

**1 APPLICATION DETAILS**

Ref: 23/03091/FUL  
 Location: 31 Copthorne Rise, South Croydon, CR2 9NN  
 Ward: Sanderstead  
 Description: Demolition of a detached garage, alterations to land levels and erection of a detached single storey dwellinghouse with accommodation within the roof space, formation of a vehicular accesses and car parking spaces (including an access and parking space for the host property), provision of associated cycle and refuse storage  
 Drawing Nos: 923:1180/PL100, 923:1180/PL101, 923:1180/PL102, 923:1180/PL103, 923:1180/PL104, 923:1180/PL105, Arboricultural Implications Assessment and Method Statement Rev A, Tree Protection Plan 22-1327-TPP-A, Ecological Impact Assessment, Flood Risk Assessment and SUDs Report C3079-R1-Rev A, Fire Statement, Vehicle Tracking, Retained Garden Compliance DM10.4e, OS map  
 Applicant: Turnbull Land Ltd  
 Case Officer: Louise Tucker

	<b>4 bed 7 person (2 storey)</b>	<b>Total</b>
<b>Proposed (market housing)</b>	1	1

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
3 (one space for the host property)	2

1.1 This application is being reported to Planning Committee because:

- The local Ward Councillor (Cllr Lynne Hale) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.
- A registered Residents’ Association (Riddlesdown Residents’ Association) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.
- The number of objections received exceeded the threshold required for consideration by the Planning Committee.

**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 £1,500 towards sustainable travel improvements

- 2.2 That the Director of Planning and Sustainable regeneration has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters.

## **CONDITIONS**

### Standard Conditions

1. Commencement time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports

### Pre-commencement conditions

3. Submission of Construction Logistics Plan including footway survey
4. Submission of full drainage strategy and layout, including details of SUDs measures (to be produced in consultation with an arboriculturist)
5. Submission of a Construction Environmental Management Plan for Biodiversity

### Pre-Superstructure Conditions

6. Submission of detailed design; including finished floor levels, materials, details and key junctions including window reveals
7. Submission of hard and soft landscaping scheme including biodiversity enhancements, retaining walls, boundary treatments, maintenance plan

### Pre-Occupation Conditions

8. Submission of EVCP
9. Submission of lighting scheme (bat sensitive)
10. Details of external energy plant and equipment
11. Submission of detailed fire strategy

### Compliance Conditions

12. Cycle store
13. Refuse store including no. of bins
14. Development to be carried out in accordance with the approved arboricultural report and tree protection plan
15. Development to be carried out in accordance with the approved ecological surveys and reports including mitigation measures
16. Development to be carried out in accordance with accessible homes requirements M4(2)
17. Implementation of car parking and visibility splays as shown on plans with no boundary treatments above 0.6m within the splays shown
18. Compliance with water efficiency requirements
19. Removal of permitted development rights for extensions (Classes A, B, C, D, and E only)
20. Obscured glazing
21. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

## **INFORMATIVES**

1. Granted subject to a Section 106 Agreement
2. Community Infrastructure Levy
3. Contact waste team prior to occupation
4. Highways informative in relation to s278 and s38 works required
5. Boilers
6. Construction Logistics Informative (in relation to condition 3)
7. Compliance with Building/Fire Regulations

8. Ecology/Habitats
9. Thames Water informatives
10. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

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

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

- 3.1 Full planning permission is sought for demolition of a detached garage and the subdivision of the garden to the rear of 31 Copthorne Rise to facilitate the erection of a single storey detached dwellinghouse, with accommodation in the roof space.
- 3.2 To serve the new property, a new vehicular access would be created leading to a parking area comprising of two parking spaces to the west of the property. A refuse store and cycle store would also be provided in the parking area. An additional dropped kerb would be created to the east of the new dwelling, serving a parking space for 31 Copthorne Rise.
- 3.3 The proposal also includes some associated land level alterations in order to construct the proposal (due to the topography of the site) and landscaping, with a new ramped pedestrian access off Copthorne Rise.
- 3.4 An additional plan plus some specific clarification details have been submitted during the course of the application. This included confirmation of site boundary ownership details and submission of a plan demonstrating that appropriate visibility splays could be achieved. These matters did not alter the nature of the proposal as originally consulted upon and therefore re-consultation was not required.

#### **Site and Surroundings**

- 3.5 The application site consists of a two storey detached property on a corner plot bordering Copthorne Rise to the east and the cul-de-sac end of Westfield Avenue to the north. The property has an existing side/rear extension and a detached garage to the rear, which would be demolished to accommodate the proposal. The surrounding character is of a suburban residential nature, with a mix of detached and semi-detached properties of traditional form but varying in style. In the wider area there are some examples of flatted development e.g. to the south of the site on Hyde Road, and a few examples of infill houses.
- 3.6 The site has a PTAL 1b indicating poor accessibility to public transport links. Part of the site lies within an area at risk of surface water flooding, as do the adjoining roads. An Area TPO covers the land to the west of the site (Purley Downs Golf Course), which is also designated as an Archaeological Priority Area, Metropolitan Open Land and a Site of Nature Conservation Importance.

