

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/05411/FUL
 Location: Land rear of 31-33 Croham Valley Road, (Facing onto Ballards Rise), South Croydon
 Ward: South Croydon
 Description: Erection of 2x2 storey detached buildings with accommodation within the roof-space comprising 1 three bedroom, 5 two bedroom and 3 one bedroom flats, refuse storage facilities, formation of vehicular access points and provision of associated parking
 Drawing Nos: 250-D-00-A, 250-D-01-C, 250-D-02-A, 250-D-03-A, 250-D-04-A, 250-D-05-A, 250-D-06-A, 250-D-07-A, 250-D-08-B, 250-D-09-B, 250-D-10, 250-D-11, 250-D-12-A, 250-B-13, 250-D-14, 250-D-15, 250-D-16, 250-D-17, 250-D-18-A, 250-D-19-A, 250-D-20, 1710-GUA-DR-L-001 P05, Design Statement (subject to amendments), Flood Risk Assessment, Parking Stress, play space schedule and waste calculator.
 Applicant: Mr Owens, Silverleaf Investments 2 LLP
 Case Officer: Hayley Crabb

	studio	1 bed	2 bed	3 bed	4 bed
Existing houses					
Proposed Flats		3	5	1	

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
4	15

1.1 This application is being reported to Planning Committee as objections above the threshold have been received, the application has been referred by the Croham Valley Residents' Association and by the Ward Councillor (Cllr Maria Gatland) requested Committee consideration in accordance with the Council's Constitution. .

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) Depth of window and door reveals to be agreed along with privacy screens to terraces)
- 4) No use of flat roofs (apart from those shown as terraces)
- 4) Car parking to be provided as specified in the application prior to occupation
- 5) Bin store/vehicular access/visibility splays as specified in the application
- 6) No additional windows in the flank elevations/obscure glazed first/second floors
- 7) Landscaping scheme to be submitted including hard/soft landscaping, retaining walls, boundary treatments and planting as boundary screening and SUDs techniques
- 8) Prior to first occupation, electric charge points to be submitted and approved by the LPA
- 9) Flood Risk Assessment
- 10) Construction Logistics Plan
- 11) 19% reduction in carbon emissions
- 12) Water usage restricted to 110 litres per person per day
- 13) Commencement of development within three years of consent being granted
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) CIL liability
- 2) Code of Practice for Construction Sites
- 3) Highway requirements
- 4) Protected species
- 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:

- Erection of 2 buildings (blocks) comprising 1 x three bedroom (5 persons), 2 x 2 bedroom (4 persons), 3 x 2 bedroom (3 persons) and 3 x 1 bedroom flats (2 persons)
- Private amenity space for each flat
- Communal/play space at rear
- Integrated cycle stores
- Provision of bin stores
- Formation of vehicular accesses and provision of 4 parking spaces (2 per building)

Site and Surroundings

3.2 The application site is located on the north eastern side of Croham Valley Road (a local distributor road) on the western side of the junction with Ballards Rise. The proposed back-land development would front onto Ballards Rise.

- 3.3 Croham Valley Road is characterised by detached properties set back from and fronting the road, set within relatively generous plots. There are three properties at the end of Ballards Rise which also have spacious grounds. There is a significant rise in land levels from Croham Valley Road up Ballards Rise of at least a storey.
- 3.4 To the rear of the properties on Ballards Rise is designated as Metropolitan Green Belt/Site of Nature Conservation Importance and Archaeological Priority Area as identified in the Croydon Local Plan. It has a Public Transport Accessibility Level (PTAL) of 1b, considered to be 'very poor'.

