

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 17/04743/FUL  
 Location: 26 Hilltop Road, Whyteleafe, CR3 0DD  
 Ward: Kenley  
 Description: Demolition of existing building: erection of a pair of two/three storey semi-detached houses with accommodation in roof-space at rear fronting Marlings Close, formation of vehicular accesses and provision of associated parking, cycle and refuse storage  
 Drawing Nos: Tree survey, arboricultural impact assessment, draft method statement & tree protection plan 26<sup>th</sup> March 2018, 3473 Site Plan Section AA Section BB REV A, 3473/1 Elevations and Floor Plans, 3473/1 Street Elevations, 3473/2 Location Plan  
 Applicant: Mr Mark McElduff  
 Agent: Mr Lee Richardson  
 Case Officer: Louise Tucker

- 1.1 This application is being reported to Planning Applications Committee because the Ward Councillor (Cllr Steve O’Connell) has made representation in accordance with the Committee Consideration Criteria and requested Planning Committee consideration and representations over the threshold for Committee Consideration were received.

**2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- 1) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2) Materials to be submitted with samples
- 3) Car parking to be provided as specified in the application
- 4) Removal of permitted development rights for enlargements and outbuildings
- 5) No additional windows in the flank elevations
- 6) Landscaping scheme to be submitted including hard/soft landscaping, retaining walls, boundary treatments, SUDs details
- 7) Permeable forecourt material
- 8) Construction Logistics Plan to be submitted
- 9) 19% reduction in carbon emissions
- 10) Water usage restricted to 110 litres per person per day
- 11) Development to be carried out entirely in accordance with submitted tree report including protection measures
- 12) Commencement of development within three years of consent being granted

13) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- 1) Site notice removal
- 2) CIL liability
- 3) Code of Practice for Construction Sites
- 4) Wildlife protection
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

3.1 The proposal comprises the following:

- Demolition of existing rear detached garage
- Erection of a pair of two storey four-bedroom semi-detached houses with accommodation in the roof-space fronting Marlings Close.
- Two new access points would be created off Marlings Close, serving two off street parking spaces for each dwelling with associated refuse storage and landscaping to the frontage.

3.2 Amendments and additional information have been received during the course of the application, comprising the following:

- Changes to siting of the dwellings
- Clarification over location of existing/proposed retaining walls
- Tree survey and protection plan submitted

3.3 These changes have not altered the description of development nor increased its impact, thus it has not been necessary to advertise these amendments.

### **Site and Surroundings**

3.4 The application site currently forms part of the rear garden of 26 Hilltop Road, a two-storey detached property on a corner plot. The site has a detached garage to the rear, which is accessed off Marlings Close. Land levels slope steeply upwards towards the rear of the site (east to west).

3.5 The surrounding area is residential in character. Hilltop Road is generally made up of individually designed detached properties with generous spacing to boundaries. Marlings Close consists of four pairs of semi-detached properties on the western side, with garages and ancillary buildings serving properties in Hilltop Road on the eastern side of the road. The site falls within an Archaeological Priority Zone.

### **Planning History**

3.6 17/02135/FUL - Demolition of existing building: erection of a pair of two storey four-bedroom semi-detached houses with accommodation in roof-space fronting Hilltop Road and a pair of two/three storey semi-detached houses with accommodation in the

roof-space at rear fronting Marlings Close, formation of vehicular accesses and provision of associated parking, cycle and refuse storage – Application Withdrawn

- 3.7 17/05808/FUL - Alterations; Erection of two storey rear extension and use of roof space as accommodation to facilitate the proposed conversion of house to form 4 flats. Provision of car parking, landscaping and other associated works – Under Consideration

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of residential development on the site is acceptable given the established residential character of the area
- The design and appearance of the development is appropriate given the context of the site
- There would be no undue harm to the residential amenities of adjoining occupiers
- The living standards of future occupiers are acceptable and compliant with the Nationally Described Space Standards and the London Plan
- The level of parking and impact upon highway safety and efficiency is acceptable. Sustainability aspects of the development can be controlled by condition

#### **5 CONSULTATION RESPONSE**

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

#### **6 LOCAL REPRESENTATION**

- 6.1 Seven letters were sent to adjoining occupiers to advertise the application. The number of representations received from neighbours, local groups including Kenley and District Residents' Association (KEDRA). in response to notification and publicity of the application were as follows:

No of individual responses: 26      Objecting: 26      Supporting: 0      Comment: 0

- 6.2 The following also made representations:

- Cllr Steve O'Connell [objecting]