## Planning History

3.7 The following planning history is of relevance to the proposal:

22/04872/FUL - Demolition of a detached garage, alterations to land levels, erection of two detached two storey houses with accommodation within the roof space, formation of vehicular accesses and car parking spaces (including an access and parking space for the host property), provision of associated cycle and refuse – Permission refused on 28.4.23 the following grounds:

- 1. By reason of its massing, bulk, layout and form, the proposal represents an overdevelopment of the site which would result in a cramped and visually intrusive form of development that would be out of keeping with the character of the area and would be detrimental to the visual amenity of the streetscene. This would conflict with Policies SP4, DM10 and DM13 of the Croydon Local Plan (2018) and Policies D3 and D4 of the London Plan (2021)*
- 2. By reason of its layout, siting and scale, the proposed development would be detrimental to the amenities of the occupiers of the donor property and the adjoining property 29 Copthorne Rise by way of overbearing impact, visual intrusion and perception of overlooking. It has not been demonstrated that the development would avoid significant loss of daylight and sunlight to the donor property or the adjoining property 29 Copthorne Rise. The proposal therefore fails to accord with the requirements of Policy D3 of the London Plan (2021) and Policies SP6, DM10 and DM23 of the Croydon London Plan (2018).*
- 3. The proposal has failed to demonstrate that the health and longevity of trees of value which make a contribution to the character of the area, including those preserved by a Tree Preservation Order, would be retained and maintained during the construction phase and operational phase of the development. The development would thereby conflict with Policies DM28 and DM10 of the Croydon Local Plan (2018) and G7 of the London Plan (2021).*
- 4. Part of the site and areas adjacent to it lie within a surface water flood risk area. It has not been demonstrated that the flood risk to and from the development would be adequately managed including the management of surface water run-off. This would fail to comply with policies SP6.4 and DM25 of the Croydon Local Plan (2018) and policies SI12 and SI13 of the London Plan (2021)*

[OFFICER COMMENT: Significant amendments have been made to the proposed development since the previous refusal of permission. Only one house is now proposed, of a much smaller scale and a more sympathetic and subordinate design than those previously shown. The relationship with the preserved trees has also improved with the reduction in scale and footprint here proposed. An amended FRA has been provided to address the flood risk to and from the development. These items will be discussed below in the relevant sections where appropriate]

17/03242/HSE - Erection of single storey side/rear extension – Permission granted

## 4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

4.1 Approval is recommended for the following reasons:

- The principle of residential development within this location is acceptable.
- A new family sized dwellinghouse would be provided.

- The design and appearance of the development is appropriate for the site and the surrounding context.
- There would be no undue harm to the residential amenities of adjoining occupiers.
- The living standards of the future occupiers would be acceptable and compliant with the Nationally Described Space Standards and the London Plan.
- 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 proposal would not have an adverse impact on flooding.
- Subject to conditions, the proposal would not have an adverse impact on trees, including those preserved by a TPO in the neighbouring site.
- There is adequate space for a landscaping proposal, which could be secured by condition.
- Sustainability aspects can be controlled by conditions.
- Subject to conditions, the proposals would offer sufficient biodiversity mitigation measures and would not have an adverse impact on ecology.

4.2 The following section of this report details the officer's assessment of the application against the material planning considerations and the relevant policies which have contributed to the recommendation that planning permission is granted.

## 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 8 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: 17 (12 from addresses within the Borough)

Objecting: 17                      Supporting: 0

6.2 The concerns which have been raised and those which are material to the determination of the application are set out within the table below. These are addressed in detail within the assessment of the material considerations within this report.

<b><u>Objection</u></b>	<b><u>Officer comment</u></b>
<b><i>Character and design</i></b>	
Overdevelopment	Addressed in paragraphs 8.2-8.16
Development is out of character with the area	
<b><i>Neighbouring amenity impacts</i></b>	
Overlooking and loss of privacy	Addressed in paragraphs 8.23-8.32
Loss of light and overshadowing	
Noise and light disturbance	

<b>Parking and highways</b>	
Increase in traffic congestion on road	Addressed in paragraphs 8.43-8.51
Additional car parking and the proposed parking layout will cause harm to safety and efficiency of the highway	
Inadequate vehicular access	
<b>Other</b>	
Impact on flood risk	Addressed in paragraphs 8.54-8.59
Inadequate amenity space remaining for host property	Addressed in paragraphs 8.5 and 8.19
Inadequate consideration of the environment and sustainability	Addressed in paragraphs 8.59
Impact on trees	Addressed in paragraphs 8.33-8.42
Impact on ecology	Addressed in paragraphs 8.41-8.42
Impact on local sewers	This is generally not a material planning consideration, however, is addressed in paragraph 8.57.
Other approved flatted developments have already caused congestion and overdevelopment in the road	Each application must be considered on its own merits and assessed in line with the development plan in place at the time. The application is for the new house, not for the flatted development on the road.
Impact on adjacent Conservation Area	The site is not adjacent to nor within a Conservation Area.
The plans do not state the height, there should be no attic space above the first floor	Whilst often helpful, there is no validation requirement to include dimensions on the plans. The plans are scaleable and can be measured. The majority of the accommodation is at ground floor level, with 2 bedrooms in the roof space. This would be consistent with the surrounding development typology.
Impact on local services	The development is subject to a CIL payment which goes towards delivery of infrastructure to support development. A financial contribution is also being secured through a Section 106 agreement to go towards improvements to sustainable transport infrastructure.

Development encroaches over the boundary with the neighbouring property	This has been raised with the applicant and additional clarification provided. On this basis it is considered that the development does not encroach upon the neighbouring site and is wholly contained within land under the control of the applicant. If the query remains beyond this, this would be a private civil matter to resolve between the two parties.
Loss of view	This is not a material planning consideration.