Planning History

- 3.5 The application site has had quite and extensive planning history.
- 3.6 (LBC Ref 07/00115/P) Erection of detached three bedroom house at rear with integral garage, formation of vehicular access onto Ballards Rise. Planning Permission **REFUSED** on grounds of character of the locality, unsatisfactory cramped backland development, detrimental to the amenities of adjoining occupiers from loss of privacy, poor outlook and visual intrusion and inadequate private amenity space
- 3.7 (LBC Ref 10/00910/P) Erection of a detached two bedroom bungalow at rear; formation of vehicular access onto Ballards Rise. Planning Permission **REFUSED** on grounds of character of the locality, unsatisfactory cramped backland development and detrimental to the amenities of adjoining occupiers from loss of privacy and visual intrusion. The application was the subject of a planning appeal which was dismissed on character ground only.
- 3.8 (LBC Ref 14/02840/P) Erection of a detached four bedroom house and detached garage; provision of vehicular access and associated parking. Planning Permission **REFUSED** as it was deemed it would be out of keeping with the character of the locality, resulting in an unsatisfactory cramped backland development that would be detrimental to the visual amenity of the street scene by reason of its design, scale, form and prominent siting and would be detrimental to the amenities of the occupiers of adjoining residential property resulting in visual intrusion. The application was the subject of a planning appeal which was dismissed on character ground only.
- 3.9 (LBC Ref 15/01512/P) Erection of a detached four bedroom house; provision of vehicular access and associated parking. Planning Permission **REFUSED** as it was deemed it would be out of keeping with the character of the locality by reason of its massing, siting, scale and depth of rear garden, resulting in an unsatisfactory cramped backland development that would be detrimental to the visual amenity of the street scene.
- 3.10 (LBC Ref 15/04683/P) Erection of four bedroom single storey detached house with basement; provision of associated parking – Planning Permission **GRANTED**
- 3.11 (LBC Ref 16/03888/P) Erection of four bedroom single storey detached house with basement; provision of associated parking (without compliance with condition 7 - development to be carried out in accordance with approved plans - attached to planning permission 15/04683/P) – Planning Permission **GRANTED**

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of residential development on the site is acceptable;
- The design and appearance of the development is appropriate for 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 The application has been publicised by 19 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 51 Objecting: 51 Supporting: 0 Comment: 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
Fails to meet 30% of flats as 3 bedroom or more/no family dwelling/no other flats in area	Addressed in Section 8.3 of this report
Overdevelopment/Cramped	Addressed in Section 8.7 of this report
Too large/obtrusive	Addressed in Section 8.7 of this report
Out of character with the area	Addressed in Section 8.7 of this report
Poor design	Addressed in Section 8.11 of this report
Visible from Metropolitan Green Belt/Metropolitan Open Land/Ballards Hillside	Addressed in Section 8.10 of this report
Lack/Loss of amenity space	Addressed in Section 8.12 of this report
Adverse impact on neighbouring properties - Loss of privacy/Visual intrusion/Loss of light/Overlooking/Overshadowing	Addressed in Section 8.14 of this report

Access road too narrow – cul-de-sac/small to accommodate vehicular access and parking/blocking access to existing houses and blocking emergency vehicles	Addressed in Section 8.23 of this report
Adverse impact on highway safety	Addressed in Section 8.23 of this report
Insufficient parking provision	Addressed in Section 8.21 of this report
Inadequate parking stress test	Addressed in Section 8.21 of this report
Noise disturbance	Addressed in Section 8.14 of this report
Pollution and waste	Addressed in Section 8.29 of this report
Refuse collection	Addressed in Section 8.18 of this report
Impact on wildlife/vegetation	Addressed in Section 8.28 of this report
Drainage/Flooding due to excavation	Addressed in Section 8.27 of this report
Adverse impact on local services	The development would be liable for CIL which could ameliorate any impact on local services and infrastructure
Financial gain/Property values	This is not a planning consideration
Stability of land for structural foundation	This is not a planning consideration
Set a precedent for future development	Each application is judged on its own individual merits
Lack of affordable housing	The scheme is under 10 units and therefore affordable housing does not need to be provided

6.3 Cllr Maria Gatland has objected to the scheme, making the following representations:

- This is a very large back garden development that in no way enhances the character of the local area and will impact seriously on residents amenities in Croham Valley Road and Ballards Way.

6.4 Croham Valley Residents Association has objected to the scheme, making the following representations:

- Fails to provide sufficient mix of family accommodation
- Overdevelopment by virtue of mass and bulk
- Inadequate parking provision will cause obstruction to existing residents
- Lack of private amenity space for future residents
- Out of character with surrounding properties detrimental to street scene
- Loss of privacy and visual intrusion to surrounding properties

- Increase risk of flooding
- Disturbance to wildlife

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. Such 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 (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) issued 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:

- Promoting sustainable transport;
- Delivery of housing
- Promoting social, recreational and cultural facilities and services the community needs
- Requiring good design.

