

PART 6: Planning Applications for Decision

Item 6.4

1 SUMMARY OF APPLICATION DETAILS AX10+15-53-101

Ref: 18/06070/FUL
 Location: 9A Orchard Rise CR0 7QZ
 Ward: Shirley North
 Description: Demolition of existing house and ancillary office building and erection of two storey block of 4 flats and 5 three-bedroom houses, provision of 5 parking spaces, refuse storage and cycle stores.
 Drawing Nos: 6722-PL02/A, 6722-PL03
 Applicant/Agent Mr James Caldwell Turnbull Land
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	5 (5 person)	0
Flats	0	4 (4 person)	0	0
Totals	0	4 (72sqm-78sqm)	5 (121sqm)	0

Type of floorspace	Amount proposed	Amount retained	Amount lost
Residential	949Sq.m	0 Sq m	293Sq m
Number of car parking spaces		Number of cycle parking spaces	
12		18	

1.1 This application is being reported to Planning Committee because the North Shirley Ward Councillors (Cllrs Sue Bennett and Richard Chatterjee) have requested it be referred to committee) and objections above the threshold in the Committee Consideration Criteria have been received.

2 RECOMMENDATION

- 2.1 That the Planning 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) Built in accordance with approved plans
- 2) Materials to be submitted for approval
- 3) Details to be provided:-
 - a) Hard and soft landscaping – including paving surfaces, parking spaces, play space, planting and species to be submitted

- b) Boundary treatment – including private amenity space enclosures between the houses showing height and materials
- c) Vehicle site lines along Orchard Rise including point of entry/exit
- 4) Refuse Storage Area to be submitted
- 5) Cycle storage Area to be submitted
- 6) Parking and Disabled parking to be provided as specified
- 7) Details of land levels proper to occupation
- 8) Electric vehicle charging point
- 9) Demolition and construction method statement
- 10) 19% reduction in carbon emissions
- 11) 110 litre water consumption target
- 12) Parking to be provided before the buildings are occupied
- 13) Removal of permitted development rights
- 14) Details of security lighting
- 15) Details of Suds measures
- 16) Details of tree protection measures and tree planting scheme
- 17) Details of measures to protect rockery in northwest corner of the site, including elevation, planting
- 18) Ecology protection measures to be submitted
- 19) Windows in flank elevations of the flatted building to be obscure glazed and fixed shut up to 1.7m above the internal floor level at first floor.
- 20) Commence within 3 Years

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

Informative

- 1) CIL -
- 2) Code of Practice regarding small construction sites
- 3) Highways works and or/damage to the existing highway during the construction phases to be made good at developer's expense
- 4) Applicant to liaise with London Fire Services
- 5) Any [other] informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.3 That the Planning 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.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal involves the demolition of the existing bungalow (family house), garage, store and separate ancillary office building on the site and the construction of 5 three-bedroom houses with accommodation within the roofspace and a two storey block of flats to provide 4 two bedroom flats.



- 3.2 The proposed development would be accessed off Orchard Rise along the existing vehicle access point. The proposed houses would be 8.2 m high, 5.4m wide, 11m deep along the west; the proposed block of flats would be 8m high 14m wide, 17m deep along the east of the site.
- 3.3 The proposed buildings would be constructed of the following materials: - decorative yellow soldier brick, metal standing seam roof and rear dormers, aluminium windows and timber doors.
- 3.4 The proposal would include 12 car parking spaces including 1 disabled space and an electrical charging point, 18 bicycle spaces within secured unit's and refuse stores.
- 3.5 The proposal would include removal of a number of trees, the provision of new extensive landscaping, each of the houses would benefit from private garden areas, with balconies to flats and communal playspace. In addition there would be hard landscaping to pedestrian routes, new boundary treatment between the buildings with a variety of tree/shrub planting in and surrounding the site boundary.