6.5 Councillor Lynne Hale objected to the proposed development and referred the application to Planning Committee (if the officer's recommendation were to be for approval), raising the following concerns:

- Overdevelopment of the site
- Not in keeping with character
- Development will be built within close proximity to a sewer and may need a sewer diversion
- Inadequate consideration of flood risk and surface water
- Impact on neighbouring properties through visual obtrusion, overbearing nature, overlooking
- Poor quality accommodation
- Parking arrangements and dropped kerb
- Impact on trees and hedges close to Metropolitan Open Land and an area of Nature Conservation Importance
- Impact on biodiversity

6.6 Riddlesdown Residents association objected to the development and referred the application to Planning Committee (if the officer's recommendation were to be for approval), raising the following concerns:

- Overdevelopment of the site
- Not in keeping with character
- Development will be built within close proximity to a sewer and may need a sewer diversion
- Inadequate consideration of flood risk and surface water
- Impact on neighbouring properties through loss of privacy, dominance, noise and disturbance
- Poor quality accommodation
- Inadequate parking provision
- Parking spaces will be difficult to manoeuvre into
- No details of landscaping provided
- Impact on trees
- Impact on wildlife
- Construction logistics concerns

## 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.
- DM43 Sanderstead

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 December 2023, 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.
- 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)
  - Optimising Site Capacity: A Design-led Approach LPG (2023)
  - Housing Design Standards LPG (2023)

## **8 MATERIAL PLANNING CONSIDERATIONS**

- 8.1 The main planning issues raised by the application that the committee must consider are:
- A. Principle of development
  - B. Housing mix
  - C. Townscape and visual impact
  - D. Quality of residential accommodation
  - E. Impact on neighbouring residential amenity
  - F. Trees, landscaping and biodiversity
  - G. Access, parking and highway impacts
  - H. Fire Safety
  - I. Flood risk and energy efficiency

### **A. Principle of development**

- 8.2 There is significant housing need within the Borough, as well as across London and the south-east more widely. All London Boroughs is required by the London Plan to deliver a number of residential units within a specified plan period. In the case of the London Borough of Croydon, there is a requirement to deliver a minimum of 32,890 new homes between 2016 and 2036 (Croydon's actual need identified by the Croydon Strategic Housing Market Assessment would be an additional 44,149 new homes by 2036, but as there is limited developable land available for residential development in the built up area, it is only possible to plan for 32,890 homes). The London Plan requires 20,790 of those homes to be delivered within a shorter 10-year period (2019-2029), resulting in a higher annual target of 2,079 homes per year.
- 8.3 Policy SP2.2 of the Croydon Local Plan (CLP) (2018) separates the Croydon target into three relatively equal sub targets with 10,760 new homes to be delivered within the

Croydon Opportunity Area, 6,970 new homes as identified by specific site allocations for areas located beyond the Croydon Opportunity Area boundary and 10,060 homes delivered across the Borough on windfall sites (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 the housing target for small sites at 641 per year. In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of sustainable development of new homes, including in established residential areas such as Sanderstead.

- 8.4 This requirement is set out into Policies H1 and H2 of the London Plan which encourages Boroughs to optimise the potential for housing delivery on all sites, and advises pro-active support for well-designed new homes on small sites (below 0.25 hectares in size). The development site would fall within the definition of a small site.
- 8.5 In terms of the principle of a development in the grounds of an existing retained building, policy DM10.4(e) states that a minimum length of 10m and no less than half or 200sqm (whichever is the smaller) of the existing garden area must be retained for the host property, after the subdivision of the garden. The proposal would see the subdivision of the current plot to form a new dwelling with a private garden, along with associated parking, cycle and refuse storage (plus a parking space for the donor property). In terms of compliance with Policy DM10.4(e), the subdivision would retain a maximum 15m length of garden for the donor property and an area exceeding 200sqm (approximately 216sqm of garden area solely to the rear of the donor house). This would accord with the policy requirement and retain sufficient space for the existing occupiers. The remaining garden would be larger than that provided under the previously refused application (ref. 22/04872/FUL) which was considered acceptable in this regard. This element of the development is thus acceptable.
- 8.6 The development proposes one additional dwelling within an existing rear residential garden. Providing that the proposal accords with all other relevant material planning considerations, the principle of the development is supported.

## **B. Housing mix**

- 8.7 Policy SP2.7 seeks to ensure that a choice of homes is available to address the borough's need for homes of different sizes and that this will be achieved by setting a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
- 8.8 The existing dwelling (31 Copthorne Rise) would be retained at the site, with a new four bedroom family home constructed in the rear garden. This would contribute to the strategic target for family accommodation and is therefore acceptable.

## **C. Townscape and visual impact**

- 8.9 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. 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.

## Background

- 8.10 The corner plot which is the subject to this application bounds Copthorne Rise to the east and the cul-de-sac end of Westfield Avenue to the north, which terminates to the north west of the donor property. The surrounding character is of a residential nature, with a mix of detached and semi-detached properties of traditional form but varying in style. Plot widths and depths are mostly generous, with properties set back from the road beyond front gardens and driveways, forming a spacious suburban feel which makes up the prevailing character of the area. In the wider area there are some examples of flatted development e.g. to the south of the site on Hyde Road, and a few examples of infill houses.
- 8.11 A previous application at the site (application reference 22/04872/FUL) was refused permission in April 2023. This proposal was for the creation of two dwellings to the rear of the donor property, each with two storeys plus accommodation in the roof space, and associated parking, gardens, cycle and refuse storage for both properties. In terms of the reason for refusal relating to character, it was considered that the two dwellings would be on significantly smaller plots with much smaller gardens than generally seen in the locality and thus would be out of character with the surrounds. The scheme was considered to result in a cramped and contrived form of development (noting the scale of the buildings and their close relationship with the boundaries), with an over-provision of hardstanding and a lack of meaningful space to provide landscaping.

