

PART 6: Planning Applications for Decision

Item 6.3

1 APPLICATION DETAILS

Ref: 22/03889/FUL
 Location: Land r/o 9 and 10 Fair oak Close
 Ward: Kenley
 Description: Redevelopment of land to the rear of Nos. 9 and 10 Fair oak Close, Kenley CR8 5LJ to provide new residential accommodation (Use Class C3), comprising 3 pairs of two storey semi-detached dwellings (6 dwellings in total) with associated access road, landscaping, refuse storage, cycle and car parking provision (amended description)
 Drawing Nos: FCP 051 P01, FCP 060 P03, FCP 300 P03, FCP 301 P03, FCP 302 P02, FCP 303 P01, FCP 304 P01, FCP 110 P03, FCP 100 P05, FCP 120 P03, FCP 052 P01, FCP062 P01, FCP 350 P03, FCP 050 P01, FCP 170 P03, FCP 171 P01
 Applicant: South and Seventeen Kenley Ltd
 Agent: Mialex
 Case Officer: Lucy Page

	Housing Mix				
	1 bed	2 bed	3 bed	4 bed	TOTAL
Existing				2	2
Proposed (Market housing)				6	6

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 0	
Car Parking maximum standard	Proposed
	10
Long Stay Cycle Storage minimum	Proposed
Short Stay Cycle Storage minimum	Proposed
	2

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 contribution of £9,000b) 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
- 4) Submission of an Ecological Management Plan (EMP)
- 5) Submission of a Construction Ecological Management Plan (CEMP)

Prior to above ground floor slab level

- 6) Submission of materials/details
- 7) Submission of final SUDS details
- 8) Submission of updated Landscaping Plan showing existing and proposed levels, hard and soft landscaping of the site and new access drive, details of new trees of suitable maturity, biodiversity enhancement measures, boundary treatments and maintenance.

Pre-occupation

- 9) Submission of refuse and cycle storage details
- 10) Submission of details of any external energy generation

Compliance

- 11) Provision of cycle parking
- 12) Obscure glazing on side elevations as shown on drawings
- 13) In accordance with Arboricultural Impact Assessment, Method Statement and Tree Protection Plan
- 14) Compliance with requirements of the Fire Statement
- 15) Removal of permitted development rights
- 16) 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 6 x two storey semi-detached dwellings
- New access onto Fair oak Close
- Bin and bike storage
- Private amenity space for each house



(Proposed new dwellings viewed from within the site)

Site and Surroundings

- 3.2 The application site lies to the southwest corner of the cul-de-sac, Fair Oak Close and comprises of part of the large rear gardens serving 9 and 10 FairOak Close. The site is bound by mature tree planting along the southern and western boundaries. Wattendon Road is to the south and Haydn Road beyond the site to the west.
- 3.3 The existing dwellings at the front the site comprise a 2-storey detached property in white render with a pitched tile roof (no.9) and a chalet style bungalow with rooms within the roof space (no.10). FairOak Close comprises detached dwellings set in large plots and Wattendon Road, which sits beyond the side boundary, comprises of detached and semi-detached bungalows set in more modest plots. The site has a PTAL of 0.
- 3.4 There is an area of linear woodland which extends along the length of the western boundary of FairOak Close including beyond the rear boundary of the application site.



Site location plan – Existing



Site location plan - Proposed

Planning Designations and Constraints

- 3.5 The site is subject to the following formal planning constraints and designations:
- PTAL: 0
 - Flood Risk Zone: 1
 - Surface water flood risk: low risk on the application site

Planning History

- 3.6 No relevant planning applications on either site.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development of 6 new residential units in this residential area is acceptable.
- The proposed footprint and siting would sit comfortably into the existing pattern of development and comply with policy regarding development in the grounds of existing dwellings. The proposed scale and design are appropriate.
- Detrimental impacts on neighbouring amenity have been avoided.
- The proposed quality of accommodation is acceptable.
- Subject to a s106 and conditions the impact on the highway network would be acceptable.
- New tree planting and hard and soft landscaping is proposed which is acceptable.
- With suitable conditions secured the development would achieve net gain and not have an adverse impact on biodiversity.
- The proposal would not have a detrimental impact on flood risk.