Site and Surroundings

- 3.6 The site comprises a 0.193 ha backland site consisting of a large single-storey detached bungalow with garden located on the north side of Orchard Rise. Access to the site is along an established private drive which runs between no.9 and 11 Orchard Rise. The site contains a bungalow which is located towards the northern boundary of the site and a single storey ancillary office building located at the southern side of the site close to the vehicular access of the site
- 3.7 To the north of the site are the rear gardens of properties nos. 9-16 (consec) Coverack Close; to the south are the rear gardens to nos. 5-13 Orchard Rise, to the east is the rear garden of no 15 Orchard Rise while to the west are the rear gardens to nos.8-10 Orchard Road. The surrounding area is residential in character with pitched roof forms and brick construction.
- 3.8 Whilst there are a number of trees on the site, there are no protected trees identified within the site or immediate surroundings and no other designations for the site identified on the Croydon Local Plan Policies map.

Planning History

3.9 The following planning decisions are relevant to the application:-

- 95/01803/P Refused permission for demolition of existing outbuildings; erection of detached two bedroom bungalow with integral garage
- Unsatisfactory spatial relationship with existing buildings and detrimental to amenities of occupiers of adjoining property by reason of its size, siting and external appearance
- Increase levels in noise and disturbance caused by vehicles using the property.
- 18/05002/PRE Pre-application for demolition of existing property and outbuilding and erection of 5 3bedroom homes and 4 x 2 bedroom apartments.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed would provide an appropriate scale for a backland development making effective use of the residential site and increasing the Council housing stock.
- 4.2 The proposed new buildings would preserve the character of the area and would not harmfully affect the appearance of the immediate surroundings
- 4.3 The proposed new buildings would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.4 The development would provide an appropriate level of parking for the proposed development, encourage sustainable modes of transport other than the car, incorporate safe and secure vehicle access to and from the site and would have an acceptable impact on the highways network.
- 4.5 The development would incorporate sustainability requirements and incorporate sustainability technics as part of the overall drainage strategy.

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 The application has been publicised by way of neighbour consultation letters. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 43 Objecting: Supporting: 0

- 6.2 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:

Summary of objections	Response
<i>Principle of development</i>	
Planning permission was refused in 1996 for erection of two detached bungalows; this application is for 5 houses and 4 flats.	The principle of residential development on this site is considered to be acceptable and would make effective use of a brownfield site. Refer to paragraphs 8.2 to 8.4 of this report.
<i>Scale and massing</i>	
Height and scale of housing not in keeping and would dwarf bungalows; tree with pleasing look would be replaced with side wall of block of flats and houses;	Officers consider that the proposal in terms of scale, massing and creates an acceptable transition in scale between the application site and the surrounding buildings. Refer to paragraph 8.5 to 8.10 of this report.
<i>Appearance</i>	
Appearance out of keeping with area; in appropriate design	The proposed design of the buildings are considered to be acceptable. The details to be secured by condition. Refer to paragraph 8.10 of this report.
<i>Density</i>	
overcrowding and overdevelopment	The development would maximise the potential site whilst ensuring a suitable scaled buildings limited physical impact. Refer to paragraph 8.5 to 8.11 of this report.
<i>Daylight and sunlight</i>	
Loss of light to properties	Officers consider that due to the position and height of the buildings the resultant levels of daylight/sunlight are acceptable within an urban setting. Refer to paragraph 8.13 – 8.19 of this report.
<i>Overlooking</i>	
Unacceptable overlooking,	The proposal would result in some overlooking Given the position of the buildings the proposed development would be limited in terms of overlooking or loss of privacy. Refer to paragraph 8.13 – 8.19 of this report.
<i>Security</i>	
Safety concerns over access to rear gardens of neighbouring properties lack of lighting; Impact of light overspill, light pollution and disturbance. Concerns not addressed in revised proposal	In view of the sites backland location, a condition requiring details of safety measures including lighting and level of illuminance to the rear should protect neighbour amenity. Refer to paragraph 8.13 -8.19 of this report.
<i>Noise</i>	
Increase in noise and disturbance. Existing access is negligible daily access would be significant	Officers consider that the introduction of an intensified residential use in the residential area would not lead to an unacceptable level of noise and disturbance. Refer to paragraph 8.13-8.19 of this report.