## Plot size and layout

- 8.12 The current application is a substantially amended and reduced scheme of one bungalow with accommodation in the roof space. In terms of site layout, the plot size is now more generous with increased spacing around the building and an increased garden size for future occupiers (as well as sufficient retained garden for the existing occupiers). The plot width would more closely reflect those in the surrounding area, for example 118 Westfield Avenue which sits directly opposite. The existing infill bungalow at 20 Copthorne Rise to the southeast of the site is also worthy of note, constructed within the rear garden of 81 Westfield Avenue. The proposed plot subdivision would share some similarities with this development, and demonstrate that such infill properties can be achieved with minimal visual impact on the streetscene. The proposed plot would not be in a prominent location being sited at the cul-de-sac end of Westfield Avenue and no neighbouring property to the west, sited against the backdrop of the trees on the adjacent golf course. It is not considered the subdivision of the plot would be harmful to the character of the area in this context, and the siting and layout of the development is acceptable.

## Height and massing

- 8.13 Whilst the dwelling would still be sited forward of the main elevation of 31 Copthorne Rise and would have a shorter site frontage than is generally found in the area, the impact of this is minimised due to the topography and the relatively modest massing of the proposed building. It would sit much lower than the donor property and would be set down into the site, which, coupled with its low rise hipped roofscape, would reduce its visibility and prominence within the surrounding area. As such, it is considered that the subservience required by policy DM10.1 for a proposed building within the grounds of an existing retained building is achieved. The stepping down in height from east to west would also

reflect that of the properties on the opposite side of Westfield Avenue, setting the new dwelling well within its context. The scale and massing of the development is considered to be appropriate for the plot and in keeping with the surrounding character. The Council has considered a previous, larger, application on this site and found it to be unacceptable. Furthermore, additional windows may result in unacceptable overlooking impacts. Therefore, it is likely that alterations and extensions to the proposed development will result in unacceptable impacts on neighbouring properties. For that reason a condition is justified and recommended removing permitted development rights for extensions and alterations to the new dwelling as conferred by Classes A, B, C, D, and E only, of Schedule 2 of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

### Landscaping

- 8.14 The reduction to one unit from the previously refused scheme has also resulted in less hardstanding due to the decreased parking provision, allowing more space for landscaping to be introduced to soften the appearance of the development. Whilst it is noted some of the mature hedging along the current side boundary (proposed front boundary of the new house) would be removed to accommodate the proposal, there is space to integrate landscaping surrounding the building and in its garden to respond to the suburban character of the area. Some retaining walls are also proposed to manage the topography which would result in additional hardscape. The height and visibility of these would be limited however and as set out above, it is considered there is sufficient space for soft landscaping to be introduced to soften this and integrate the building into its setting. This could reasonably be secured through a landscaping condition.

### Design and form

- 8.15 A traditional architectural style is proposed for the bungalow, with a shallow hipped roof and front dormers incorporated to achieve the accommodation within the roof space. This is reflective of the surrounding suburban residential context, where properties present traditional forms and design but varying in style with individual features. The use of white render is considered to be acceptable in this instance given the prominence of this within the surrounding area (including on the donor property), and the combination of white render, red brick and tiles can be seen on a number of properties in the vicinity of the site. The quality of the materials and the detailing, including the render, contrast brick lintels and canopy porch, will be key to the success of the scheme and this is reflected in the recommended conditions relating to these matters.

### Conclusion

- 8.16 Overall, it is considered that the proposed subdivision of the plot would optimise the use of the site in line with London Plan policies D3 and H2 as well as Local Plan Policy DM10. The height, scale, and siting of the dwelling would now be appropriate and would respond successfully to the suburban character of the surrounding area with limited visual impact on the streetscene. The architectural style would reflect its context. The proposals are therefore considered to result in a development that complies with the relevant policies.

## **D. QUALITY OF RESIDENTIAL ACCOMMODATION**

- 8.17 The proposed house is required to be designed in line with the standards set out in the Nationally Described Space Standards (NDSS) and the London Plan Housing SPG,

particularly regarding minimum floor space standards (including minimum sizes and widths for rooms/storage). The London Housing SPG requires a minimum of 5sqm of private outdoor space for 1-2 person dwellings, with an extra 1sqm for each additional occupant.

8.18 The table below sets out the relevant figures with a comparison to these minimum standards:

Size (bedroom/person)	GIA (sqm) Proposed	Min. GIA Required (sqm)	Amenity Space Proposed (sqm)	Min. Amenity Space Required (sqm)	Built-in Storage Space Proposed (sqm)	Built in Storage Space Required (sqm)
4b7p	134	115	130 (min.)	10	3.3	3

8.19 The table demonstrates that the proposed 4-bedroom dwelling for 7 occupants would comfortably comply with the required minimum space standards both internally and externally. Bedroom 4 is annotated to be used as either a study or a bedroom, but critically is large enough to be a single bedroom and still complies with the minimum required room size (as does the entire property if used as a 4 bedroom home). The proposed layout would be suitable for use by 7 occupants with generous circulation space between rooms and an open plan living/dining/kitchen. The dwelling benefits from a rear garden with step free access. This element of the development is acceptable.

8.20 Policy D6 of the London Plan requires housing development to maximise the provision of dual aspect dwellings, and advises that single aspect dwellings should normally be avoided. The dwelling is dual aspect and it appears that adequate floor to ceiling heights can be achieved. A condition is recommended requiring finished floor levels to be submitted to demonstrate this standard can be met.