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 conditions.

Strategic Transport

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

6 LOCAL REPRESENTATION

6.1 A total of 9 neighbouring properties were originally notified about the application and invited to comment.

6.2 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: 24 Objecting: 14 Supporting: 10 Neutral: 0

6.3 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
Access, highways and parking	
<ul style="list-style-type: none">• Ambulances and fire tenders would have to block the end of the cul-de-sac	<ul style="list-style-type: none">• They would have to stop on the road – same as for existing dwellings.

<ul style="list-style-type: none"> • Where will delivery drivers stop? • Will cause parking hazard/congestion • Too few parking spaces for houses • Not near to public transport • Entrance too close to no.9 	<ul style="list-style-type: none"> • Delivery drivers would have to stop temporarily on the road which is similar to the existing situation in the cul-de-sac. There are no waiting restrictions. • Addressed in the report. • Addressed in the report. • Highway safety matters relevant to planning are addressed in the report.
Impacts on trees/habitats/ecology	
<ul style="list-style-type: none"> • Impacts on trees and loss of existing trees • Some trees cut down already – was this with the Council’s permission? • There are endangered slow worms and frogs to the rear of neighbouring properties • Not enough consideration given to biodiversity • Existing rear gardens are an important habitat for mammals, birds and insects and there are garden ponds in the vicinity • Beyond site is Colescroft Wood which is important wildlife corridor 	<ul style="list-style-type: none"> • Addressed in the report. • The application is supported by an ecological survey and is addressed in the report. • Condition would be attached requiring inclusion of biodiversity enhancement measures.
Impacts on neighbouring amenity	
<ul style="list-style-type: none"> • Overlooking of neighbouring properties • Dangerous and noisy particularly from construction traffic • Dangerous for young children and elderly living in Fair Oak Close 	<ul style="list-style-type: none"> • Addressed in the report.
Character	
<ul style="list-style-type: none"> • Out of keeping with the area • Over development – houses will appear squeezed in and increase houses by 35% • Intrusive by design • The buildings are similar size to existing and not appropriate scale • Too close to existing dwellings • Too close to woodland 	<ul style="list-style-type: none"> • Addressed in the report.

Other	
<ul style="list-style-type: none"> • Losing too many family homes for small developments • No social housing provided • Precedent • How will the site be accessed for construction? Road restrictions would be required. • Firs Road is unadopted and is the responsibility of occupants of this road – will the developers pay for any damage to this? • Sprinklers to mitigate the distance is not appropriate. 	<ul style="list-style-type: none"> • No homes would be lost. 6 new family homes would be provided. • Small scale of development such that no requirement for social housing. • Each scheme is assessed on its own merits. • A Construction Logistics Plan would be required to be submitted. • This is a land ownership matter, separate to the grant of planning consent. • The proposal will be required to comply with the building regulations which permits sprinklers.

6.5 10 letters of support were also received and summarised as follows:

- This development is in keeping and well designed
- Great to see houses rather than more flats
- Good use of land which is under utilised
- Provides parking spaces

6.6 Addresses the gap in the housing market as area needs smaller houses for families

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. Parking and highway impacts
 7. Flood risk and energy efficiency
 8. Fire safety
 9. Conclusions

Principle of development

New Housing

- 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. 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.
- 8.3 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, particularly on (but not limited to) sites of PTAL 3-6 or within 800m of a train station or town centre boundary. The application site is in a PTAL 0 location and is approximately 1.1km walk to Kenley train station and approximately 2.9km to Purley Oaks station. On such sites CLP Policy SP2 requires development to ensure land is used efficiently, and LP Policy H2 requires boroughs to pro-actively support well-designed new homes on small sites, to significantly increase the contribution of small sites to meeting London's housing needs; and support small and medium-sized housebuilders.
- 8.4 The pattern of development in the area comprises several small cul-de-sacs, such that some built form at the rear of the site within a similar cul-de-sac layout would be appropriate as discussed in the Character section below as it would represent an efficient use of land, in accordance with Local Plan policy SP2.

