

**PART 6: Planning Applications for Decision****Item 6.3****1 SUMMARY OF APPLICATION DETAILS**

Ref: 19/04119/FUL  
 Location: 90A Higher Drive, Purley, CR8 2HJ  
 Ward: Purley and Woodcote  
 Description: Demolition of the existing dwelling and erection of a four / five storey building comprising of 9 x 3 bedroom flats together with car parking, refuse store, internal bike store and landscaping.  
 Drawing Nos: 1127/010 (Existing First Floor & Roof Plan), 1127/010 (Existing Ground Floor Plan), 1127/020 (Existing Elevations), 1127/021 (Existing Elevations), 1129/002 (Existing Site Plan), 1127/001 (Existing Location Plan). Received on 02/09/2019  
 1127/070 Rev B (Higher Drive Visualisation), 1127/040 Rev D (Proposed East Elevation), 1127/032 Rev B (Proposed First Floor Plan), 1127/031 Rev D (Proposed Ground Floor Plan), 1127/030 Rev D (Proposed Lower Ground Floor Plan), 1127/041 Rev D (Proposed North Elevation), 1127/033 Rev A (Proposed Second Floor Plan), 1127/043 Rev D (Proposed South Elevation), 1127/034 Rev B (Proposed Third Floor Plan), 1127/042 Rev D (Proposed West Elevation), 1127/071 Rev. B (Rear Garden Visualisation), Arboricultural Survey and Planning Integration Report (ref. AR/3878a/jq), Biodiversity Survey Report Rev 2, Drainage Strategy & Flood Risk Statement (ref. 19-1684-FRA-001), Phase 2 Bat Detector Survey Report Rev 2, Reptile Survey Report Rev 2, Transport Statement Version 01f (ref. JNY10033-01f). Received on 23/01/2020  
 1127/044 Rev E (Proposed Context Elevation East), 1127/045 Rev D (Proposed Context Elevation West), 1127/050 Rev E (Proposed Site Sections), 1127/003 Rev J (Proposed Site Plan), Design, Access & Planning Statement Rev D. Received on 14/02/2020  
 Applicant: Appledorn Developments Ltd.  
 Case Officer: Emil Ancewicz

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>
<b>Existing</b>	0	0	0	1
<b>Proposed</b>	0	0	9	0

<b>Number of car parking spaces</b>	<b>Number of cycle parking spaces</b>
9	18

- 1.1 This application is being reported to Planning Committee because objections above the threshold in the Committee Consideration Criteria have been received.

**2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The site comprises a detached house in a residential area. The proposal would replace the existing dwelling with 9 family-sized flats.
- The four / five-storey building would be taller than its surroundings and would evolve the local character whilst using land efficiently. Planning conditions are

recommended to ensure that the development would use high quality materials, detailing and landscaping.

- The proposed development would not have an unacceptable impact on the living conditions of neighbouring occupiers.
- The standard of residential accommodation would be acceptable, with all units meeting the Nationally Described Space Standards (NDSS) with acceptable space, light and outlook; private amenity spaces; access to sufficient communal amenity and child play space.
- The parking and transport impacts of the development would be addressed by a combination of on-site parking spaces and planning obligations (towards parking restrictions and feasibility study into an additional bus route).
- The proposed development would balance the efficient use of land and delivery of new homes against the need for good design and transport planning. On balance, the proposal is therefore considered acceptable in delivering a sustainable form of development.

### **3 RECOMMENDATION**

- 3.1 That the Planning Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:
- 1 Sustainable Transport contribution of £13,500 towards parking restrictions and feasibility study into an additional bus route.
  - 2 Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport
- 3.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.
- 3.3 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**

- Commencement within three years (compliance)
- Approved Plans (compliance)
- Ecology (Construction Environmental Management Plan) (prior to commencement)
- Construction Logistics Plan (prior to commencement)
- Ecology (Wildlife Sensitive Lighting Design Scheme) (prior to above ground works)
- Ecology (Biodiversity Enhancement Layout) (prior to above ground works)
- Materials and Detailed Design (prior to above ground works)
- Landscaping, playspace and new planting (including trees) (prior to above ground works)
- Visibility Splays (prior to occupation)
- Privacy Screens (prior to occupation)
- Cycle and Waste Stores (prior to occupation)
- Detailed maintenance strategy for building
- Ecology (Ecological Appraisal recommendations to be complied with including tree felling) (compliance)
- SUDS (compliance)

- Tree protection (compliance)
- Obscured Glazing (compliance)
- Accessible Homes (M3) (compliance)
- Lift (compliance)
- Carbon reduction and water consumption (compliance)
- Electric Vehicle Charging Points (compliance)
- Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### **Informatives**

- Subject to legal agreement
- CIL
- Refuse collection
- Any other informative(s) considered necessary by the Director of Planning

3.4 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.

3.5 That if by 12<sup>th</sup> June 2020 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- The proposal is a single block of flats, replacing the detached house currently on the site.
- 9 new homes would be provided.
- The building would be 4-5 storeys high, stepping d towards the rear of the site. Given the site's topography, it would appear as three storey high in the streetscene.
- There would be a communal garden and play-space at the rear.
- 9 car parking spaces would be provided within the front forecourt of the development. As 9 spaces are proposed for 9 family-sized homes in an area of very poor access to public transport, mitigation measures to reduce car dependence are to be secured in the S.106 Agreement (parking restrictions and a contribution to a feasibility study into an additional bus route).
- Cycle storage would be provided internally, while bin store would be provided to the front of the site.

Amended drawings were received on 23<sup>rd</sup> January 2019, changing the design of the proposal. The increased height of the building helped in reducing its footprint in order to mitigate impact on neighbours. The revised scheme also incorporates a better considered palette of materials and detailing, as well as different landscaping and parking layouts. Neighbours were subsequently re-consulted on the revised scheme.

## Site and Surroundings

- 4.1 The site is located on the western side of Higher Drive, south of its junction with Burcott Road and opposite its junction with Densham Drive. The site comprises of a single family dwelling within expansive grounds. Land levels fall at approximately 7.42 degrees (1:12) towards the rear of the site.
- 4.2 Higher Drive is a predominantly residential street, and the site is surrounded by houses to the west, north and east. To the south is a care home and its grounds. The nearby buildings are predominantly detached houses of 2-3 storeys in height (including roof accommodation), and in some cases step down towards the rear of the site taking advantage of the sloping land.
- 4.3 Due to the slope of the land, the houses opposite have higher ridges than those on the west side of the road.



- 4.4 The buildings on the street are varied in design although there are shared design characteristics, including deep landscaped front gardens, unsymmetrical front elevations, tiled pitched roofs, brick, white render and tile hung. The following observations are made on the site's characteristics and planning constraints:
- The site is in Kenley Ward.
  - The site is approximately a 15 minute walk of Reedham station, and a 20 minute walk of Purley Rail Station and Kenley Rail Station.
  - It has a Public Transport Accessibility Level (PTAL) of 1a.
  - The site is not within a Controlled Parking Zone (CPZ).
  - The site is at a risk of surface water flooding, and located in a Critical Drainage Area.
  - There are no heritage assets immediately adjacent to the site.