8.21 London Plan Policy D7 states that new development must ensure that 10% of new dwellings within a scheme (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Policy SP2.8 of the Croydon Local Plan (2018) states that the Council would ensure that new homes in Croydon meet the needs of residents over a lifetime. The building has been designed in accordance with Part M4(2) of the Building Regulations. External doors will have level thresholds and clear opening widths to accommodate a wheelchair, with a ramp to the front for access to the property. Given the small scale of development, this is considered acceptable.

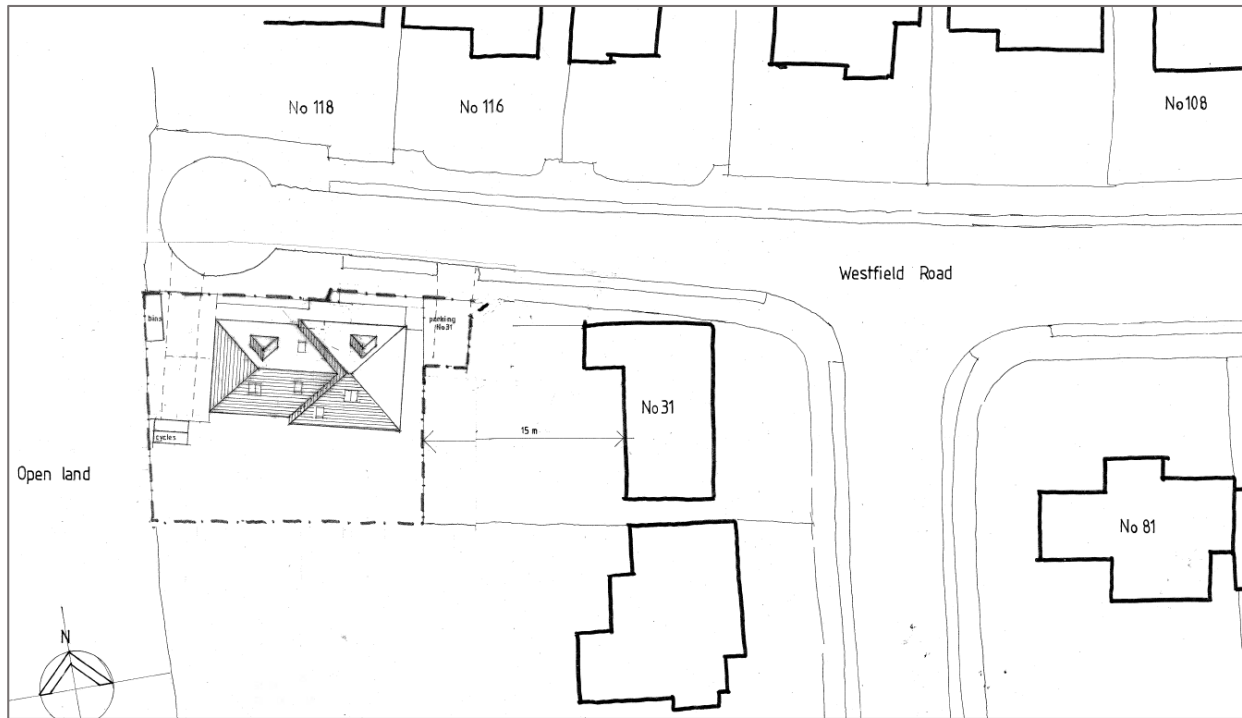
8.22 In conclusion the proposed dwelling would offer future occupiers a high quality standard of accommodation, exceeding the minimum requirements and according with the relevant policy.

## **E. IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY**

8.23 Policy D3 of the London Plan states 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.

8.24 The properties who will be most affected are the donor property, 31 Copthorne Rise, and the neighbouring property, 29 Copthorne Rise. The impact on these properties is discussed below in turn, along with consideration of 27 Copthorne Rise and 112-118 Westfield Avenue in the wider vicinity.



*Proposed Block Plan showing neighbouring homes*

### 31 Copthorne Rise

8.25 The previous planning application at the site for two dwellings was refused due to concerns about the impact on the donor property, specifically through visual intrusion and loss of light. This was due to the proposed 9m height of the closest dwelling (two storeys with accommodation in the roof space) being within 13m of the rear elevation of 31 Copthorne Rise and with a close relationship to their rear garden.

8.26 The current scheme is now reduced in scale, comprising of one dwelling of one storey with accommodation in the roof space. The hipped roof form is much shallower, pitching away from the shared boundary minimising visual impact. There is a reduction in overall height of around 2.3m and the dwelling would be set further down into the site, further reducing its visibility and any impact from loss of light or outlook. The new dwelling has also been sited slightly further away from the donor property than the closest dwelling in the previous scheme, with an increased distance between the flank walls of approximately 0.5m at the closest point. This would result in a distance of around 16.5m between the main rear of no.31 (around 13.5m from the single storey side/rear element). These amendments result in a much more comfortable relationship between the two buildings, especially as no.31 sits on a higher land level above the new property. Overall it is not considered there would be a significant impact through loss of light or outlook on 31 Copthorne Rise.

8.27 In terms of privacy, there are no east facing side windows other than a ground floor window serving an ensuite bathroom which could reasonably be obscurely glazed. This is recommended to be secured by condition, along with a stipulation that no first floor east facing windows are inserted without the express permission of the LPA.

#### 29 Copthorne Rise

8.28 The previous application for two dwellings was also refused for the harmful impact which would have resulted to this property through loss of light, outlook and perception of privacy. As set out above in paragraph 8.42, there have been significant changes made to the scheme which are now considered to overcome these former concerns.