Development in the grounds of an existing dwelling

- 8.5 The application site is located at the rear of no's 9 and 10 Fair oak Close and currently forms part of the rear garden land of these houses on an area of land of approximately 0.23ha (2300sqm).
- 8.6 The development would result in 'backland' development as it regards development in the grounds of two existing dwellings and Local Plan Policy DM10.4e is relevant. The policy states that 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 9 Fair oaks Close would retain an area of over 217sqm and a length of 15m. The property at 10 Fair oaks Close would retain a garden area of over 350sqm and a length of 20m. The proposal for development within the rear gardens of numbers 9 and 10 Fair oak Close would therefore comply with backland policy.

Unit size mix

- 8.7 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 6 x 4b7p units (3 double bedrooms and 1 single bedroom/study in each unit) which would contribute towards the Council's need for family sized homes.

Design and impact on the character of the area

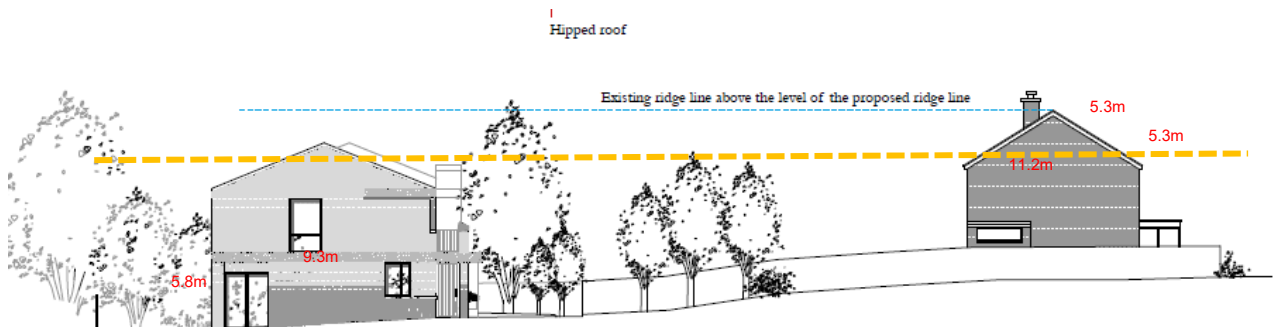
Proposed Site Layout

- 8.8 There are six new family homes proposed for the site. These are arranged in three semi-detached pairs, set back approximately 55m from the pavement at Fair oak Close. The semi-detached pairs are arranged so that all units face towards a shared green space to the front with private gardens wrapping around the sides and rear. The existing dwellings on the western side of Fair oak Close have a stepped building line with the dwelling at no.9 set further back from the carriageway than the dwellings closer to the entrance of the close.
- 8.9 Whilst the dwellings would be set beyond the existing building line of dwellings on Fair oak Close it is considered that their layout would have an acceptable impact on the character of the streetscene and the proposed subdivision would leave sufficient space for the new dwellings to have reasonably sized gardens (ranging from 75-230sqm). The open front gardens with the communal space around which the dwellings are sited, also reflects the open character to the frontages of the existing Fair oak Close dwellings.



(Proposed site layout)

8.10 Policy DM10 requires that dwellings constructed within rear gardens of existing properties are subservient in scale to the main house.



(Site section)

8.11 In relation to the size of the existing properties, the site section plan above indicates that the proposed dwellings would sit lower than the existing dwellings at 9 and 10 Fairoak Close and whilst the frontage of each pair have a similar length to the existing detached at no.9, it is considered that the relationship of the proposed dwellings with the existing is such that the development would accord with the aims of Policy DM10 in that the development would appear from the street scene as subservient in scale to the existing dwellings.



(Proposed site plan in context)

8.12 The plan above forms part of the submitted Design and Access Statement which indicates how the layout and massing reflects the footprint and spacing to the front of the dwellings found at existing properties in the vicinity of the site including Fair oak Close also Wattendon Road which sits bound the existing rear boundary of 10 Fair oak Close.