- The site itself is not covered by a Tree Preservation Order (TPO), but there is a Tree Preservation Order (TPO) protecting trees at No. 90B Higher Drive.

4.5 Higher Drive is on a slope, with the walking routes to Purley and Reedham Stations being steeply sloping.

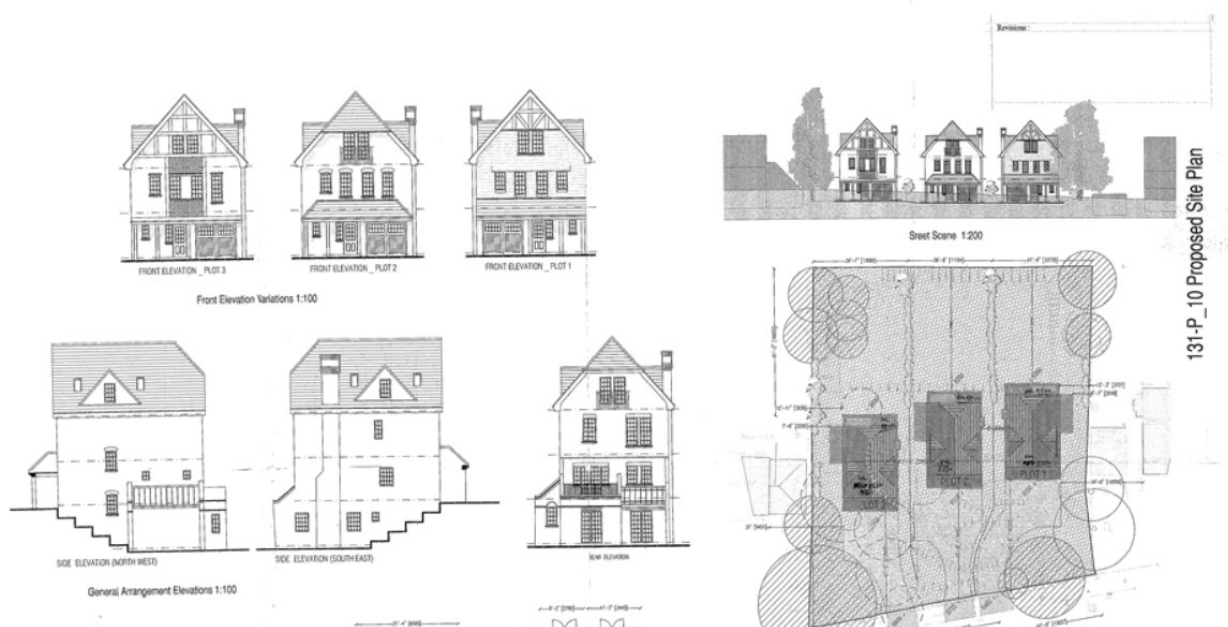
### Relevant Planning History

4.6 There is no planning history relevant to the application site.

4.7 Relevant planning history relating to neighbouring sites is outlined below:

*90 Higher Drive (currently (90B – 90D Higher Drive)*

02/03687/P - Demolition of existing house, garage & shed; erection of 3 three storey detached four bedroom houses with accommodation in roofspace and integral garages; formation of vehicular accesses. Permission granted on 12/03/2003



## 5 CONSULTATION RESPONSES

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

5.2 The following were consulted regarding the application:

### Ecology Advisor

5.3 No objection subject to securing biodiversity mitigation and enhancement measures (to be secured by conditions).

## 6 LOCAL REPRESENTATION

6.1 23 letters had been sent to adjoining occupiers, and following amendments to the scheme, neighbours were re-notified. The total number of representations received

from neighbours and local groups in response to notification and publicity of the application are as follows:

No of individual responses: 43      Objecting: 42    Supporting: 0    Neutral: 1

- 6.2 29 out of 43 objections were received in relation to initial proposal. The revised scheme attracted 14 objections.
- 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:

Summary of objections	Response
<b>Housing Mix, Amount and Tenure</b>	
The proposal exceeds the London Plan Density Matrix, for which the London Plan requires justification.	The proposal would provide an acceptable standard of accommodation and would avoid harm to neighbour amenity. The principle of larger buildings in suburban areas is promoted by the Suburban Design Guide (which inevitably increases the density of development).
No affordable housing is proposed.	The Council can only require the provision of affordable housing for schemes of 10 units and larger.
<b>Neighbour Impacts</b>	
The development will overlook the neighbouring houses.	The proposed development would maintain generous overlooking distances of over 18m between neighbouring and proposed habitable room windows. Further, the existing trees at the rear boundary of the site would prevent direct overlooking to the first 10m of the adjacent gardens. Planning conditions are also proposed (1) requiring the provision of privacy screens to the sides of ground floor balconies, and (2) requiring side facing windows to be obscure glazed.
The development will lead to loss of light and outlook to neighbouring dwellings.	The building's footprint and layout have been designed in line with the 45 degree guidance set out in the SDG. The existing rear facing windows of No. 22 Highland Road would not retain outlook at 25 degrees; however these windows have very restricted outlook at present due to abundant vegetation on the boundary. Thus, it is considered that the resultant net reduction in outlook would be very limited.
The bulk and massing of the building would be overbearing and dominating, particularly from the rear aspect.	The use of grey brick and stepping out of the lower and ground floor levels soften the bulk of the building and ensure that there is not an overall dominant appearance when viewing the building from the rear or neighbouring gardens. Further, the building would not be substantially taller than the rear elevations of existing

	<p>dwelling to the north, Nos. 90B – 90D Higher Drive.</p>
<p>The development will result in significant noise.</p>	<p>New homes are proposed which are consistent with the existing land use. The noise effects will be commensurate with those expected in a residential area and no significant noise generating machinery or plant are proposed.</p>
<p><b>Design</b></p>	
<p>The proposed building, due to its size and massing, would be out of proportion with neighbouring dwellings.</p>	<p>The local plan does not specify building heights, other than to state that sites should be used efficiently and a minimum of three storeys should be achieved. The proposal would step gradually from 4-5 storeys (and would appear as 3 storeys high in the street scene), and would efficiently use the site. Higher Drive has been subject to several planning applications recently and neighbour objections were received to three storey buildings due to their height.</p>
<p>The buildings would be high maintenance due to the use of white painted brick.</p>	<p>Given the use of this material, which would be susceptible to uneven weathering from rainwater particularly, a detailed design condition is recommended to ensure that eaves and gutters are suitably designed.</p>
<p>The proposed brick is out of keeping with the other materials on the street.</p>	<p>The design has been amended to better reflect the local materials. While adjoining properties are finished in brown brick, white render is also a common feature on Higher Drive. The proposed brick would be similar to white render, and therefore the building would not appear anomalous in the context of neighbouring properties.</p>
<p>The development would be detrimental to the secluded and rural nature of the surrounding environment.</p>	<p>As per the SDG, development coming forward today is part of the on-going evolution of the suburbs to provide new housing for younger and older generations. In this case, it is achieved through pursuing development that references and reinforces existing architectural styles and introduces a new well-designed building that will add interest to the area.</p>
<p>The proposed refuse store is not within the envelope of the building as required by the Croydon plan SDG.</p>	<p>The case officer is satisfied that there are opportunities to adequately screen the store from the street scene. Condition is proposed to secure further details of the proposed refuse store.</p>
<p><b>Ecology and Trees</b></p>	
<p>The proposal would harm protected species.</p>	<p>An ecology report was submitted which was independently scrutinised by the Council's ecology advisor, who has advised that the development is acceptable subject to the recommended conditions. The planning conditions will require the submission of Construction Environmental Management Plan,</p>