<i>Standard of accommodation</i>	
Will playspace be communal?	Officers consider the proposal would provide a reasonable level of accommodation including communal amenity playspace in excess of London Plan standards. Refer to paragraph 8.22 – 8.23 of this report.
<i>Waste</i>	
No room for waste collection; waste storage at back of neighbours garden and would result in overspill, rats , noise and smell	The applicant plans includes refuse storage provision in line with Officer comments. Refer to paragraph 8.36 of this report.
<i>Transport</i>	
In adequate level of parking provided; insufficient parking provided to neighbouring Hanbury Mews lead to parking on grass verge; existing access is 3m wide and inadequate; only one vehicle will be able to pass at any one time; no room for separate pedestrian access; inadequate emergency services access ; Hanbury development caused serious damage to pavement;	Officers consider the level of on-site parking and bicycle provision to be appropriate and that detailed planning conditions would secure suitable and safe vehicle movement and fire safety. Refer to paragraphs 8.23 to 8.26 of this report.
<i>Construction</i>	
Extent of building works in the area will lead to increase noise, disruption, distress, congestion during construction and lead to accidents and health and safety issues; neighbours have been through this before at Hanbury Mews. Loss of tons of soil	Disruption during the build will be minimised through an approved Construction Management Plan. Refer to paragraph 8.18 of this report.
<i>Sustainable issues</i>	
Excessive noise and pollution	A detail informative would ensure that the development would incorporate sustainable requirements and the Council Code of Practice of the control of pollution. Refer to paragraph 8.18 of this report.
<i>Trees and Ecology</i>	
Loss of tree and shrubs on site; verges being destroyed; deep argued piles may damage existing tree roots; loss of trees would result in loss of nesting birds and other wildlife, there is evidence of a badger set on the property, loss of foxes, hedgehogs in area;	A condition requiring details of new landscaping tree planting and protection measures should ensure that suitable planting is provide. Following further investigation, the proposal has been amended to include protection measures to safeguard the presence of the badger sett during the construction process. The details to be safeguarded by condition prior to

	commencement of any works on site. Refer to paragraphs 8.32 to 8.33 of this report.
<i>Flooding</i>	
Lead to flooding; water pooling at Orchard Avenue and Orchard Way ; reduced ground levels could result in drainage problems;	Officers consider that the applicants have addressed issues of flooding and sustainable discharge measures the details to be subject to a condition Refer to paragraphs 8.32 to 8.33 of this report.

6.3 Councillor Sue Bennett has made the following representations:

- It is a backland development and there is a presumption against back garden development in London Plan Policy 3.5
- There would be a substantial loss of trees and there has not been an Ecological and Wildlife Survey
- Loss of light to neighbouring properties
- Out of character
- Overdevelopment

6.4 Councillor Richard Chatterjee has made the following representations

- The access road is too narrow for the proposed number of dwellings on this plot that would lead to many traffic movements, putting children and the elderly at risk when egressing and returning, especially in buggies or in motorised wheelchairs, or when children are returning unaccompanied from school, as there is no pavement.
- The proposed houses are out of keeping with the area in respect of external design, internal floorspace and garden size, which is insufficient.
- The proposed flats lead to a loss of privacy especially for the residents of 11 and 13 Orchard Rise and of 13 Coverack Close, especially in respect of the quiet enjoyment of their gardens.
- The 2-storey flats have a very high roof which would dominate the skyline and be aesthetically unacceptable.
- This is a back-land development that harms the local area by not enhancing or respecting the locality. There are not terraced properties or flats locally, the northern side of Orchard Rise is predominantly bungalows,
- The proposal does not reflect the pitched roof forms or the heights of surrounding dwellings.
- There is no storage space proposed for wheelie bins for the houses, and the recycling/waste storage area for the flats is too small but yet, in its proposed design, is also visually intrusive.
- There is no turning head for visitors' vehicles.
- The proposed speed bump is an unwelcome vertical deflection in the road.
- The intensity of the proposed development and loss of trees will damage the current flora and fauna by significantly diminishing the current habitat for living and breeding at the plot, including disturbance of badger sett understood to be located at the north-west of the plot.