Character, footprint and design

8.13 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.

8.14 The built form of the area comprises predominantly 2 storey detached (on Fair oak Close) and semi-detached bungalows (Wattendon Road) on plots of varying sizes.

8.15 The existing houses on Fair oak Road have a mid-century design vernacular, which would be reflected in the proportions of the proposed homes. The form, appearance and design of the proposed 2 storey semi-detached houses are considered to complement the existing dwellings and local distinctiveness of Fair oak Close.

8.16 The proposed dwellings would be constructed in red brick at lower level with white brick at first floor. This reflects the use of darker materials at ground floor with lighter above on the dwellings fronting Fair oak Close. Roofing tiles would be dark which also reflects the materials used for roofing on the existing dwellings. The development would utilise design features such as deep window reveals and concrete cills, and the positioning and size of the windows would reflect those used in the existing dwellings. These design features would reflect the richness of the detailing used on the neighbouring homes.



(Typical front elevation)



Existing street view from Fairoak Close

(Existing street view from Fairoak Close)



Proposed street view from Fairoak Close

(Proposed street view from Fairoak Close)

8.17 The Design and Access Statement confirms that the siting of the dwellings has been informed not only by building lines and separation distances, as described above, but also by the mature trees forming part of the woodland which sits beyond the rear boundary of the site, and the trees and planting within the site that are to be retained. The proposed footprint and layout of the development with the spacing between buildings and the setback of the built form from the highway would not be out of character with the suburban and residential character of the area.

Summary

8.18 The proposed houses are of a form and scale which reflect the existing pattern of development and would enable an adequate separation distance to the host dwellings at 9 and 10 Fairoak Close, as well as other neighbouring residential properties. As such, it is considered that the development would accord with policy DM10.4 regarding development in the grounds of an existing building. The design and detailing of the buildings and their landscaped surroundings 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.

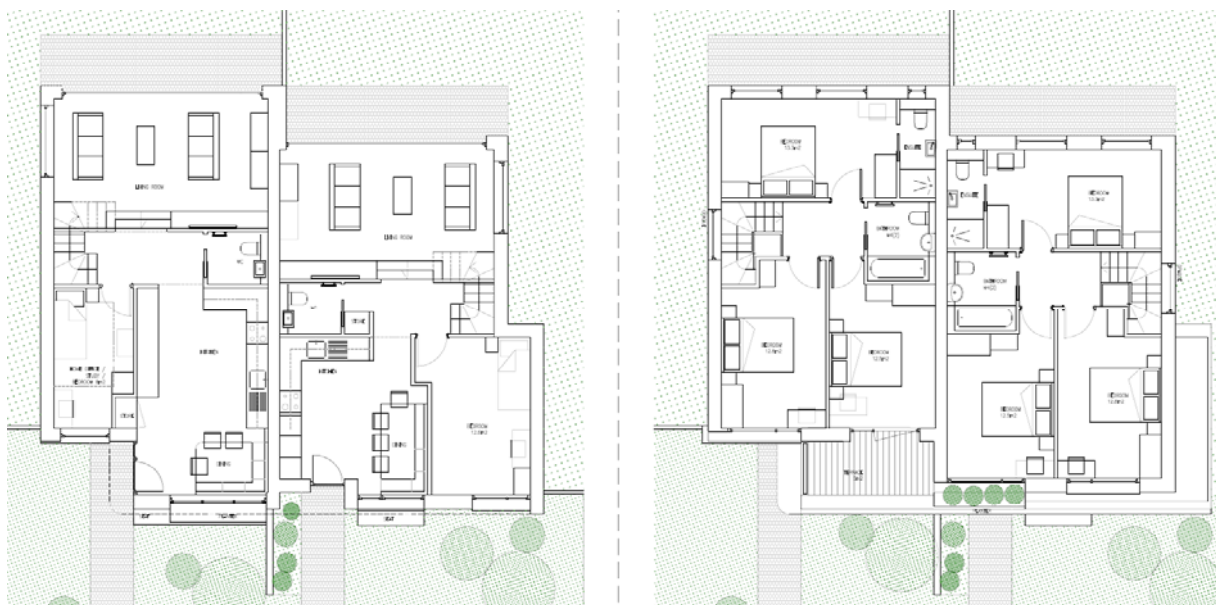
Quality of residential accommodation

- 8.19 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.
- 8.20 The table below summarises the assessment of the internal and external spaces of the proposed new dwellings against London Plan policy D6.