8.29 The proposal is now only for one dwelling, which, compared with the two/three storey houses previously proposed is of a much reduced height and scale as well as now being set away from the rear shared boundary with no.29 by approximately 6.8m (was previously 5.5m). There would be a separate distance in excess of 18m from the new building to no.29 at the closest point, and due to the orientation of the dwelling there are no direct window to window relationships. Whilst the development would be visible from the rear windows and garden of no.29, any visual impact would be minimised where it is set down into the site with a shallow roof profile. It is considered the changes made to the scheme have overcome the previous concerns raised with regards to loss of light and outlook. The development is acceptable in this respect.

8.30 In terms of privacy, whilst there are still windows facing towards the rear of the garden of no.29, these are now rooflights serving a bathroom and staircase, and secondary rooflights serving bedrooms, which gain their main outlook from front facing dormer windows. These rooflights would not offer any direct views into the neighbouring garden and are not considered to result in harm through loss of privacy, nor are considered to give rise to any perception of overlooking (particularly now the dwelling is of a much lower scale and set down into the site). Notwithstanding this, they would not intersect the 10m of garden perpendicular to the rear elevation of a dwelling which is protected from direct overlooking by policy DM10.6 of the Local Plan (2018). It is considered necessary to impose a condition preventing any additional south facing windows from being installed without the prior approval of the LPA (i.e. removing Class A permitted development). With this condition the impact on these occupiers in terms of privacy is acceptable.

#### 27 Copthorne Rise, 112-118 Westfield Avenue

8.31 Whilst it is acknowledged that the development will be visible from other properties surrounding the site, given the separation distances it is not considered undue harm would result to the occupiers through loss of light, outlook or privacy.

#### Conclusion

8.32 Whilst the proposal would result in an increase in occupants on the site, this would only constitute one additional family and as such it is not considered the proposal would give rise to any undue noise or disturbance. Any additional disturbance from lighting would be minimal and similar to the existing relationships between properties within a residential area such as this. It is considered that this amended proposal has an appropriate relationship with the surrounding properties and would not now give rise to harm through loss of light, outlook or privacy, subject to conditions. The proposed development is considered acceptable in terms of the neighbouring amenity.

## F. TREES, LANDSCAPING AND BIODIVERSITY

### Trees and landscaping

- 8.33 London Plan policy G6 specifies that proposals should manage impacts on biodiversity and aim to secure biodiversity net gain, and policy G7 specifies that wherever possible, existing trees of value should be retained. Similarly, policy DM27 of the Local Plan requires proposals to incorporate biodiversity on development sites, and policy DM28 specifies that proposals which result in the avoidable loss of retained trees where they contribute to the character of the area will not be acceptable. Local Plan Policy DM10.8 states that a cohesive approach is taken to the design and management of the landscape to ensure proposal incorporate hard and soft landscaping and retain and enhance existing trees and natural vegetation.
- 8.34 The adjoining land, Purley Downs Golf Course, is covered by a Tree Preservation Order (TPO) – TPO 40, which is a woodland order protecting all trees upon it at the time the TPO was made (in this case, 1958) and any which have grown subsequently. Two trees (T1 and T2 on the applicant's plan) adjacent to the site would be impacted upon by the development, both of which are preserved. Whilst they are category C trees, both are large, mature specimens and contribute positively to the character of the area, being seen from the surrounding roads despite being behind Copthorne Rise.
- 8.35 The previous application at the site was refused relating to concerns around harm to these trees. The likely impact on them was unclear to determine from the applicant's submission at the time. The RPAs shown in the applicant's Tree Protection Plan (TPP) were not considered likely to be accurate to their true extent and there were concerns that if they extended further into the development site than represented that the health of the trees could be affected (in addition to the pruning works proposed to T2). There was also a concern about the proximity of the nearest dwelling to the trees which could result in post development pressure to remove them or prune them back significantly, thus threatening their longevity.
- 8.36 Taking each of these points in turn, the RPAs of both trees have been re-considered and re-plotted and are now considered to form a more accurate representation of the real situation i.e. that they are larger than was previously anticipated. It is considered likely that the growth of the roots of T2 into/towards the application site have been constricted to some degree due to its location directly adjacent to the boundary on a lower land level and by the existing garage and area of hardstanding to the west of the site (still in situ). Compared with the previously refused scheme, the distance from T2 (the closest tree) has been increased by at least 2m, resulting in the building being set away from the tree by around 5m. The distance from T1 has also increased by approximately 1.5m to around 8.5m (albeit the proposed terrace and nearby cycle store are closer to the trunk). As such, the dwelling itself would not encroach into the RPA of either T1 or T2. Whilst the proposed new driveway, refuse store and cycle store would partially encroach into the RPAs of both T1 and T2, the encroachment area is already hard surfaced as a parking area and garage for the existing house. The footings of the garage and the surrounding concrete will remain in situ to act as a base for the new driveway, refuse and cycle stores, so as to limit root disturbance and avoid any excavations beyond the existing hard surface within the RPA of T1 and T2. This is considered an appropriate solution to avoid any damage to the roots of the trees and ensure their health and longevity is not harmed by the proposed works.