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

7.4 Consolidated London Plan 2015

- 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self sufficiency
- 5.18 Construction, Demolition and excavation waste
- 6.3 Effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road Network Capacity
- 6.13 Parking

- 7.6 Architecture
- 8.3 Community infrastructure levy

7.5 Croydon Local Plan (adopted February 2018)

- SP2 – Homes
- DM1 – Housing choice for sustainable communities
- SP4 – Urban Design and Local Character
- DM10 – Design and character
- DM13 – Refuse and recycling
- SP6 – Environment and Climate Change
- DM23 – Development and construction
- DM24 – Land contamination
- DM25 – Sustainable drainage systems and reducing flood risk
- SP7 – Green Grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and Communications
- DM29 – Promoting sustainable travel and reducing congestion
- DM30 – Car and cycle parking in new development
- DM46 – South Croydon

7.6 Other relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016
- National Technical Housing Standards, 2015
- National Planning Practice Guidance
- Suburban Design Guide SPG (2019)

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. Trees and environment
7. Environment and sustainability

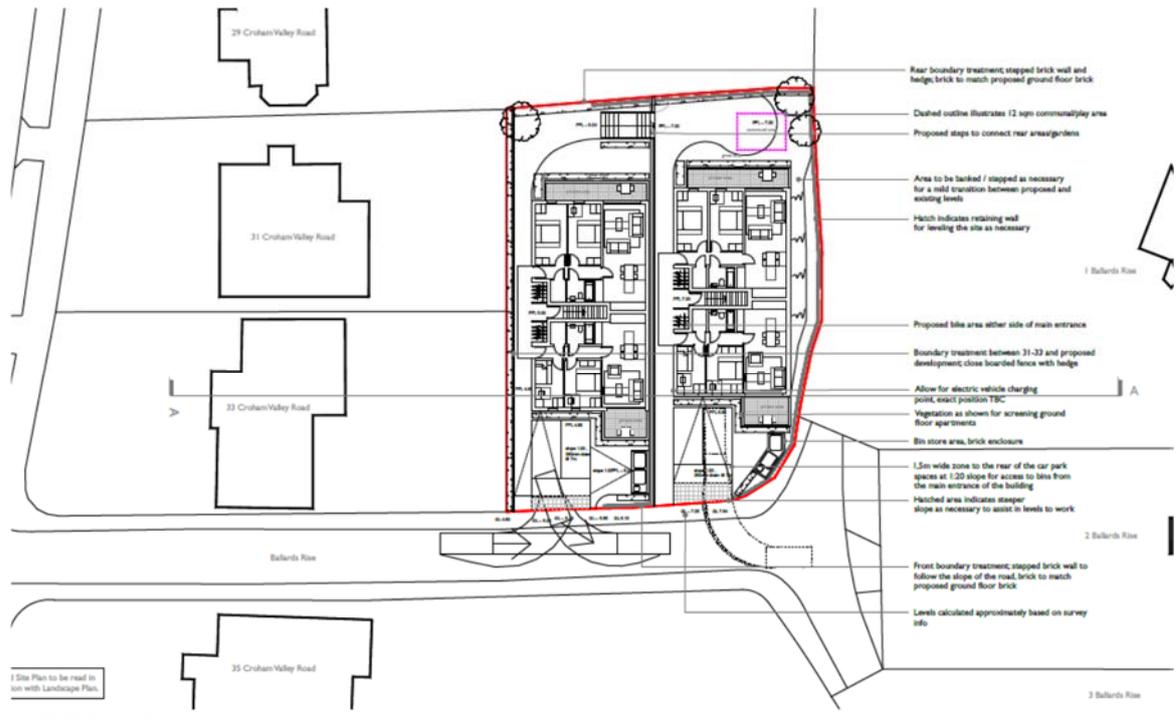
Principle of development

8.2 The London Plan and Croydon Local Plan identify appropriate use of land as a material consideration to ensure that opportunities for development are recognised and housing supply optimised. It is acknowledged that windfall schemes which provide sensitive renewal and intensification of existing residential areas play an important role in meeting demand for larger properties in the Capital, helping to address overcrowding and affordability issues.