- 6.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

- Inadequate parking provision
- Too dense, overdevelopment, cramped
- Out of character with the area
- Detrimental to highway safety and efficiency
- Noise and disturbance from construction
- Impact on local amenities from further development in the area
- Loss of garden space
- Impact on wildlife

- Impact on flood risk
- Traffic generation
- Impact on trees
- Impact on residential amenities of adjoining occupiers – loss of light, outlook, privacy, noise and disturbance, overshadowing
- Poor quality of accommodation for future occupiers
- Construction traffic, disruption, noise and safety concerns

6.4 The following matters were raised in representations which are not material to the determination of the application:

- The Council have not thought through this application, what the Council have proposed is not safe or of good construction [OFFICER COMMENT: This is not an application submitted by the Council. This application has been submitted by an external party and is valid and therefore the Council are duty bound to consider the application]
- The application is linked to Brick by Brick [OFFICER COMMENT: There is no link between this application and Brick by Brick]
- There is another current application to convert 26 Hilltop Road into flats, the Council should not allow two separate applications to be made [OFFICER COMMENT: The Council have no control over this and there is no limit to the number of applications that can be submitted for one site]
- Plans are inaccurate and insufficient [OFFICER COMMENT: Amended plans and additional information have been received which are sufficiently detailed to facilitate determination. The information and description of development is considered clear]
- Pre-application advice from the Council has not been disclosed in the application [OFFICER COMMENT: There is no requirement to do so and this would be at the applicant's discretion]
- Will affect values of properties in the area [OFFICER COMMENT: This is not a material planning consideration]
- Neighbouring bee population will have negative interactions with new residents [OFFICER COMMENT: This is not a material planning consideration]
- Will affect views [OFFICER COMMENT: This is not a material planning consideration]
- Development is just for financial gain [OFFICER COMMENT: This is not a material planning consideration]
- The developer wishes to buy other properties in the area so these developments should be considered [OFFICER COMMENT: This is not material to the determination of this application]
- There is no affordable housing proposed [OFFICER COMMENT: The application is for two new units of accommodation and thus, there is no requirement in policy to provide affordable housing as part of a scheme of this size]
- The development is in a conservation area [OFFICER COMMENT: This is not the case]
- The development will impact on use of the bridle path and access to Kenley Common [OFFICER COMMENT: This is not within the application site and will be unaffected by the development]
- The applicant has not checked the legal ownership of the site/covenants/site boundaries [OFFICER COMMENT: The applicant has declared they are the owner of the part of land to which the site relates which is sufficient to determine the

planning application, anything further than this would be a private legal matter for the relevant parties to resolve]

- Pressure on utilities e.g. drainage, gas, electricity [OFFICER COMMENT: This is not a material consideration and outside the scope of planning remit]

## **7 RELEVANT PLANNING POLICIES AND GUIDANCE**

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the Plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. 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, including requiring good design that takes the opportunities available for improving the character and quality of an area and the way it functions.

- The main policy considerations raised by the application that the Committee are required to consider are:

### Consolidated London Plan 2011 (LP):

- 3.5 on Quality and design of housing developments
- 6.13 on Parking
- 7.4 on Local Character
- 7.6 on Architecture

### Croydon Local Plan 2018 (CLP):

- SP2 on Homes
- SP6.3 on Sustainable Design and Construction
- DM1 on Housing choice for sustainable communities
- DM10 on Design and character
- DM13 Refuse and recycling
- DM23 on Development and construction
- DM25 on Sustainable Drainage Systems and Reducing Flood Risk
- DM28 on Trees
- DM29 on Promoting sustainable travel and reducing congestion
- DM30 on Car and cycle parking in new development
- DM40 on Kenley and Old Coulsdon

## **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. Townscape and visual impact
3. Residential amenity of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and transport
6. Environment and sustainability
7. Trees and landscaping

### **Principle of Development**

- 8.2 The principle of development is acceptable. The development would provide two additional family homes in an established residential area. The other material considerations are discussed below.