- 8.37 In terms of the concern relating to post development pressure to remove or prune the trees, as discussed above there is now a greater distance between the flank wall of the dwelling and both trees, in comparison to the closest dwelling in the original scheme. The subdivision of the site for only one dwelling also provides a much more generous garden extending over to the east of the site. This means that whilst the canopies will overhang part of the garden resulting in some shading (potentially during the morning to the south west corner of the garden), their presence is much less dominant over the larger space and less likely to lead to potential desire for substantive pruning or total removal. This is considered to satisfactorily overcome the concerns raised in the previous application and make the development acceptable in this respect.
- 8.38 The submitted TPP and arboricultural report contain other important tree protection measures which must be implemented and adhered to. These include tree protection fencing, hand dig only areas and specific demolition methodology for the garage. A condition is recommended to ensure compliance with these measures.
- 8.39 There is some mature boundary hedging across the site, some of which is to be removed to accommodate the proposal (H1, H2 and part of H3 in the submitted TPP). None of these hedges are protected by the TPO and all are graded as category C. Whilst the removal of existing landscaping is regrettable, given their quality and species it is not considered their removal can be resisted particularly as there are clearly opportunities as part of the development to provide new soft landscaping of a better quality and visual interest, for example native species to increase biodiversity. Some existing planting is being retained, for example part of H3 (along the street frontage within the donor site) is to be retained which will assist in screening the new parking space. H4 (a hedge to the south of the site along the boundary with 29 Copthorne Rise) is also being retained which is welcomed given its ability to provide natural screening between the two sites. A condition is recommended securing submission of a suitable landscaping scheme to complement the existing planting being retained and assist in integrating the development into its suburban location.
- 8.40 Taking this into account along with the other tree protection measures proposed, it is considered that the impact on trees and landscaping at the site would be acceptable and would accord with policy requirements.

### Biodiversity

- 8.41 The application site lies adjacent to a Site of Nature Conservation Importance (Purley Downs Golf Course). An ecological assessment has been provided in support of the scheme. This has been reviewed and is considered to provide sufficient ecological information to be able to understand the impacts. Habitats identified on the site include hardstanding, amenity grassland, a small ornamental pond and species-poor hedgerows. The impacts on habitats are predominantly limited to the site itself, and the assessment recommends careful dismantling of the existing ornamental pond as a precautionary measure (given its identified low potential for reptiles). Through the consultation process the Council was made aware that there are additional ornamental garden ponds within the surrounding area (and therefore the assertion that there are no other ponds within 500m at para 5.23 of the assessment is inaccurate), however those would not be directly affected by the proposal and do not change the assessment's findings that there are no records of Great Crested Newts within 1km (para 5.21) therefore the report has been considered sufficient to allow the Local Planning Authority's to discharge its duties regarding ecological impacts. An informative is recommended to remind the applicant of their

statutory/legal obligations regarding ecology should additional ecological impacts be discovered following the determination of the planning application. Mitigation measures are identified in the report which are recommended to be secured by condition to be implemented in full. Biodiversity enhancements are also proposed which should be incorporated into the landscaping scheme, for example bat boxes, bird boxes, log piles and native species hedgerow planting. Conditions relating to the submission of a Construction Environmental Management Plan (to mitigate against impacts on the adjacent woodland) and a bat sensitive lighting scheme are also recommended.

- 8.42 On the basis of the submitted report, it is not considered there is a risk of harm to protected habitats or species on the site, with the proposed mitigation measures and enhancement proposals recommended to be secured by a suitably worded condition.

## **G. ACCESS, PARKING AND HIGHWAY IMPACTS**

- 8.43 Paragraph 110 of the NPPF (2021) states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy T4(F) of the London Plan states that development proposals should not increase road danger. Policy T5 sets out cycle parking standards and T6 car parking standards for proposed development. Policies SP8.17, DM29 and DM30 of the Croydon Local Plan (2018) provide further guidance with respect to parking within new developments and state that development should not adversely impact upon the safety of the highway network.

### Car parking

- 8.44 London Plan policy T6.1 allows up to 1.5 parking spaces per unit in a location of this PTAL (PTAL 1b). 2 car parking spaces are proposed for the new dwelling, along with 1 parking space for the donor property at the end of their garden. This would accord with the maximum standards (3 spaces) which is considered an appropriate provision. The tandem parking arrangement is considered acceptable in this instance, where the future occupants of the dwelling can manage their own parking arrangements which is a common scenario seen in the surrounding area. The parking provision is considered appropriate.

### Site layout

- 8.45 The existing vehicular crossover would be adjusted to provide access to the parking spaces for the new dwelling, with another crossover provided further to the east of the site for a parking space for the donor property. Whilst this would result in two crossovers in relative close proximity to each other, they are adequately spaced enough to avoid conflicts between vehicles entering and exiting the spaces, and would allow for on-street parking between them if required to maximise parking availability (noting that vehicles can only park on one side of the road due to its width). Vehicle tracking diagrams have been provided to demonstrate that each parking space can be accessed. Visibility splays can be achieved either side of the new crossover, with a condition recommended to ensure these are retained with low level planting on the frontage (i.e., not exceeding 0.6m in height within the splay). A visibility splay can be provided on the eastern side of the existing crossover (again to be secured by condition) but cannot be provided on the western side, due to the siting of the bin storage. Given this is the same as the existing situation and this would be at the end of the cul-de-sac with no dwellings further west, this is unlikely to cause conflict with any vehicles or pedestrians and as such is acceptable.