- 8.3 The site is located within an existing residential area. The application proposes 2 buildings for 9 flats which would provide additional homes within the borough, which the Council is seeking to promote. The scheme, as amended, includes one 3-bedroom and two 2-bedroom 4-person family units and so contributes to meeting the Council's strategic objective of providing 30% of new homes as family homes.
- 8.4 Policy DM10 supports back land development subject to the impact on the character of an area and the amenities of adjoining properties. Given the site has been subdivided with a frontage onto Ballards Rise (with a previous planning permissions having been granted in 2015/16) officers are satisfied that the proposal does not constitute backland development (in its purist sense) and therefore, DM10.4 (e) is not relevant in this instance. The gardens of 31 and 33 Croham Valley Road would however have garden lengths in excess of 10m and each would be in excess of 200 square metres.
- 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 1b and as such, the London Plan indicates that the density levels ranges of 150–200 hr/ha habitable rooms per hectare (hr/ha); the proposal would be in excess of this range (305 hr/ha). However, the London Plan density matrix is a guide and cannot be used as a prescriptive measure. Furthermore, the London Plan provides sufficient flexibility for higher density schemes to be supported – subject to detailed consideration of the various effects of a higher density of development.

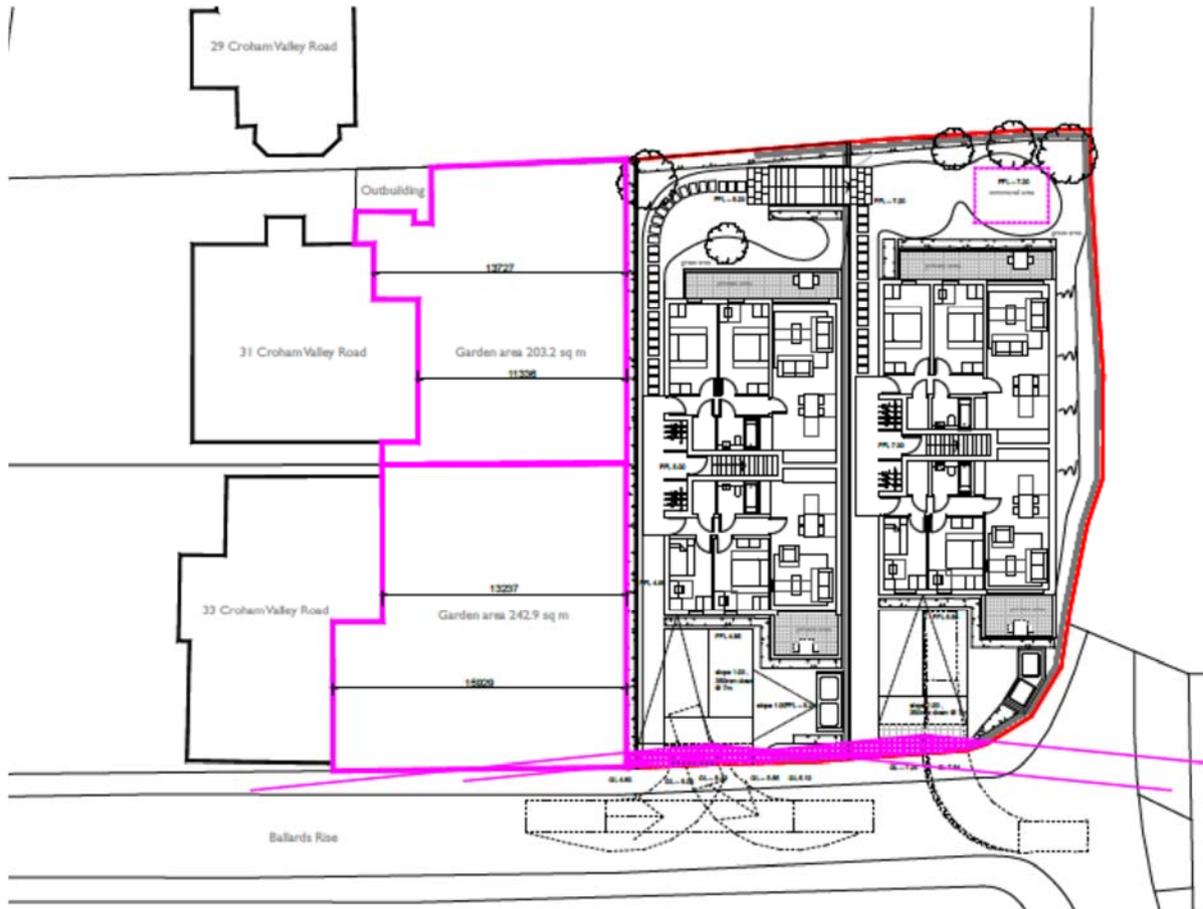
Townscape and Visual Impact

- 8.6 Policy DM10.1 and DM46 sets out that developments should seek to achieve three storeys whilst respecting the character of the area, particularly development pattern, layout and siting; scale, height, mass and density; and appearance, materials, features and the Place of Croydon.
- 8.7 The proposed buildings would be located to the rear of 31 and 33 Croham Valley Road. Ballards Rise is a cul-de-sac which have 3 large detached properties at rear. The proposed buildings would front onto Ballards Rise (albeit with side entrances). The proposal is for two buildings (blocks of flats) which would be set within the topography of the site and would be stepped in height. Whilst the proposed buildings would be larger than the neighbouring houses (and larger than the scheme the subject of previous planning permissions) it is considered that the scale and massing of the proposed development would respond well to local character and topography. It is considered the proposed development would be acceptable in terms of its impact on the character of the area and would not lead to a cramped form of development.
- 8.8 The proposed buildings would be set back from the pavement with bin storage at front and 2 parking spaces per building. The buildings would be stepped with the materials including a white/buff colour brick with white washed vertical timber cladding, roof shingles, powder coated grey colour aluminium cladding/windows, powder coated beige colour anodised aluminium capping/panel, timber doors/canopy, PPC handrails. Full details of the materials would be secured by condition. These would add interest to the development and soften the appearance of the development in the street scene. Soft landscaping would also be provided which would help the development integrate with the existing street and provide a buffer for future occupiers. These can be secured by condition. Below are some plans and a CGIs illustrating how the development would integrate into its surroundings.