6.5 Monks Orchard Residents Association (MORA)

- The proposed development does not reflect the character of the area
- Massing does not reflect local character of surrounding dwellings
- Does not meet minimum space standards for storage space
- Does not make a positive contribution to the character of the locality, layout and siting of surrounding neighbourhood
- No programme for replacement trees
- Insufficient waste facilities
- No vibration and Impact assessment from the required delivery of materials and disturbance
- Access drive not sufficient for emergency vehicles
- Proposal lacks an Ecological and wildlife assessment
- Detrimental impact on highway safety and sever impact on transport network
- Does not include a Transport Assessment.

6.6 East Surrey Badger Protection Society

There is a large active main badger sett located in the north west corner of the site with at least one entrance hole in the rockery, which has been built on top of an underground air raid shelter.

There are two active entrances on the fence line between 9A and 10 Orchard Way and one entrance which is not well used in the rockery. The proposed development will deprive the badgers of the foraging on the grassland and garden of 9A.

Last year a subterranean barrier was installed along the boundary of number 10 Orchard Way to prevent the sett expanding in that direction.

I spoke to the owner of 9A who was happy to have the sett in his garden, and of course this was before he had confirmed that his garden would be developed. If planning permission is granted then there will have to be badger mitigation in place. This mitigation could include leaving the air raid shelter in place and fencing or planting a protective barrier as part of the landscaping conditions. During construction the sett must be protected with a temporary security fence, at least 2 m from the rockery.

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)

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018 (Amended in February 2019). 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:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).

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

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide
- 5.3 Sustainable design
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 7.4 Local character
- 7.6 Architect

Croydon Local Plan: Strategic Policies 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP7 Green Grid
- SP8 Transport and communication

Croydon Local Plan Policies 2018:

- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM27 Protecting and enhancing our Bio-Diversity
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM45 Shirley

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 and consideration of density
3. Residential amenity/Daylight & Sunlight for neighbours
4. Housing Tenure
5. Housing Quality for future occupiers
6. Transport
7. Trees
8. Ecology
9. Sustainability and flooding
10. Waste

Principle of Development

- 8.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes in favour of sustainable development in line with the principles of paragraph of the NPPF, Policy 3.3 of the London Plan relating to increase housing stock; policies SP2.1 of the Croydon Local Plan in providing a choice of housing for all people at all stages of life and DM1 in supplying new housing.
- 8.3 Both the London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular will play in resolving the current housing crisis. The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt.
- 8.4 The proposal would replace an existing house and ancillary office with 9 new residential units. The loss of the existing buildings does not give rise to concern with the existing buildings of no architectural merit and no policy issues with loss of the small family office which is ancillary to the main building. The provision of new residential accommodation within this setting would add to the Council housing stock. The proposal would have regard to surrounding residential character while maximising the sites potential.
- 8.5 In respect to the density of the scheme, representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 1a and as such, the London Plan indicates that the density levels ranges of 150-200 habitable rooms per hectare (hr/ha); the proposal would be within this range at 159 hr/ha. The London Plan however further identifies that density is only the start of the planning housing development and not the end. The range, for a particular location, is broad enabling account to be taken of other factors including local context, design and transport capacity which, where appropriate, can provide a tool for increased density in certain situations. It is considered that the sites location, design, transport capacity and parking provision density is justified. The proposal would therefore accord with London Plan requirements in promoting housing.

8.6 It is therefore considered that subject to an appropriate scale of sustainable development, good design, a full assessment of amenity considerations, conserving the natural environment and assessment of traffic considerations, there is no objection in principle to the introduction of further residential accommodation in this location. These additional matters are considered in more detail below.

Townscape and visual impact

8.7 The existing property is not protected from demolition by existing policies and its demolition is deemed acceptable subject to a suitably designed replacement development coming forward. The proposal seeks to demolish the existing bungalow and office and replace them with 5 houses and a building containing 4 flats.

8.8 The proposed houses along the west and block of flats along the east would be separated by a vehicle parking and pedestrian area 19m wide in the centre of the site. All 5 houses would be uniform in appearance.