Plot	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Private Amenity Space (sqm)	Min. Amenity Space (sqm)
1	4B7P	115	115	190	10
2	4B7P	115	115	98	10
3	4B7P	115	115	75	10
4	4B7P	115	115	155	10
5	4B7P	115	115	230	10
6	4B7P	115	115	85	10

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

- 8.21 Each pair of semi-detached buildings would be of the same design with a slight variation in internal design between each half of the pair.



(Proposed typical ground and first floor plans)

- 8.22 The dwellings have each been designed with a large ground floor area which includes a single storey element to the front and side. The two storey dwellings would be triple aspect with adequate windows for ventilation and outlook. The ground floor of each house would comprise of a kitchen/dining space, living room as well as a study area/bedroom and bathroom. At first floor, three double bedrooms are proposed along with a family bathroom and ensuite. One of each pair of each semi-detached dwellings

would include a small front first floor balcony area overlooking the communal garden space at the front of the site.

- 8.23 The houses would comply with the floorspace and ceiling height requirements of the London Plan. The proposed quality of internal accommodation would be high and is acceptable in this regard.
- 8.24 The quantity of private outdoor space exceeds the Mayor of London's Housing Policy, the National Space Standards and Policy DM10.4 of the Croydon Local Plan. The development also incorporates a 140sqm communal amenity space to the front of the dwellings which would be landscaped with new planting, trees and is also large enough to provide a children's play space which is shown on the submitted plans.

Accessibility

- 8.25 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'. The Design and Access Statement confirms that all of the dwellings are to be constructed to accord with M4(2) and one of the dwellings has been designed to accord with Part M4(3), plot 5. This dwelling is set on the most level part of the site and provides step-free access throughout the ground floor, with a large accessible ground floor WC and first floor bathroom (with a lift knock-out space for step-free first floor access). In addition, bedrooms and habitable rooms have been designed to enable wheelchair movement and the bin and bike stores would also be accessible with step free access.
- 8.26 The communal garden space and children's play space would be available for use by all applicants with step free access and would not require the need to cross any parking areas to access this space from the dwellings.

Impact on neighbouring residential amenity

- 8.27 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.

9 and 10 Fair oak Close (host dwellings)

- 8.28 The London Housing Design Guide states that 18-21m is a 'useful yardstick' for separation distances between dwellings to ensure visual privacy. A minimum separation distance of over 19 metres will be retained between the main elevation of the proposed House 1 and the rear elevation of No 9 Fair oak Close, with all other separations between proposed and existing neighbouring properties comfortably exceeding this distance (there is a 19-metre window to window separation between House 3 and the side facing dormer of 10 Fair oak Close).
- 8.29 The first 10 metres of a private rear garden are also important in relation to amenity and Policy DM10 also seeks to protect the privacy and usability of existing rear gardens from new development by ensuring that direct overlooking of this private outdoor space is avoided. The new houses are at their closest point approximately 19 metres away from the side dormer window of 10 Fair oak Close (with no direct overlooking of the first 10m of the rear garden).

8.30 The dwelling at plot 1 would have the closest relationship with 9 Fair oak Close and a first floor bedroom window would face towards the rear elevation of their attached garage, with more oblique views of the two storey element. The building accommodating the dwellings for plots 1 and 2 would be angled within the site such that any views from the front elevation across the garden of no.9 would be oblique and approximately 19.3 metres away from the rear elevation of 9 Fair oak Close. In residential areas it is typical to have a degree of mutual overlooking across neighbouring gardens and it is considered that this relationship meets the policy requirements and is acceptable. Any impacts would be further lessened by the lower level of the land on which these dwellings are to be constructed and the development would not create a significant adverse impact with regards to the impact on amenity of the host dwellings.