	Wildlife Sensitive Lighting Design Scheme and Biodiversity Enhancement Layout.
The loss of trees is unacceptable.	Whilst existing trees contribute to local character, if new housing is to be accommodated, some loss of trees is inevitable and the Council's tree officer has confirmed that the proposed removal of other trees is acceptable, subject to replacement trees and protection measures for the retained trees.
Trees have been removed prior to any permission having been received on trees proposed to be retained.	There is only one protected tree on site/situated along the boundary with 90b (as discussed in points 8.83 and 8.84 of this report) which would require permission from the Local Planning Authority to be removed. Whilst no planning permission has been granted on-site, no permission is required to work on trees which are not formally protected. Regardless, it appears that the works have only been undertaken in accordance with the arboricultural assessment in regards to trees to be retained and removed (and shown within point 8.84 of this report). However, to ensure no works have been undertaken in relation to the protected tree situated along the boundary with 90b, a live enforcement case is currently open to investigate accordingly.
<b>Highways and Parking</b>	
Insufficient amount of car parking would be provided.	The parking and transport impacts of the development would be addressed by a combination of on-site parking spaces and planning obligations (towards parking restrictions and feasibility study into an additional bus route). The proposed measures are considered sufficient to prevent unacceptable increase in parking stress and to encourage use of more sustainable transport modes.
The proposed cycle storage is pointless due to the hilly surroundings.	Hilly topography of the surrounding area would not prevent people from cycling. There are numerous examples of hilly cities with a significant cycling modal share. Bern, Switzerland, is built on very uneven ground and has a cycling modal share of 15%, 6 times more than London. Further, electric bikes are an increasingly affordable option.
On-street parking is currently available on Higher Drive and will be reduced by the proposal.	The proposal provides off-street parking spaces, with some overspill parking likely on the street. Higher Drive is unlikely to experience high parking stress and the proposed mitigation are likely to mitigate and/or outweigh the harm. Higher Drive has relatively low levels of car



	parking stress and parking restrictions are to be secured by the S106 Agreement.
Higher Drive suffers from highway safety issues with several recent incidents caused by speeding cars, which will be exacerbated by traffic congestion from the proposed development.	The highway safety issues at Higher Drive are pre-existing and not a result of the development, which would re-use existing on-street parking and would introduce parking restrictions close to the site. The development in itself does not pose highways safety concerns.
<b>Non-material issues</b>	
No mention has been made of the alleyway which lies between the care home and the proposed development. The alleyway is owned by 22 Highland Road. The removal of the existing garage would leave a gap enabling illegal access to the alleyway and henceforth unto No. 22 Highland Road posing a security risk to this property.	This is not a material planning consideration.
Concerns that apartments will be rented out rather than available for sale.	This is not a material planning consideration or something that the Council can control.
<b>Infrastructure</b>	
There are insufficient local facilities to support the proposal (including doctors and schools)	The development will make a proportionate contribution to infrastructure through a Community Infrastructure Levy payment and sustainable transport contribution.
The developer, Appledorn Developments Ltd, is a specialist in construction services to the care home sector. Thus, there are concerns that the building would be used in conjunction with the neighbouring care home.	The proposal is assessed as development of 9 flats. The Council cannot control future occupation of the flats.
<b>Procedural issues</b>	
The purpose of this application is unclear. The Arboricultural Report states that the development aims 'to provide staff accommodation for the neighbouring care homes', while the Design and Access Statement indicates that the development would provide flats.	The revised submission makes it clear that the purpose of the development is to provide flats.
Insufficient weight is given to the provisions of the draft London Plan	Please refer to paragraphs 7.4 – 7.7

6.4 Cllr Steve O'Connell raised an objection on the grounds of:

- Neighbour amenity, including loss of privacy and overbearing presence.

6.5 Foxley Residents' Association has objected on the following grounds:

- The purpose of this application is unclear.
- Design and character.
- Neighbour amenity, including loss of privacy and overbearing presence.
- Traffic and highways, in particular parking stress.
- Removal of trees and plants.
- Positioning of the refuse store.
- Omissions in the Biodiversity Report.

6.6 Kenley & District Residents' Association (KENDRA) has objected on the following grounds:

- The site is not adequate for intensification due to low PTAL rating.
- Cumulative impact on infrastructure.
- Out of character.
- Insufficient parking provision.

6.7 Purley & Woodcote Residents' Association has objected on the following grounds:

- The purpose of this application is unclear.
- Overdevelopment of the site.
- Design and character, in particular the proposed height.
- Neighbour amenity.
- Traffic and highways, in particular parking stress.
- Removal of trees and plants.
- Harm to protected species.

## **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 London Plan 2016, the Croydon Local Plan 2018, and the South London Waste Plan 2012.

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

- Delivering a sufficient supply of homes
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change

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

## Consolidated London Plan 2016

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising emissions
- Policy 5.3 Sustainable design & construction
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.16 Waste net self-sufficiency
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

## Emerging New London Plan

- 7.4 The Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its development. The Plan appears to be close to adoption. The Mayor's Intend to Publish version of the New London Plan is currently with the Secretary of State and no response had been submitted to the Mayor from the Secretary of State. Therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.
- 7.5 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.
- 7.6 It is important to note, should the Secretary of State support the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan

2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.

- 7.7 For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.

#### Croydon Local Plan 2018

- Policy SP2: Homes
- Policy SP4: Urban Design and Local Character
- Policy SP6: Environment and Climate Change
- Policy SP7: Green Grid
- Policy SP8: Transport and Communication
- Policy DM1: Housing choice for sustainable communities
- Policy DM10: Design and character
- Policy DM13: Refuse and recycling
- Policy DM16: Promoting Healthy Communities
- Policy DM23: Development and construction
- Policy DM25: Sustainable Drainage Systems and Reducing Flood Risk
- Policy DM27: Protecting and enhancing our biodiversity
- Policy DM28: Trees
- Policy DM29: Promoting sustainable travel and reducing congestion
- Policy DM30: Car and cycle parking in new development

#### Supplementary Planning Guidance/Documents:

- Croydon Suburban Design Guide (Croydon Council, 2019)
- Housing SPG (Mayor of London, 2016)
- Accessible London: Achieving an Inclusive Environment SPG (Mayor of London, 2014)
- Play and Informal Recreation SPG (Mayor of London, 2012)
- Character and Context SPG (Mayor of London, 2014)
- Sustainable Design and Construction SPG (Mayor of London, 2014)
- National Design Guide (2019)

## **8 MATERIAL PLANNING CONSIDERATIONS**

- 8.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Housing tenure, mix and density
- Townscape and visual impact
- Housing quality for future occupiers
- Impacts on neighbours
- Highways, access and parking
- Environment, flooding and sustainability
- Trees and ecology

- Other matters

## **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 new homes.
- 8.3 The application is for a flatted development providing 9 additional homes within the borough. The site is located within an existing residential area and the site is not allocated for any other purpose. Providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues, the principle of residential intensification is supported.