- 8.12 Representations raised with regard to loss of amenity space. The land has been subdivided and therefore does not form the rear gardens of properties in Croham Valley Road. Amenity space would be provided in line with policy.
- 8.13 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 adopted policies in terms of respecting local character.

Residential amenity of adjoining occupiers



- 8.14 The area is residential in character and policy DM10 protects the first 10m of private amenity space from direct overlooking. 31 and 33 Croham Valley Road have garden lengths in excess of 10m. The proposed building would be set approximately 2m from the side boundary with 31 and 33 Croham Valley Road. Doors would be located in the side of the building facing the garden of these properties with hedging adjacent to the side boundary minimising overlooking. A window would be provided at first floor level serving a communal staircase. No other window is proposed at side apart from a high level rooflight to provide natural daylight to communal staircase at second floor level. Private amenity space has been designed within the building so as to not overlook these properties. Whilst the rear of the garden of 29 Croham Valley Road would be overlooked by windows in the rear elevation, as this section of the garden is not incorporated into the first 10 metres of this garden, it is not protected by policy. It is recommended that wall side facing windows (all either secondary windows or windows lighting communal areas) should be obscure glazed).
- 8.15 The properties in Ballards Rise are set at a higher land level to the site with natural screening. Given the size, siting, design and orientation of the proposed buildings in

relation to the siting of the adjoining occupiers, the degree of overlooking would be acceptable, especially given that an element of mutual overlooking is typically found in residential areas. Moreover, officers are satisfied that the development would not have a significant impact in terms of noise and disturbance and would not introduce sufficient harm to substantiate a sustainable reason for refusal (in view of the current policy position).

Residential Amenity of Future Occupiers (Overall Residential Quality)

- 8.16 All flats would exceed the minimum standards set out in the Technical Housing Standards - National Described Space Standards (2015) and have private amenity space. A communal/play space would be provided in the rear garden in line with policy. Moreover all flats would have an adequate level of light and outlook.
- 8.17 Cycle storage is shown close to the entrance to the proposed apartments – within secure/covered enclosures – convenient for future occupiers. The 15 spaces would accord with policy requirements.
- 8.18 A waste calculator has been provided to show the bin stores would provide adequate space for the refuse requirements of the development. It is also considered the siting of the bin storage at front is considered acceptable. There are 3 houses at far end of Ballards Rise and it is likely the refuse collection arrangements would align with existing protocols.
- 8.19 Level access is provided at ground floor for the ground floor flats and have been designed to be wheelchair adaptable homes. The ground floor would be M4(3) compliant providing wheelchair accessible units although these will be matters controlled and managed through the Building Regulation process .