8 Fair oak Close

8.31 The dwelling at plot 1 would sit closest to the side boundary with this neighbouring dwelling with a distance of approximately 6.5 metres to the side boundary which provides an opportunity for additional planting to be provided. The positioning of the dwelling at plot 1 is such that the private amenity area and first 10 metres of the rear garden serving no.8 would not be affected, with the proposed house set back 20 metres from their rear elevation. It is acknowledged that views from rear windows would be possible across the very bottom part of a section of their rear garden but these views would be at a considerable distance (the garden is approximately 43m in length).

Wattendon Road

8.32 The dwelling at plot 6 has a 7.8 metre deep side/rear garden area facing towards part of the boundary with 31 Wattendon Road. There is a distance of more than 30m between rear elevations and any views are reduced by the mature planting along the boundary. The boundary also adjoins the end of the rear garden of 29 Wattendon Road which is angled within the plot such that there would be no direct overlooking between dwellings and there is a distance of more than 36 metres to their rear elevation. The dwelling at plot 5 would have a rear garden depth of 6.3 metres with a main garden to the side of 26 metres in length. There would be a distance of 39 metres between the rear elevation of plot 5 and 29 Wattendon Road. This distance exceeds planning requirements and any views would be oblique.

Summary

8.33 The introduction of these additional dwellings would result in some limited overlooking over the further ends of neighbouring gardens including 8 Fair oak Close and 29-31 Wattendon Road, and towards the rear/side elevations of the host dwellings, however this is not an unusual relationship within a suburban area such as this and is not considered to represent an unacceptable level of overlooking. The development would not result in adverse impacts in relation to appearing overbearing, daylight and sunlight or other amenity issues and would accord with policy requirements. The national Government has conferred permitted development rights to houses, and to ensure that any additional impacts from future extensions to the homes would avoid unacceptable harm to neighbour amenity, a condition has been recommended removing permitted development rights from the proposed homes.

Trees, landscaping and biodiversity

Trees

- 8.34 Local Plan policy DM28 and London Plan policy T7 seek to retain existing trees and vegetation. The application has been supported by an Arboricultural Impact Assessment and Tree Protection Plan. The site is not within a Conservation Area and there are no protected trees on the site however there is a wooded area beyond the rear boundary. It is proposed to remove 4 category C trees and a Beech hedge which forms the central boundary between the two host properties, to facilitate the proposed development however these features are not significant within the local or wider landscape. The submitted Arboricultural Assessment, Tree Protection Plan (TPP) and Methodology Statement has been reviewed by the Council's Tree Officer and no objection has been raised subject to compliance with the TPP which would be secured by condition.
- 8.35 The application proposes the planting of 25 new trees as part of the landscaping scheme supporting this development. It is considered necessary to require further details of the landscaping, including sufficiently mature tree planting, to be provided by condition and this has been included.

Landscaping

- 8.36 Local Plan policy DM10.8 requires incorporation of soft and hard landscaping within development proposals. The Plan also shows permeable surfacing (brick style paving) of the front drive and parking areas which would also assist with the Sustainable Urban Drainage System (SuDS). Immediately to the rear of the dwellings there would also be a patio style area with the remainder of the garden laid to lawn. The rear/side boundary areas would include trees and other planting with fencing proposed between the rear gardens within the site. A detached bin store and also a bike store would be provided in an area of landscaping adjacent to the side garden area of no.10. It is considered that the landscaping approach is acceptable and final details would be required by condition.