## **Housing mix and density**

- 8.4 Croydon Local Plan Policy DM1.2 states that the Council will permit the redevelopment of residential units, where it does not result in the net loss of 3 bedroom homes (as originally built) or the loss of homes smaller than 130m<sup>2</sup>. Policy SP2.7 supports the provision of new family-sized dwellings, with a strategic target of 30% of all new dwellings across the borough to be family-sized.
- 8.5 The existing building on site is a 4 bedroom house with a total floorspace of 181m<sup>2</sup>. Thus, the proposal would not result in the net loss of 3 bedroom homes or the loss of homes smaller than 130sqm. All of the proposed flats would be 3 bedroom units, meaning that the proposed development would assist in meeting the 30% strategic target sought by Policy SP2.7.
- 8.6 Policy SP2.2 of the Croydon Local Plan promotes increased housing choice and requires that land is used efficiently. Policy 3.4 of the London Plan states that development should optimise housing output, and in Table 3.2 provides an indicative density matrix (along with supporting text stating that it is not appropriate to apply Table 3.2 mechanistically).
- 8.7 9 homes would be provided (with 36 habitable rooms) which would result in a density (across the site's area of a 0.122ha) of 74u/ha or 295hr/ha. Given the site's PTAL of 1a and its suburban setting, the density matrix suggests an indicative density of 75 u/ha or 150-200 hr/ha. The proposal would provide approximately 50% higher density (in terms of habitable rooms) than the maximum suggested density set out in the matrix, and would clearly optimise housing output and make efficient use of land in line with the Croydon Local Plan and the London Plan.
- 8.8 Rather than applying the density matrix mechanistically, paragraphs 1.3.50-52 of the Housing SPG explains that for schemes which exceed the ranges in the density matrix, it is important that qualitative concerns are suitably addressed. In particular, those schemes must achieve high quality design in terms of liveability, residential quality, housing standards, residential mix and dwelling types, refuse and recycling and cycle parking. Where these considerations are satisfactorily addressed, the London Plan provides sufficient flexibility for such higher density schemes to be supported.

- 8.9 Overall, the proposed development would accord with the Local Plan's strategy to accommodate new homes. The development is therefore (on balance) acceptable in terms of housing mix and density.

### **Townscape and Visual Impact**

- 8.10 London Plan Policy 3.4 seeks to optimise housing output, taking into account local character and Policies 7.4 and 7.6 require high quality architecture which contributes to the local architectural character. Policies SP2.2 and DM10.1 of the Local Plan require that land is used efficiently and seek to achieve a minimum height of 3 storeys for all new buildings. New development is required to respect the development pattern, layout and siting; scale, height, massing and density; and the appearance, existing materials and built and natural features of the surrounding area.
- 8.11 The Suburban Design Guide sets out how new developments, which introduce higher densities on suburban sites, can draw on their local context to ensure the local character evolves in a co-ordinated and sensitive way.
- 8.12 Higher Drive is laid out predominantly as detached houses, with some small blocks of flats either recently built or consented. The nearby buildings are predominantly detached houses of 2-3 storeys in height (including roof accommodation) and in some cases have a lower ground floor taking advantage of the sloping land. To the south is a care home, a 60 metre wide 2-3 storey building. The massing of the care home is broken down into separate volumes by gable ended front projections.
- 8.13 The existing dwelling is an arts and crafts style dwelling; however, it is not considered that the dwelling holds any significant architectural merit and therefore there is no objection to its demolition.
- 8.14 Following discussion with the applicant, substantial amendments to the overall design of the scheme have been made to address previous concerns. Officers were concerned previously that the overall design approach was not suitably convincing. Further, concerns were raised in relation to the impact of the scheme on neighbours' living conditions, future occupiers' living conditions and highway efficiency. The approach now put forward is better considered in terms of its built form, mass and materiality, and is considered to constitute a more thoughtful and sensitive response to the character and appearance of the area. Further, the new scheme is believed to address other previously raised concerns.

### **Layout**

- 8.15 The proposed development would provide a single building across the site's frontage. The building would be up to 3.5 metres deeper than the adjoining properties, and would follow the 45 degree horizontal guidelines set out in the SDG to efficiently use the site without unacceptably harming the amenities of the surrounding buildings.



*Proposed Site Plan*

- 8.16 The building would broadly respect the neighbouring front building lines, and would be set back from the street behind landscaping and parking spaces. The layout of the front driveway and landscaping would reflect the spacious character of surrounding forecourts. There would be 9 parking spaces located to the front of the site (in small clusters of up to 5 adjoining spaces, broadly reflecting the sizes of the surrounding driveways). There would be substantial areas of soft landscaping to the front of the building, including new and retained trees, which would reflect the verdant nature of the front gardens found in the street.
- 8.17 Access driveways, forecourt parking and retaining walls to properties are features commonly found on Higher Drive. The existing access and driveway will be replaced and raised with 9 parking bays which would form a forecourt that is accessed directly off the existing highway. The parking bays would generally be elevated 1 – 1.5 metres higher than the existing site level. The soft landscaped area on both sides of the raised parking would follow the existing site levels (which would allow for the retention of existing soft landscaping and trees). There would be retaining walls to the sides of the raised parking area, as well as between the flank elevation of the building and boundary of the site. Details of retaining walls are proposed to be secured by planning condition. Given the topography of the site and opportunities for screening from the street scene, it is not considered that the retaining walls would harm the character of the area.
- 8.18 Site levels to the rear of the site would be generally as existing.
- 8.19 The entrance to the building would be positioned centrally as part of the elevation, with good legibility from the street. Therefore, whilst the building would be larger than its neighbours, its layout would have good resonance with the existing development pattern found within the street.