8.8 A number of neighbours have raised concern over the height of the proposed buildings and their impact on the immediate surroundings and consider their location too close to neighbouring boundaries. The Croydon Local Plan has a presumption in favour of three storey developments and the application seeks to provide a three storey property providing a high quality built form that respects the pattern, layout and siting in accordance with Policy DM10.1. The proposal comprises two storeys and two storeys plus accommodation in the roof space. The proposal therefore seeks to maximise the development potential of the site in line with policy whilst being in keeping and sympathetic with the surrounding context. The applicants have demonstrated through 3-D images that the mass, setting and design of the proposed new buildings would integrate well within the existing site and surrounding and is considered to be acceptable



- 8.9 The design language, maximising the roof space of the houses, and mix of materials to be used on the proposed buildings, would give a modern approach to characteristic of surroundings but would still maintain some symmetry and balance to the site. The buildings would be a considerable distance when passing the entrance to the site from Orchard Rise and therefore would not unduly impact on the street scene appearance. The proposed parking would utilise the existing vehicle access.
- 8.10 The proposed design would preserve this backland site and local character in line with national, regional and local policies. The proposed materials and finish of the building would be controlled by condition.

Residential Amenity Daylight/Sunlight, Overlooking, Privacy, Outlook, Noise, Lighting construction for neighbours.

- 8.11 Policy DM10.6 states that the Council will not support development proposals which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light, a loss of outlook or the creation of a sense of enclosure. Due to the existing properties position in a backland location the proposed development would be surrounded on all sides by residential properties and their gardens. It is therefore important to consider the potential impacts on these adjoining occupiers.
- 8.12 The flank walls of the proposed houses would be a minimum of 13m from the rear building line of 5-7 Orchard Rise along the south and 16m from 13-16 Coverack Close at the nearest point to the north. There would be a distance of 27m from the rear walls of 8-10 Orchard Road at the nearest point to the west. Details of boundary treatment would be controlled by condition to ensure that neighbour amenity is protected. Due to the distance between the houses and orientation of the site the neighbouring buildings would have suitable separation and therefore the proposal would not result in any significant reduction in light for these neighbouring properties. No windows are proposed in the flank elevation of the houses nearest along the north and south boundaries of the site. The window to window distance with neighbouring properties would be such that the proposal would not result in any undue overlooking of neighbouring rooms. The proposed houses would not result in significant overlooking or loss of privacy for neighbouring properties.

- 8.13 The proposed block of flats would be located at its closest point 1.3m from the northern boundary of the site. The properties to the north in Coverack Close have rear gardens with a depth of between 12m -13m. To the south the flats would be located (at its closest point) 1m in from the boundary with 11 and 13 Orchard Rise. These properties have rear gardens with a depth of 16m. To the east the flats would be located 11m in from the boundary with the rear part of the garden with 15 Orchard Rise. The proposed block of flats due to these separation distances would not result in any significant loss of light to neighbouring properties to the north, south and east. The proposal does include windows in the flank elevations of the block to living room and bedrooms. However these would be to secondary windows only and a condition requiring that these windows remain obscured should protect neighbouring amenity. Windows in the rear elevation of the block would face towards the end of the rear garden of no.15 Orchard Rise and should not result in any significant overlooking of this neighbouring property.
- 8.14 Officers consider the proposed houses and flats to be at a suitable distance so as not to result in undue loss of neighbours in terms of daylight/ sunlight or overshadowing.
- 8.15 The proposed development would change the outlook when viewed from the rear of the surrounding neighbouring properties and gardens. There is no right to a view under planning however given the separation distances the development would not appear cramped or overbearing. Details of landscaping measures including measures to protect existing neighbouring trees would ensure suitable softening of the development. The proposed buildings are therefore considered to be acceptable in terms of outlook from this neighbour's property.
- 8.16 The provision of further residential accommodation would result in increased activity to this site. Neighbours have raised concerns over possible noise, fumes and disturbance from vehicle parking, movement to the rear of their properties and the unsuitability of residential development on amenity. However, there would be no change in the residential character of the area. The level of vehicle movement is not considered to be so significant to result in a serious loss of amenity for neighbours. In view of the residential setting it is not considered that the proposal would result in undue loss of amenity in terms of noise disturbance.
- 8.17 It is acknowledged that there will be some noise and disturbance during the construction process, with pollution also a concern expressed by neighbours. Neighbours have referred to several issues raised with the construction of a neighbouring development at Hanbury Mews further to the south west off Orchard Way. A planning informative is recommended to advise the applicant to follow the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites". A Construction Logistics Plan would need to be submitted and approved prior to the start of building works. It is also recommended that a demolition / construction logistics plan be provided in order to reduce amenity considerations, traffic impacts and safeguard the development during the build; the detail of which is to be controlled by condition. Further informatives would ensure the reinstatement of the highway with developers to meet the cost of reinstatement of any work.
- 8.18 In view of the site's backland location, a condition requiring details of safety measures including lighting and illuminance to the rear and along the vehicle approach would ensure that neighbour's amenity is protected. The proposal is