- 8.46 Whilst it is noted that this cul-de-sac end of Westfield Avenue is relatively narrow and representations have raised concerns with the impact of additional traffic, it is not considered this would be significant for the addition of one family dwelling. It is not considered that material harm to the safety and efficiency of the highway nor to local parking conditions would be caused that would be sufficient to refuse planning permission.
- 8.47 A financial contribution of £1,500 will 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 Policy DM30 and London Plan Policy T5 would require provision of a total of 4 cycle parking spaces (2 per unit). A bike store is proposed within the rear garden of the new dwelling accessible from the driveway, which is considered acceptable. The bike store would be of timber clad construction with a pitched roof appearing as an ancillary garden building, which is acceptable in this context. A condition is recommended to ensure it is provided on site as specified and retained as such. There is adequate space within the site for a store for an accessible bike to be installed, should this be required in future by the occupants. There is also sufficient space within the rear garden of the donor property for a cycle store to be provided (which could reasonably be accessed from their new driveway as per the new dwelling), should this be desired by the occupants. However, given that the remainder of no.31 Cophorne rise would be outside of the red line site boundary, a condition requiring provision of a cycle store within the garden of no.31 would not comply with the relevant tests, so is not recommended in this case.

#### Waste / Recycling Facilities

- 8.49 Policy DM13 of the CLP (2018) aims to ensure that the location and design of refuse and recycling facilities are treated as an integral element of the overall design and the Council would require developments to provide safe, conveniently located and easily accessible facilities for occupants, operatives and their vehicles. Waste and Recycling in Planning Policy Document August 2015 requires that the refuse storage must be within 20m of the collection point.
- 8.50 An individual refuse store area would be provided on the western edge of the site. This would be close to the site access and in a convenient location for collection to take place, as well as close enough for future residents to use conveniently. The refuse store is shown to be a timber building with front opening doors which is considered appropriate in this location. The bins specified to be provided are a 180ltr general waste bin, 2 x 240ltr recycling bins and a food caddy which would fit within the store shown. The proposed home has a front garden and driveway which could reasonably be used for temporary bulky goods storage before their collection. Refuse storage and collection would continue as per the existing arrangements for the occupants of no.31, and there is sufficient space within their site for a refuse store to be provided, should this be desired by the occupants.

#### Construction Logistics

- 8.51 A condition is recommended to require the submission of a Construction Logistics Plan (CLP) and a condition survey of the surrounding footways and carriageway, prior to commencement of works on site, and for an informative to be added to the decision

bringing the applicants attention to the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites." This should be endeavoured to be complied with.

## **H. FIRE SAFETY**

- 8.52 Policy D12 of the London Plan (2021) requires development proposals to achieve the highest standards of fire safety at the earliest possible stage.
- 8.53 A fire safety strategy has been provided with the level of detail that is appropriate and reasonable to the scale of development. In case of an emergency, fire appliances would need to access the site in the same way that they would for the other properties at this end of Westfield Avenue, and could reasonably do so. Given the scale of development, an appropriately worded condition is recommended to secure full details of compliance with policy D12 e.g. construction products, evacuation assembly points and escape routes. With this condition, the proposed development would comply with policy and be acceptable in this respect.

## **I. FLOOD RISK AND ENERGY EFFICIENCY**

- 8.54 Policy SI 12 and Policy SI 13 of the London Plan 2021 seeks 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 seeks that current and expected flood risk from all sources should be managed in a sustainable way and that 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).
- 8.55 Part of the west of the site lies within an area at risk of surface water flooding, as do the adjoining roads and part of the adjacent golf course. The previously refused application was refused for lack of adequate consideration of flood risk to and from the site, predominantly due to errors and a lack of detail within the submitted Flood Risk Assessment (FRA) provided at the time. With this application, a more accurate and detailed FRA and SUDs report has been submitted.
- 8.56 This report considers the site and the most appropriate SUDs measures which could be utilised. Soakaways have been considered but excluded given the lack of available space on the site. It is instead proposed to install a wall mounted rainwater harvesting tank to the rear of the dwelling to encourage rainwater re-use, and lay all hardstanding areas with porous surfacing. It is proposed to attenuate the remaining surface water run off with the installation of an underground crate system to gradually discharge to the sewer system. This is shown indicatively on the western part of the site. To ensure this is fully considered as the best option and that the location is compatible with the adjacent retained trees, a condition is recommended to secure submission of a full drainage strategy with the finalised methodology and its design, in consultation with the applicant's arboriculturist taking into account the preserved trees. If this method (or the location of the attenuation crates) is found to be inappropriate this should be re-designed.
- 8.57 Representations have raised specific concern with the risk of sewer flooding in the area which could be exacerbated by the development, and the potential need for a sewer in close proximity to the site to be diverted to accommodate the development. The submitted FRA highlights that there have been some internal and external incidences of sewer

flooding in the surrounding area, albeit none within the vicinity of the site. Thames Water have been consulted and have raised no objection, subject to engaging with their separate prior approval process if discharging to a public sewer and imposition of informatives for the applicant with regards to works in close proximity to public sewers (which are included as part of the officer recommendation). The submission of a finalised drainage layout and strategy will manage the surface water flood risk to and from the site but aside from this (and with no objection from Thames Water), feasibility of works nearby to sewers are an important but separate matter to the planning process.

- 8.58 At this stage it has been demonstrate that the site would be capable of delivering a SUDS scheme that would be capable of discharging surface water run off in a sustainable way and line with London Plan Policy S113 and Local Plan Policy DM25. Whilst the details at this stage are limited, it is considered the details can adequately be secured via conditions.
- 8.59 In order to ensure that the proposed development would be constructed to high standards of sustainable design in accordance with Local Plan policy SP6, a condition is recommended requiring the proposed development to achieve the appropriate energy efficiency standards and details of sustainable energy generation measures to be submitted.

## **9 CONCLUSION**

- 9.1 The provision of new dwellings in 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 home 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 Subject to the completion of a legal agreement and the 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).