- 8.20 The separation distance between the proposed and adjacent buildings (excluding side extensions) would be around 8 metres on both sides. This would ensure that the rhythm of the street scene is retained.
- 8.21 There would be a communal garden to the rear with playspace and trees, which would be overlooked by the new homes.
- 8.22 The applicant has explored options with regards to the provision of an internal bin store; however, it is not feasible on this scheme. Instead, an external bin store would be provided at the front of the site. The bins would be screened by the proposed hedge, and thus would not cause undue harm to the existing street scene. Further details of the store will be secured by planning condition.
- 8.23 Overall, the proposed building's footprint would be larger than that of the existing dwelling, but smaller than the footprint of several neighbouring buildings. Most importantly, the footprint would sit well on the site with good separation to other buildings and opportunities for landscaping around the site boundaries and good communal amenity space

#### Height, Scale and Massing

- 8.24 Policies SP2.2 and DM10.1 of the Local Plan require that land is used efficiently and seek to achieve a minimum height of 3 storeys for all new buildings. New development should respect the development pattern, layout and siting; scale, height, massing and density; the appearance, existing materials and built and natural features of the surrounding area. It is important that developments draw on their local context to evolve the local character in a way which efficiently uses land.
- 8.25 Section 2.10 (Heights) of the SDG explains how additional storeys can be introduced to existing residential streets and generally advocates new buildings being a storey higher than the surrounding buildings. The Suburban Design Guide goes on to state that where surrounding dwellings are predominantly two storey detached dwellings, new development should seek to accommodate an additional storey within the roof space.
- 8.26 The proposed building would be four stories high at the front. However, as the lower ground level would be set below the level of neighbouring properties, the proposed development would appear as a three storey building, including one storey contained within the roof space. This would be up to one story higher than the adjacent properties (1.4m higher than the ridge of No. 90B Higher Drive; and, 2.7m higher than the ridge of No. 92 Higher Drive), and thus the proposed height would be compliant with the Suburban Design Guide.





8.27 The Suburban Design Guide states that Croydon's topography presents many opportunities for new development in semi-submerged lower floors with level access on one side of a property. A sloping topography can provide opportunities to work with the landscape to achieve greater footprints which extend beyond neighbouring elevations by stepping the building mass. By stepping built form down a slope, impacts on neighbours can be avoided. Basements, lower-ground floor development and massing that steps down a slope will generally be acceptable provided that any habitable rooms have sufficient access to natural light.

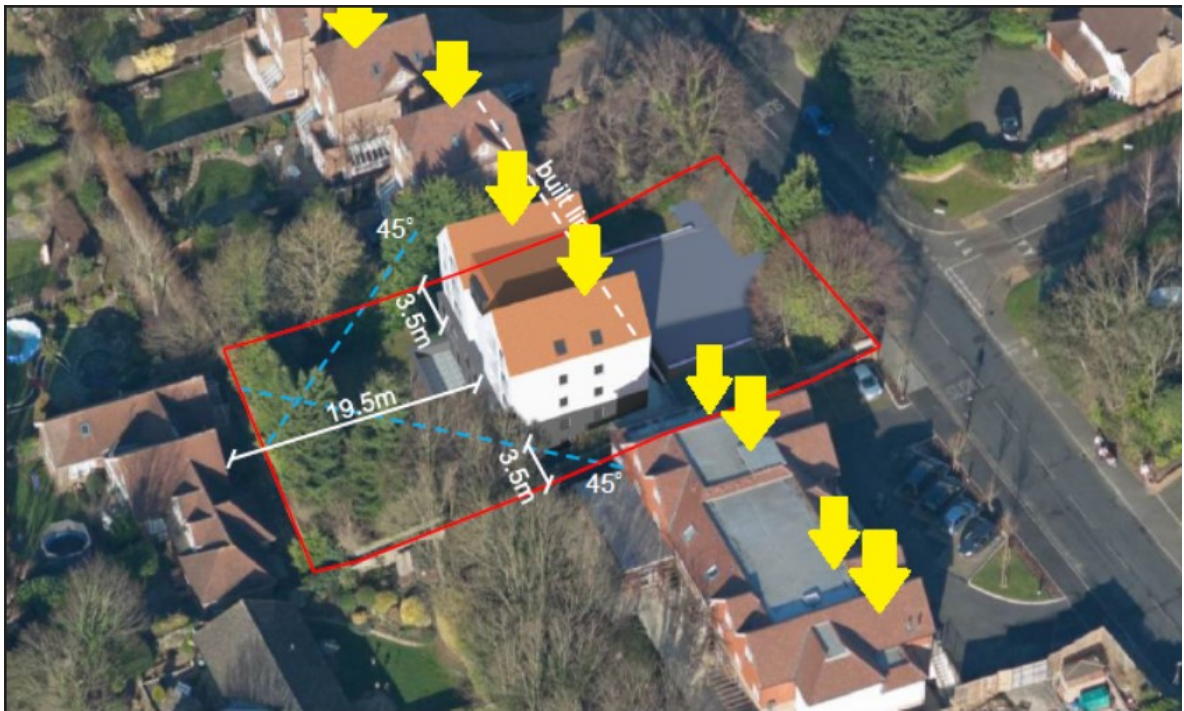


8.28 The building has optimised the use of land levels on this site, and the lower ground floor units have been designed so that the proposed occupiers would benefit from direct access to private gardens. Further, both lower and ground floor level units would benefit from adequate standard of accommodation. At the rear, the building would be visible as a 4.5/5-storey development. The use of grey brick would successfully soften the bulk of the building and ensure that there is not an overall dominant appearance when viewing the building from the rear or neighbouring gardens, as would the opportunities for landscaping along boundaries. Whilst the proposed building, at five stories high, would be inevitably taller than the neighbouring properties, it would be appropriate in its context through the use of the land levels. The relationship with 90B Higher Drive in particular is noted, which is four stories high when viewable from the rear. The ridge of the proposed building would only be 1.25 metre higher than that of No. 90B Higher Drive.

#### Detailed Design and Materials

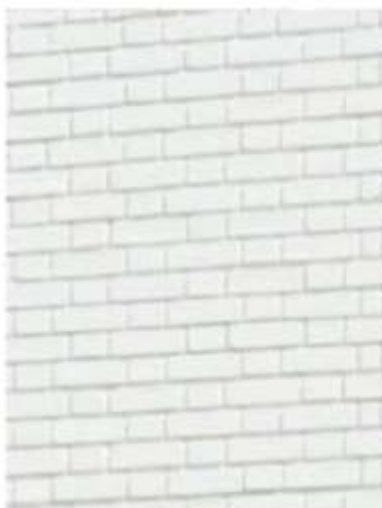
8.29 Higher Drive adopts a circa 1930s architectural style with projecting front gables and asymmetrical principal elevations. The new building would take on a "contemporary reinterpretation" form of the neighbouring arts and crafts local built form. The proposed

front elevation would be asymmetrical, with projecting gables referencing to the surrounding context, and respecting the architectural rhythm of the street (in particular, the architectural rhythm of front gables – please refer to the below picture).



*Aerial view of 90A Higher Drive and surroundings*

- 8.30 The building would utilise unified brickwork, central entrance and recessed balconies to reflect the modelling of the surrounding buildings, providing legible and clearly defined entrance and high-quality design.
- 8.31 Details have been provided as part of the planning application to indicate how high quality materials could be used, and a planning condition is recommended requiring the approval of further details. The building would use grey bricks to the lower ground and ground floor levels, white painted brick to the upper levels and clay roof tiles. The simple palette of materials will be complemented by more contemporary elements, such as generously-sized windows, defined arched entrance and clean building lines.