Biodiversity

- 8.37 Local Plan policy DM27 and London Plan policy G6 seeks to protect and enhance biodiversity in the borough. There are two statutory sites within a 2km radius: South London Downs a National Nature Reserve (NNR) and Riddlesdown, a NNR and Site of Special Scientific Interest (SSSI). There are also a number of non-statutory designed sites (Sites of Importance for Nature Conservation); Riddlesdown and the Rose and Crown Chalkpit which is approximately 900m from the site. A number of representations have been received in relation to the potential impact on biodiversity as a result of this development including the presence of slow worms, badgers, hedgehogs and rare butterflies in the vicinity of the site. The rear part of the site sits immediately adjacent to a linear area of woodland that forms part of a much larger network with the remainder of the site bound by residential properties.
- 8.38 A Biodiversity Survey accompanies the application which followed a desk top study and a site walkover. The survey work relating to the application has concluded that the site has negligible potential to support the majority of protected / notable species with the exception of a high potential for nesting birds on site. Whilst it is acknowledged that the off-site woodland provides opportunities as a wildlife corridor it is considered

that this development could be accommodated without detriment to this habitat and no objection has been received from the Council's Ecology consultant.

- 8.39 In order to mitigate any biodiversity impacts and to secure net gain on the site it is necessary to include conditions requiring an Ecological Management Plan (EMP) and a Construction Environmental Management Plan (CEMP) to be submitted to and approved by the LPA. The EMP would need to include requirement for the site to be cleared outside of bird nesting season or after nesting bird survey, incorporation of bird and bat boxes throughout the site, wildlife friendly planting and sensitive lighting. Compliance with these conditions would enable legislative and policy compliance and are therefore reasonable and necessary.

Parking and highway impacts

- 8.40 The site has a Public Transport Accessibility Level (PTAL) of 0 which indicates very poor access to public transport. The site is located approximately 800m from the closest bus stop on Old Lodge Lane (Whitefield Avenue) which provides regular connections (bus 455) to Purley Station, South Croydon Station, supermarket and the hospital.
- 8.41 The application is supported by a Highway Technical Note that confirms that the site is within walking distance of local facilities on Godstone Road in Kenley (approximately 1.3km or 18 minutes' walk northeast) and within cycling distance (approximately 2.5km to the north) to Purley Station. Therefore, whilst the site is not well connected by public transport, there are opportunities for reduced reliance on car use, particularly for regular or planned trips (such as commutes).
- 8.42 The site is accessed from the turning head at the end of the cul-de-sac on Fair oak Close. The site slopes gently from Fair oak Close and a pathway to the side of the access road is proposed to provide some separation between pedestrians and vehicles. The access road would have a gradient of approximately 1:30 and would extend for approximately 30 metres before the site opens up to the parking areas and communal garden space and be a maximum width of 4.8 metres.
- 8.43 Parking would be provided to the front of the site with a secondary parking area to the side of no.6. In a PTAL 0 area, London Plan policy T6.1 would allow a maximum of 1.5 car parking space per dwelling. This development would provide 10 car parking spaces to serve the 6 new dwellings and whilst this is slightly above the 1.5 car parking spaces maximum standard (9 spaces in total) it is considered that given the very low accessibility level for this site; the parking provision proposed is acceptable.
- 8.44 The application proposes a new access drive would be created between the two existing dwellings and cutting through part of their existing front garden areas. The generous nature of the existing space is such that the introduction of the new access would still enable sufficient space for off street parking and areas of landscaping to be retained at both 9 and 10 Fair oak Close. The site is accessed from the end of an existing cul-de-sac, and it was noted during the site visit that the open nature of the generous front gardens are such that there is good visibility when entering and leaving the site.
- 8.45 Comments received from the Highways officer include the requirement for a condition to be added to ensure that a Construction Logistics Plan including a photographic highways condition survey, enabling decisions about remedial works if needed..

- 8.46 Comments from existing residents have also been received about the potential impact both from construction traffic and also the new occupants on Firs Road, a private road, linking Fair oak Close with Park Road and Hayes Lane. Firs Road has no gates or other barriers to prevent vehicular access and given that this is a private road, outside of the Council's control, this would be private matter between the developer and any owners of the road.
- 8.47 Whilst concern has been raised in letters of representation about the potential for visitors to the new housing to park in Fair oak Close, the development has also made provision for visitor parking and has slightly exceeded the maximum parking requirements for the dwellings. Subject to appropriate conditions, including the requirement to provide a more detailed plan of the hard and soft landscaping to create the access drive, it is not considered that the introduction of 6 additional dwellings at the end of this cul-de-sac would have a detrimental impact on highway safety. In addition, a financial contribution of £9,000 would be secured via S106 agreement to contribute towards sustainable transport initiatives in the local area in line with Local Plan policies SP8.12 and SP8.13.