therefore considered to be acceptable and would be in line with London Plan policy 7.6 Architecture for good design and Council policy UD8 protecting residential amenity.

Housing Tenure

- 8.19 The proposed development would result in the loss of an existing family house. The proposal would however provide a combination of three bedroom and 2 bedroom (4 person) properties . CLP Policy SP2 sets out an aspiration for 30% of all new homes outside the Croydon Opportunity Area to have three or more bedrooms and CLP acknowledges that 2 bed, 4 person homes can be treated as family homes (in line with DM1.1) during the first 3 years of the Plan. . The application proposes that 5 of the proposed units would be three bedroom houses (55.5%) with the remaining 4 units comprises 2bedroom (4 person units (44.5%) In terms of this policy requirement, the proposal would be in line with this aspiration. Therefore under current policy as the proposal would be in line with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies 3.8 housing choice, 3.9 mixed and balance communities.

Housing Quality/Daylight and sunlight for future occupiers

- 8.20 All 5 houses and 4 flats would accord with the National technical housing standards guidelines in terms of floor space requirements including areas for storage. Each property would have dual aspect and should receive good levels of sunlight and daylight. The applicants have demonstrated through section drawings that sufficient head height would be afforded to the accommodation within the roof space. This arrangement is, therefore, considered acceptable.
- 8.21 Each of the houses and flats would have their own private garden space in excess of minimum amenity guidelines for dwellings. The proposal would include an area of communal garden playspace in excess of London Plan standards and include landscaping and planting the details of which would be secured by condition. The proposal would therefore be in accordance with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies, and Croydon Local Plan 2018.

Transport

- 8.22 The site is located in an area with PTAL level of 1a (on a scale of 1 to 6b), which is considered to be a poor level of public transport accessibility. The layout shows 12 car parking spaces one of which is a disabled bay. Whilst this is a high level of parking provision, it is within the maximum limits of both the London Plan and the Draft London Plan, due to the low public transport accessibility level. Electric charging points should be provided to the London Plan standard of 20% active provision and 20% passive provision for the proposed parking spaces, the details to be secured by condition.
- 8.23 The site is served by an existing access road. This is an existing access road which is narrower than the minimum width recommended by London Fire Brigade Fire Safety Guidance (3.7m). Due to the distance between the footway and the proposed properties it will be necessary for additional fire protection measures to be considered by the applicant. The applicant has confirmed that each individual unit (flats and houses) will be required to include a sprinkler system. The

applicants state that this system in conjunction with alarms will not only alert occupants about a fire, but will also suppress or eliminate it. Confirmation of the acceptability of this approach with Fire Services and be a matter under building regulations. An informative is recommended to this effect.

- 8.24 The existing access road is set back of the highway. A grass verge 2.5m deep exists across the 3.5m entrance point between the footway and the boundary of the property. The proposal includes speed humps along the entrance and therefore vehicle movements are likely to be slow when entering or leaving the site. Whilst this development would result in an intensification of the use of the existing drive, Transportation Officers consider the access arrangements to be acceptable for pedestrian and vehicle movements. The applicant has submitted amended plans which demonstrate how small to medium sized delivery vehicles could turn within the southern portion of the site in order to enable them to enter and leave in a forward gear. The waste storage facilities have been sited to enable the refuse to be collected from Orchard Rise.
- 8.25 The proposed cycle parking is considered in line with London Plan standards. Details of cycle parking would need to be approved by the Council prior to occupation. The proposal is therefore considered to be in accordance with London Plan policies and Croydon Local Plan policies in respect to traffic and highway impacts.