### *Indicative finishing materials*

The proposed design does not replicate the adjacent sites, but rather positively references to the surrounding context. While adjoining properties are finished in brown brick and hung tiles, white render is also a common feature on Higher Drive. Approximately 40% of buildings on Higher Drive within 250 metres of the site feature at least some white or other lightly coloured rendering to front elevation. The proposed white painted brickwork would be similar to white render, and therefore the building would not appear anomalous in the context of neighbouring properties. Given the use of this material, which would be susceptible to uneven weathering from rainwater particularly, a detailed design condition is recommended to ensure that eaves and gutters are suitably designed. The proposed roof tiles would respond the widespread use of earthy roof tiles in the surrounding area. Planning condition is recommended requiring further details of finishing materials. Additionally, a maintenance strategy is to be secured by condition to ensure that it is maintained and re-painted if it discolours or peels.



*74 Higher Drive with plain clay roof tiles & overhanging eaves, hung tile & render wall treatments and casement windows.*



*57 & 59 Higher Drive with brick plinths, rendered upper storeys, plain clay roof tiles and casement windows. Both display half timbering typical of imitation Arts & Crafts.*

- 8.32 At the rear of the building, the façade would be relatively complex, although the various windows and balconies would relate well to each-other resulting in a relatively tidy appearance. The materials and the proportions of the design features utilised to the rear would follow those on the front elevation and given that the rear elevation would be mainly visible from private views, it would not be harmful to the street scene.

### Design Summary

- 8.33 The proposal would overall result in a development that would respect the pattern and rhythm of the neighbouring area given that the design of the building would be a modern interpretation of an arts and crafts style building. The style, design and appearance of the dwelling would not harm the appearance of the street scene.
- 8.34 The proposed building can therefore be considered to respond to the local character in a way which optimises the efficient use of land.

### **Housing Quality for Future Occupiers**

- 8.35 All of the proposed units would comply with internal dimensions required by the Nationally Described Space Standards (NDSS), and would provide sensible layouts with well-proportioned rooms and storage space.
- 8.36 There would be no single aspect north facing units and all units would have windows on at least two elevations
- 8.37 It is noted that the proposed south facing windows for the lower ground floor unit would be looking at retaining wall but this would be at a low level and would be compensated by generous provision of private amenity space and floorpace exceeding the minimum standards by over 25m<sup>2</sup>. Thus, it is considered that on balance Flat 1 would provide acceptable standard of living accommodation.
- 8.38 The front bedrooms of the proposed ground floor units would face east into a lightwell. The applicant demonstrated that the rooms would benefit from outlook at 25 degrees, which is the guidance contained in the SDG. Further, defensible space with soft landscaping would be provided between the lightwells and parking spaces. Given that the ground floor flats would be dual aspect, these measures are considered adequate to ensure that the dwellings provide acceptable standard of living accommodation.
- 8.39 The quality of accommodation would therefore be acceptable, and proposed homes would provide their future residents with adequate living conditions.
- 8.40 With regard to external amenity space, the London Housing SPG states that a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1-2 person dwellings and an extra 1 m<sup>2</sup> for each additional unit. All of the units are provided sufficient amenity space through balconies which is in accordance with the London Housing SPG.
- 8.41 In addition to private amenity spaces, there would be communal gardens and play-space to the rear. There would be corridors through the building at lower ground level giving direct access for residents to the garden, and it would be well overlooked by residents providing a safe and attractive space. A child play space is shown to be provided within the communal garden, details of which can be secured by condition.
- 8.42 London Plan Policy 3.8 and the London Housing SPG together promote accessible design, whilst advocating a flexible approach on small scale developments. The

Housing SPG clarifies that Policy 3.8 should be applied flexibly to ensure that residential or mixed use development is deliverable and notes that a lift may cause practical difficulties for small scale developments.

- 8.43 The proposed building would incorporate a lift which is welcomed by officers. The submitted Design & Access Statement clarifies that the lift overrun would fit within the proposed roof structure, meaning that it would not protrude beyond the outer face of the roof.
- 8.44 In order to comply with the London Plan requirement that 10% of units would be wheelchair accessible or adaptable (and as all other flats would have level access; some via the lift), a condition is recommended requiring Flat 1 to internally comply with Building Regulations Part M4(3) (wheelchair user) and all other units to be M4(2) compliant (accessible and adaptable). The submitted Design & Access Statement confirms that Flat 1 is designed to meet Building Regulations Part M4(3). The wheelchair user dwelling would also be allocated a blue badge parking space.
- 8.45 Level access would be provided to the communal garden via internal lift. Further, a secondary 1.3 metre wide access would be provided along the northern boundary of the site. The secondary access ramp down the side of the building, due to its steepness at 14.4 degrees, would not lend itself to DDA compliance. However, given that an alternative level access via lift would be available, it is considered that the proposed accessible design is acceptable.
- 8.46 Overall, the development would provide acceptable accommodation including family sized housing all with adequate layouts, space and amenities for future occupiers.

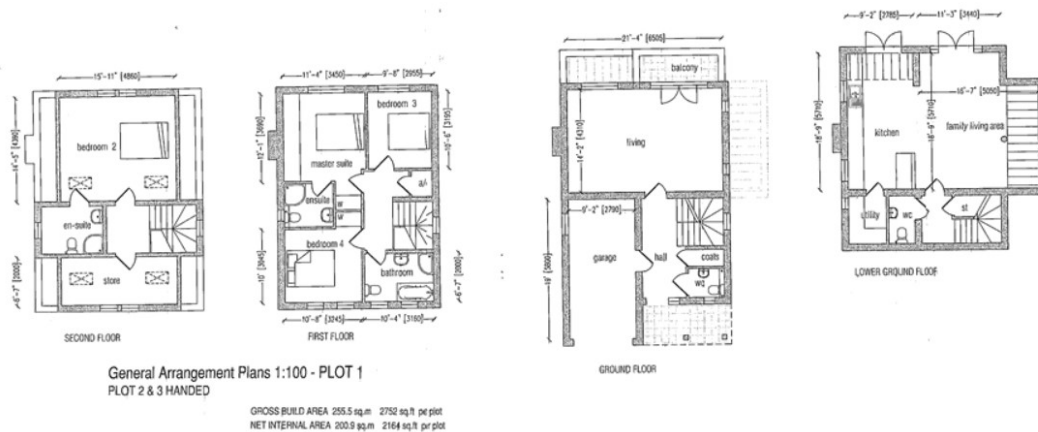
### **Impacts on Neighbours**

- 8.47 The site is surrounded by dwellings to the west, north and east. To the south of the site is a care home, which is also of residential nature.