Cycle parking

- 8.48 London Plan policy T5 requires cycle parking provision of 2 spaces per dwelling. The application proposes a cycle store to be located within the front communal area providing secure, covered storage for 12 bikes. In addition, a Sheffield stand for 2 visitor bikes would also be provided. Given that there is sufficient space within this area for a suitably sized cycle store to be provided that would not adversely impact on either neighbouring amenity or the street scene (and that each house would have a private garden with side access for alternative cycle store provision), it is considered that this could be secured by a planning condition.

Refuse storage

- 8.49 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. The proposed development has been designed with two refuse storage areas. The main refuse and recycling storage and bulky goods storage area is located in an area of landscaping to the front of site and adjacent to the side boundary with no.10. This is a maximum of 25 metres from the furthest proposed house (plot 1), which is within the recommended 30m distance and is located close to the parking area and access road such that it would be suitably located for occupants. There is another "collection" area on the access drive. The proposed arrangement is that on collection day the residents (or a contractor on their behalf) will move the bins up to a location on the side of the access way which would be within 10m from the refuse truck location at the end of Fair oak Close. Collection would be the same as per the arrangements for the other houses in the close where the bin lorry collects bins from front driveways and is considered acceptable in this regard. The submitted plans demonstrate that acceptable provision has been designed into the development, and a condition is recommended requiring final details of how the waste collection arrangement will be managed.

Flood risk and energy efficiency

Flood risk

- 8.50 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.
- 8.51 The site is within flood zone 1. The area is not within a higher risk for groundwater flooding at the surface. The application is supported by a SUDS/Drainage Assessment which confirms compliance with the Croydon Local Plan and London Plan including confirmation that the development would incorporate SuDS to store for the full 1 in 100 year+40%cc as a minimum. The SUDS features proposed include rain gardens, permeable paving with soakaway storage, and a granular storage system. It is considered that subject to condition, the development is acceptable in relation to flood risk.

Energy and water efficiency

- 8.52 The agent has confirmed that the development aims to meet The Code for Sustainable Homes Level 4 and that a number of measures including the installation of water efficient fittings and appliances, highly insulated building fabric and efficient condensing gas boilers or air source heat pumps would be utilised, along with the potential use of PV panels on the roof. This would be supported in principle in accordance with London Plan policy SI2 and Local Plan policy SP6 and a condition requiring further details of external energy generation measures such as heat pumps and PV equipment (should they be used) has been added.
- 8.53 Concern has been raised in a letter of representation about the amount of electric vehicle charging points that are proposed. In line with Policy DM30 (and table 10.1), a condition is recommended, requiring that the development provides at least 20% of spaces fitted with Electric Vehicle Charging Points (EVCPs) and passive provision (cable routing) for the other spaces. The application proposes 6 EVCPs, or 1 per home, which exceeds the Local Plan requirement and is what the building regulations require (subject to viability).
- 8.54 A condition would also be attached to require a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G.

Fire safety

- 8.55 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety. Details have been provided accordingly. In the event of a fire a fire appliance could stop on Fair oak Close and whilst the stopping location is beyond the 45m hose limit, sprinkler systems would be installed in all houses which increase the acceptable distance to 90 metres in accordance with BS 9991. Habitable rooms at first floor level would also have egress windows. As a result (and subject to compliance with the Building Regulations), the application complies with Policy D12.

Conclusions

- 8.56 The proposed provision of 6 new houses at the rear of 9 and 10 Fair oak Close, is acceptable in principle in accordance with policy. The siting of the proposed dwellings relates successfully with the existing pattern of development
- 8.57 The proposed dwellings are traditional in their form, with detailing that reflects the vernacular mid-century design features of the neighbouring homes, and the proposed design is of a high quality. The homes would provide a good quality of accommodation internally and externally.
- 8.58 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.
- 8.59 Given the general 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).