Trees

- 8.26 Neighbours have raised concern over the loss of trees on site. The site which is primarily soft landscaping contains several trees. The applicant has submitted a detailed tree report which identifies 31 trees and 6 groups of shrubs on site. The existing trees include medium sized and middle-aged trees. The report identifies that the majority of the trees are in a good condition but due to their size are of limited amenity value to the local area.
- 8.27 The report which categorises trees from A to C; from good quality to those that make minimum value and U trees of poor quality. No category A trees have been identified on site. The proposal would involve the removal of a total of 19 trees and 3 groups of shrubs. Officers consider that although a number of trees will be removed to enable the proposed development, they are either small garden scale trees or trees of poor quality or of limited amenity value in the context of the wider area.
- 8.28 The proposal would retain the category B trees along south boundary of the site and north west corner of the site with the majority to be removed being category C. All trees that are to be retained on the site will be protected by the use of a tree protection measures the details of which would be secured by condition. Council Tree Officers do not raise any objection to the findings of the applicants tree report provided a suitable replacement planting scheme is introduced. The report states that the proposed dwellings have been located so that the retained trees on and adjacent to the site will not have a negative impact on the future residents.
- 8.29 New tree planting will help to preserve the site and screen and help soften the development when viewed from neighbouring properties. The applicants have proposed Silver birch or Field Maple trees both of which Tree Officers have

considered to be suitable replacements. The details of the planting scheme to be secured by condition.

Ecology

- 8.30 Neighbours and the East Surrey Badger Protection Association (ESBPA) have raised concerns over the presence of Badger set existing within the northern corner of the site. The applicants have investigated this issues in conjunction with the East Surrey Badger Protection Association (ESBPA) who have confirmed that there are badgers (possibly a breeding pair) using the far north western corner of the site albeit they come out into the rear garden of number 10 Orchard Way. The north area of the application site currently has a raised rockery and has an old, small air raid shelter underneath on the boundary with no.10 Orchard Way. The findings confirm that it is unlikely that badgers use the shelter itself, but that there is likely activity around it. There are no exits that can be identified coming out of 9a Orchard Rise (the application site), but ESBP has identified two entrances/exists coming out of number 10 Orchard Way.
- 8.31 Following discussions with ESBPA the applicants have agreed to leave this raised rockery undisturbed and as part of a landscape scheme plant semi-mature holly hedging around the area for natural protection with further protection fencing to be provided (2m away from the sett) during the construction phase. The applicants' proposal includes the details of the landscaping and the protective fencing during construction works on plan the full details to be controlled by condition. No evidence of other protected species has been found on site.

Sustainability and Flooding

- 8.32 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. In line with Policy 5.2 of the London Plan, the development proposals should make the fullest contribution to minimising carbon dioxide emissions. In addition, the Council would require the development to achieve a water use target of 110 litres per head per. Subject to conditions the development would need to achieve sustainable requirements in line with national, regional and local level. The applicants have submitted a flood risk statement which identifies the site to be in Flood Zone 1.
- 8.33 In terms of sustainability and flooding the proposal will be designed so that all new surface water connections from the roof will be directed to the existing local drain. All connections will be made in accordance with the building regulation requirements and those of Thames Water including retention and slow release systems (SUDS) to reduce the outflow to limit the risk of adding to flooding elsewhere in the vicinity. The details to be secured by condition.

Waste

- 8.34 The proposed plans indicate the location for the waste storage facilities. Officers have identified that the proposed development would be within an acceptable distance for collection. Details of boundary treatment should ensure suitable protection to neighbouring properties along the south. Waste officers have stated that the development would need to provide 1x1100ltr landfill, 1x12800ltr comingled dry recycling and 1x140ltr food recycling. However, details confirming

this provision would need to be secured by condition to ensure suitable facilities are provided in line with the principles of London Plan policy 5.17 waste capacity; CLP policies SP6 and DM13.

Conclusions

- 8.35 The recommendation is to grant planning permission. All other relevant policies and considerations, including equalities, have been taken into account