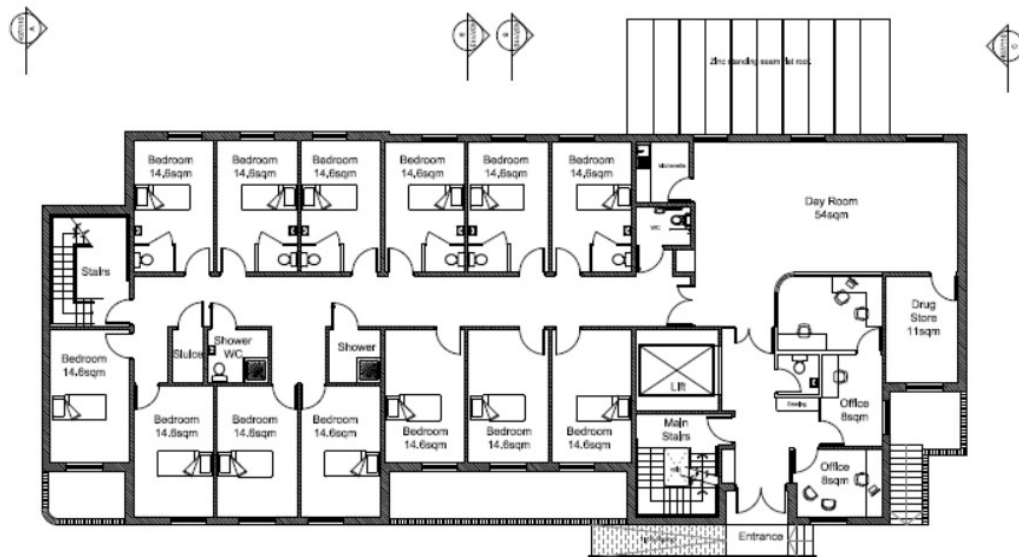
## Daylight and Sunlight

- 8.48 The building's footprint and layout have been designed in line with the 45 degree guidance set out in the SDG.
- 8.49 The development would fall outside the 45-degree line horizontally and vertically from the nearest rear elevation habitable windows at Nos. 90B and 92 Higher Drive.
- 8.50 Nos. 90B and 92 Higher Drive feature several windows in their side elevations (facing application site). No. 90B Higher Drive features windows serving landing areas and two small windows serving a living room, the latter of which also benefits from other sources of light, namely to the rear of the property. Overall, it is considered that the new building would lead to some reduction in light to side windows of 90B Higher Drive; however, it is considered that the reduction would not unacceptably affect the quality of accommodation as a whole given the secondary function of the windows and generous separation distance (of approximately 8 metres) between the properties.



*Approved floorplans of Nos. 90B – 90D Higher Drive*

- 8.51 The neighbouring care home, No. 92 Higher Drive, features a side facing window serving a secondary officer. Thus, it is considered that the proposal would not unacceptably affect the amenities of this neighbour.



*Approved floorplans of No. 92 Higher Drive*

8.52 The development would break a 25-degree line from the ground floor rear facing windows of No. 22 Highland Road by a margin of up to 10 degrees which is substantial. However, given that these windows currently have very restricted outlook due to abundant vegetation on the boundary, the resultant net reduction in outlook is considered very limited and would not direct a refusal of planning permission. There would also be a generous separation distance of at least 20.5 metres between the buildings, in line with the SDG. The submitted Arboricultural Statement confirms that the group of Lawson cypresses would be retained. Further, planning condition is proposed to ensure that the trees would be retained for at least 5 years following first occupation of the development.





*Aerial view of the rear garden of 90A Higher Drive (showing existing trees on the boundary)*



*Picture taken from the rear garden of 90A Higher Drive looking west on the trees*



### Privacy and Outlook

- 8.53 The windows contained within the front elevation would overlook Higher Drive and be more than 40 metres from the closest windows of homes on the opposite side of the road. The windows contained within the rear elevation would face rearwards (west) and would be at least 20.5 metres from the nearest rear facing windows at No. 22 Highland Road, in line with the SDG. Whilst it is acknowledged that the recommended 18 metres separation distance is for flat sites, in this case the separation distance would exceed be 2.5 metres in excess of the suggested minimum separation distance. Further, any overlooking would be largely mitigated by existing trees on the rear boundary of the site, which are proposed to be retained. As such, it is considered that on balance the proposed development would not unacceptably harm the privacy of No 22 Highland Road.
- 8.54 The building would feature numerous side facing windows (looking at Nos. 90B and 92 Higher Drive); however, a condition is suggested to ensure that these windows would be obscure glazed. Overlooking could also arise from the sides of ground floor balconies; however, similarly to the above matter, a condition is suggested requiring the submission of details of privacy screen.
- 8.55 Overall, the proposal would not result in unacceptable overlooking to residential windows.
- 8.56 In addition to residential windows, Croydon Local Plan Policy DM10.6 requires proposals to avoid direct overlooking of private outdoor spaces (within 10 metres perpendicular to the rear elevation of a dwelling).
- 8.57 The distance from the rear elevation windows (or edge of balconies) to the relevant garden spaces at No. 22 Highland Road would be over 16 metres and be obscured by trees.
- 8.58 The rear projection of the building would accommodate balconies. As the balconies would be recessed, it is unlikely that there would be adverse overlooking opportunities into No. 92's private garden.
- 8.59 No. 92 is a residential care home, which does not have private amenity space, but the external spaces often form an important part of the facilities and amenity for residents. The gardens would be amply protected from direct overlooking as the balconies are internal and so would direct people to look down the garden. Overall, it is considered that the proposed development would avoid "direct overlooking" into the first 10 metres of neighbouring private gardens. The proposal would therefore avoid unacceptable overlooking impacts and would maintain acceptable privacy for the neighbouring houses on all sides.

### Noise and Disturbance

- 8.60 The proposed development is likely to generate additional comings and goings to/ from the site. However, the additional noise levels associated with this are not anticipated to be beyond what would be expected within residential areas.

## **Highways, Access and Parking**

- 8.61 The site has a PTAL of 1a which reflects its very limited public transport accessibility. The site is approximately a 15 minute walk of Reedham station, and a 20 minute walk of Purley Rail Station and Kenley Rail Station.
- 8.62 Whilst there are buses on Old Lodge Lane within 6 minutes' walk (550m), there is no bus service along Higher Drive or within the 400 metres of the site.
- 8.63 Higher Drive is a steep road, and although the site is relatively close to local facilities, the routes from both Purley and Reedham are uphill which makes journeys on foot (including with a pram), by wheelchair or cycle less attractive. Nonetheless, Higher Drive is a residential street where people currently choose to live and there is access to local facilities on foot which means that for some residents, it would be feasible to live at the site without being wholly dependent on private car use (for example regular commuting or walking to the local schools).
- 8.64 That said, there will be residents living at the site who will rely on private car use and it is important that measures are taken to manage use of the private car and to ensure that those cars do not result in unacceptable impacts when parked.
- 8.65 The London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. In Outer London areas with low PTAL (generally PTAL 0-1), boroughs should consider higher levels of provision. The SDG suggests that in PTALs of 0-1, the Council will seek to accommodate all parking on site.
- 8.66 For market housing, a 1:1 ratio would be in line with the London Plan and the Croydon Local Plan – in reducing the reliance on the private car and to meet more general sustainability targets. However, given the family-sized character of all units, the development could generate maximum demand for up to 13-14 car parking spaces.
- 8.67 The proposed development includes 9 parking spaces, leading to a potential shortfall of up to 5 off street car parking spaces.
- 8.68 No parking stress survey was submitted specifically for this development; however, the applicant successfully demonstrated that parking stress levels of Higher Drive are low. A parking beat survey was carried out on Wednesday 24 April 2019 during early morning hours to support the recently approved planning application at 59-63 Higher Drive (19/03282/FUL). The survey was undertaken along Higher Drive between Burcott Road and Woodland Way to the north of the site, covering approximately 300 metre radius. Given the proximity to the application site, it is considered that the survey area is representative of the parking stress along Higher Drive outside of the site.
- 8.69 The survey showed a minimum of 108 vacant car parking spaces out of a capacity of 124 spaces available between 00:00 and 05:00 on a weekday. This equates to a 13% occupancy of this area of Higher Drive.
- 8.70 Even if the potential overspill parking accumulation from the recently approved developments at Nos. 76, 78, 81 and 59 – 63 Higher Drive is accounted for (which equates to a total of 36 cars), the resultant parking stress would not exceed 47%.
- 8.71 Consequently, whilst there would be a shortfall of on-site car parking provision, the development would not result in unacceptably high parking stress.