### **Townscape and Visual Impact**

- 8.3 The development would see an existing garage to the rear of 26 Hilltop Road demolished and a pair of semi-detached properties constructed in its place fronting onto Marlings Close. Given the character of the area and the existing rear garages, the principle of these new dwellings is appropriate. The proposed plot widths and the spacing between the buildings is comparable with those seen in the surrounding area. The form and design of the new dwellings, appearing as two storey buildings from the front, are reflective of the modern existing dwellings built in the 1960s on the opposite side of Marlings Close, with gabled roofs and flat roofed porches, ensuring the development is keeping with the surrounding area.
- 8.4 The site is characterised by a well-established vegetated boundary, which the proposal is seeking to retain. Whilst the scheme proposes the loss of 11 trees (both at the front and rear of the application site) suitable mitigation planting is proposed. Furthermore tree protection and replacement planting can both be secured through conditions which should allow the development to sit well within the setting.
- 8.5 An area of hardstanding fronting onto Marlings Close would be given over to parking and access to the new dwellings, which is consistent with other examples in the area. A planning condition is recommended to ensure this is of a suitably permeable material.
- 8.6 Having considered all of the above, against the backdrop of housing need, officers are satisfied that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

### **Residential Amenity of Adjoining Occupiers**

- 8.7 Given steep topography and the 25-metre separation distance between the rear elevation of the proposed properties and the host property fronting onto Hilltop Road, there would be no direct window to window views. Furthermore, given that the proposal would be sunken into the ground levels, the scheme would be unlikely to have an overbearing visual impact or cause a harmful level of visual intrusion when seen from surrounding properties.
- 8.8 There would be a 25-metre separation across the road between the proposed dwellings and the existing buildings on the western side of Marlings Close. These existing buildings are also on a higher land level. Any limited loss of amenity caused by loss of light, outlook or privacy would therefore be acceptable.

- 8.9 The buildings would be used solely for residential purposes and in the context of the area, it is not considered this would result in any additional undue harm through noise and disturbance to surrounding occupiers. The development is acceptable in terms of its impact on residential amenities of adjoining occupiers.

### **Residential Amenity of Future Occupiers**

- 8.10 The proposed dwellings would be four-bedroom dwellings and the proposed floorspace for each unit would exceed the minimum requirements of the Nationally Described Space Standards for units of this type. The internal rooms would be of acceptable sizes, with adequate light and outlook provided. A private garden for both the houses would be provided, with a generous garden remaining for the donor property.

### **Highways and Parking**

- 8.11 The location for the proposed development has a PTAL level of 1b, which indicates a poor level of accessibility to public transport links. Each new dwelling would benefit from two off street parking spaces on the frontage, which would be in accordance with the maximum parking standards set out in the London Plan for four bedroom homes. The site is also within a reasonable walking distance of Whyteleafe train station and bus stops and there are limited restrictions on parking in the surrounding roads. A planning condition is recommended as regards cycle storage details in accordance with the London Plan. It is not considered the addition of the two new dwellings would have a significant impact on local parking facilities, with the parking provision outlined. The development is considered acceptable in this respect.
- 8.12 There is an existing crossover at the rear of 26 Hilltop Road which currently serves the existing garage. This would be retained and an additional crossover created as part of the works. The layout of the parking area would mean vehicles would have to reverse out onto the highway which appears to be a common situation along Marlings Close and Hilltop Road (including the existing situation) where there is limited frontage depths. Marlings Close is a relatively quiet residential cul-de-sac which is not classified, and adequate pedestrian visibility splays have been provided for all the parking spaces. A planning condition would ensure that these are retained and consequently, it is not considered that the development would significantly alter the safety and efficiency of the surrounding highways network.
- 8.13 Concerns have been expressed in representations regarding construction noise, disturbance and safety. A Demolition/Construction Logistic Plan (including a Construction Management Plan) is recommended through use of a planning condition.

### **Environment and Sustainability**

- 8.14 Planning conditions are recommended to require that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.
- 8.15 The site does not fall within a surface water flood risk area. However, as the site is sloping and there are opportunities to secure SUDs details as part of the landscaping scheme, which can be dealt with through the imposition of a planning condition. This should help limit potential water runoff onto the public highway and neighbouring sites.

### **Trees and Landscaping**

- 8.16 There are no arboriculture objections raised in respect of tree loss; none are not of sufficient merit to warrant a tree preservation order. Notwithstanding this, the tree survey and protection plan demonstrate that the majority of the existing planting will be retained and concludes that the proposed buildings would be situated far enough away from the hedge to ensure minimal disruption to the roots. Officers agree with these overall conclusions. A tree protection plan can be secured by condition.
- 8.17 Replacement planting has also been conditioned to ensure that suitable planting is provided as part of any approval within a comprehensive landscaping scheme for the whole site.
- 8.18 As regards wildlife, it is recommended an informative be included on the decision notice to advise the applicant to refer to the standing advice by Natural England, in the event protected species are found on site.

### **Conclusions**

- 8.19 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.
- 8.20 All other relevant policies and considerations, including equalities, have been taken into account.