incorrectly labelled as T16 on the Tree Constraints Plan). No objection by the Council's Tree Officer is raised. It is understood that the site previously had much greater tree coverage but these have been removed, as raised in representations from neighbours. These were not protected by TPOs so this was lawful and is not a material planning consideration.

8.38 The proposal would result in a 4.5% root incursion into T12 by the corner of the building. The path on the western side of the site would encroach onto the roots of T4, T5 and T6 and a no-dig permeable load-spreading surface is proposed here to protect the roots, and their stems would be boxed in with wooden plyboards. Ground protection would be installed in the RPA of T15 and T17. These details are outlined in the Tree Protection Plan and adherence to these measures would be required by condition. No objection by the Council's Tree Officer is raised.

- 8.39 Local Plan policy DM10.8 requires incorporation of soft and hard landscaping within development proposals. 2 new trees (1 Ash and 1 Walnut) are proposed at the rear of the site to further reduce overlooking towards the garden of 1 Barham Road. Details of these trees, along with further details of the hedge and lighting proposed alongside the amenity space of number 26 Warham Road, plus boundary treatments and the wider landscaping proposal for the site would be required by condition.
- 8.40 Local Plan policy DM27 and London Plan policy G6 seeks to protect and enhance biodiversity in the borough. No ecology survey was carried out as there are no buildings proposed for demolition and the site has already been largely cleared. The aforementioned landscaping condition would also require inclusion of biodiversity enhancement measures.

Access, parking and highway impacts

- 8.41 The site has a Public Transport Accessibility Level (PTAL) of 5 which indicates very good access to public transport. South Croydon Train station is 650m (8-minute walk) from the site. A car-free restriction is proposed in accordance with London Plan policy T6.1. Warham Road is a classified road and there is a CPZ in operation which is operational Mon-Fri 9am-5pm. A S106 Agreement would be secured to remove access to parking permits and contracts in council run car parks for any future occupier of the dwelling.
- 8.42 Notwithstanding the fact that policy would not permit on-site parking in this high PTAL location and that parking permits would not be granted, a parking stress survey was carried out in accordance with Lambeth Methodology overnight on 06/10/21 and 07/10/21. Parking stress was found to be 49% which is not high, so if the future occupier of their visitors do park a car within walking distance of the site (outside CPZ operational hours), this would not result in unacceptably high parking stresses.

Cycle parking

- 8.43 London Plan policy T5 would require provision of 2 cycle parking for the dwelling. A wooden cycle store is proposed to be located within the curtilage of the site, behind the fence, with space to park 2 bikes. The submitted details are acceptable.

Refuse storage

- 8.44 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. The proposal is for a refuse store to be positioned within the curtilage of the site, behind the fence, for day-to-day use by the future occupiers. On collection day, the occupiers would transport their bins down to the collection point on Warham Road. Operatives already collect bins for the flats at 26 Warham Road from this location. The drag distance for the occupiers would be almost 40m which is in excess of the 30m recommended in the Croydon Waste and Recycling in Planning Policy Document (August 2015) however this is guidance and the proposed waste collection point is in the most convenient location for collection operatives which is considered to be of greater importance. In particular, the bin storage would be located in a position which the residents will need to pass each time they enter and leave their home, meaning that it would be convenient in practice. The Council's Waste and Recycling Officer has confirmed that this is the most suitable arrangement.

8.45 The plans show space for 3 wheelie bins within the bin store. Space for a food caddy is also required so details would be secured by condition.

Flood risk and energy efficiency

Flood risk

8.46 London Plan policy SI13 requires developments to achieve greenfield runoff rates and to manage surface water as close to source as possible by following the drainage hierarchy. Local Plan policies SP6 and DM25 require all developments to incorporate SUDS to reduce surface water runoff and provide water treatment on site. The site is within flood zone 1, at low risk of surface water flooding and within a critical drainage area.

8.47 It is stated that a sustainable drainage system would be incorporated but details have not been provided at this stage. It is also stated that permeable paving would be used and the drawings shows that a green roof is proposed on the east facing pitched roof. The site has ample space to accommodate sustainable drainage measures and final details would be secured by condition.

Energy Efficiency

8.48 Solar panels are proposed on the west facing roof elevation. This is supported in principle.

Fire safety

8.49 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety. Details have been provided accordingly. Access to the site by a fire appliance would be via the access road adjacent to the site serving number 28. There is a fire hydrant connection point located on the pavement just outside the site. Escape routes would be via the core staircase which would be designed in compliance with building regulations, to ensure a clear route down from the bedrooms on the upper floors. As a result (and subject to compliance with the Building Regulations), the application complies with Policy D12.

Conclusions

8.50 The proposed provision of 1 backland home in this location is considered to be acceptable, and would add a generous and attractive family sized home with a generous garden in a location which is well served by public transport. The dwelling at 1-2 storeys would be subservient to surrounding properties and the proposed design is high quality with the footprint orientated to mitigate overlooking impacts on neighbouring dwellings. The proposed quality of accommodation would be high and the scheme would be car-free which is acceptable given the high PTAL and the backland nature of the site.

8.51 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.

8.52 Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, including the benefits and the harm

outlined within this report, the proposal is acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).