Highways and Parking

- 8.20 The site has a PTAL rating of 1b which means very poor accessibility to public transport links. That said, there is a bus stop in close proximity to the site with regular services to Selsdon, South Croydon and East Croydon districts. Under the provision of the London Plan requirements 10 off-street spaces would be required for the proposed development and the current proposal is providing 4 parking spaces. As such, it is likely that there would be an overspill onto the public road. However these are maximum standards and minimal necessary car parking will be the starting point for all development proposals. The Suburban Design Guide SPD indicates that the borough will encourage lower parking provision than the maximum car parking standards set in both the current and draft new London Plan. However it further advises that in areas of very low transport accessibility (such as in areas of PTAL 0-1) it will be harder to access sustainable transport and therefore it may be more difficult to reduce reliance on private cars. It advises that in these areas the Council will seek to accommodate all parking within the site (off street) and any anticipated need for on street parking will be judged on a case by case basis. Whilst this approach recognises the reality that the private car might continue (for the time being) to be the preferred transport choice of future residents in this area, it recognises that the issue should be considered on a case by case basis.
- 8.21 In this case, the applicants have undertaken a parking stress test that indicates that there is an adequate level of spaces to park on neighbouring roads to accommodate any overspill of parking from the proposed development (mostly limited to Ballards

Way). The survey data indicates that the surrounding area has sufficient capacity to accommodate off-street parking, with maximum stress levels of 30% experienced during the week indicating that the potential overspill can be accommodated on street without affecting existing residential amenity. Having considered the proximity to public transport services adjacent to the above site (albeit limited) and parking availability in the vicinity, it is considered (on balance) that the number of parking spaces for the proposed development would be able to accommodate overspill parking.

- 8.22 The vehicular accesses would be located on a slope but this is not considered to lead to a significant risk to highway safety, due to the low number of vehicular movements anticipated and as visibility splays can be provided. It should be noted that the previously refused applications all made similar provisions for access and parking and were not refused on those grounds.
- 8.23 Objections relating Ballards Rise being too narrow, parking blocking access for emergency service and refuse vehicle servicing are also noted, but it is of relevance that a vehicle could currently halt on Ballards Rise and cause the same issue. The parking stress survey acknowledges that Ballards Rise is too narrow to allow vehicles to park on street and it is anticipated (not unreasonably) that future users of the street will continue to observe common sense. The Police and highways enforcement officers have powers relating to obstructing the highway which could be used if necessary and it is considered unreasonable to refuse planning permission for this reason as a sufficient level of parking would be available (on and off street – away from Ballards Rise). In other words, the issue already exists and this scheme should not render the situation any worse (as long as users of the road apply common sense).
- 8.24 A construction logistics plan during the construction works would need to be conditioned. Various highway works would need to be carried out in Ballards Rise to facilitate access arrangements which would require a separate highways agreement under S.278 of the Town and Country Planning Act.

Trees and Environment

- 8.25 At the time of the officer's site visit, the site had partially been cleared with some periphery planting to the boundaries. No arboricultural objection has been raised. Therefore hard/soft landscaping including trees could be secured by condition.

Environment and Sustainability

- 8.26 Conditions can be attached to ensure 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.
- 8.27 A Flood Risk Assessment (FRA) has been submitted. The site is within Flood Zone 1 and an area at very low risk of surface water flooding. The Flood Risk Assessment could be conditioned and there are opportunities to incorporate SUDs as part of a landscaping scheme for the site, which could be dealt with by condition. This would prevent a significant impact on flood risk.

Other Planning Considerations

8.28 Objections relating to wildlife are noted however there is no evidence of protected species on site. Given the site has partially been cleared, a landscaping condition is recommended and wildflower planting is proposed.

Conclusions

8.30 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.

8.31 All other relevant policies and considerations, including equalities, have been taken into account.