- 8.72 Increased parking stress is not the only effect of on-street parking. Parked cars on both sides of the street can make it more difficult for emergency services, delivery vehicles and cyclists. On street car parking can also make it more difficult to accommodate future infrastructure improvements (for example a potential bus service on Higher Drive). In order to ensure that road safety and traffic flow is not negatively impacted upon, and in order to discourage car parking and car use, it is recommended that the following measures are secured through the S.106 Agreement process:
- A financial contribution of £13,500 towards (1) the implementation of parking restrictions on Higher Drive in the vicinity of the site, and (2) feasibility study to further develop proposals with TfL to introduce a bus route along Higher Drive and ensure the development is within 400 metres of a bus stop.
- 8.73 The above measures are considered sufficient to help discourage car use, encourage use of more sustainable transport modes and mitigate against the shortfall of on-site car parking.
- 8.74 The proposed access to the site would utilise a new centrally positioned crossover (replacing the existing crossover) with adequate visibility splays. The new access point onto the site would be acceptable.
- 8.75 One disabled parking space is proposed in a suitable location (10% of spaces, in line with policy requirements).
- 8.76 A condition is recommended requiring all spaces to enable future provision of electric charging points, and 2 of the parking bays (22%) to have an active electric vehicle charging point.
- 8.77 This section of Higher Drive has a known history of road collisions and issues with speeding vehicles. The proposed development has no bearing on existing traffic conditions – and traffic speeds are best managed through other means – and the existing highway condition does not mean that people should no longer live on Higher Drive. Subject to the measures identified above, no significant highway safety concerns are raised.
- 8.78 Eighteen secure, accessible and sheltered cycle storage spaces would be accommodated within the proposed cycle store at the lower ground floor area, in line with the London Plan standards. Whilst the location of the store at lower ground floor level is unusual, when taking into account the site constraints and other potential locations where this could be positioned, this is considered to be an acceptable approach. Given that the proposed access ramp would be steep, a planning condition is suggested to secure details of landing areas to the ramp or details of an alternative approach, such as details of external staircase with cycle grove. These measures would ensure that the bike store is easily accessible for future occupiers.
- 8.79 Refuse and recycling storage is proposed to the front of the site, within 30 metres of the residential entrance and within 20 metres of the highway for accessible collection. Details of the store, including the materials and appearance will be secured by a condition including storage for bulky goods.

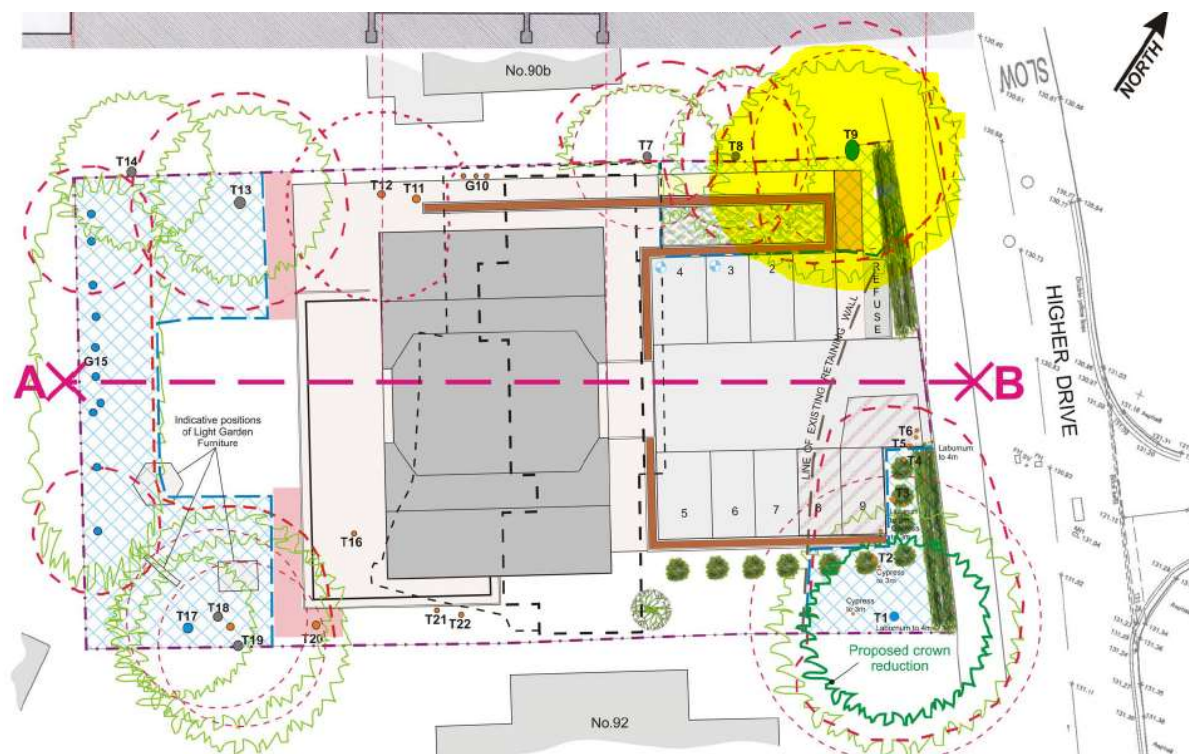
### **Environment, Flooding and Sustainability**

- 8.80 The site is located within Flood Risk Zone 1. It is at a risk of surface water flooding, and located in a Critical Drainage Area.

8.81 The applicant has submitted a Flood Risk Assessment which confirms that a Sustainable Urban Drainage System (SUDS) with adequate mitigation measures would be incorporated. This is to be secured by a planning condition.

8.82 Conditions are recommended to ensure that a 19% reduction in CO<sup>2</sup> emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.

## Trees



*Diagram of trees on site: T9 (highlighted in yellow) is protected; trees marked with blue, grey and green dots are proposed to be retained.*

8.83 There are 17 trees on site and 2 groups of trees. In addition, there are 3 trees directly outside the site. T9 which is protected by a Tree Preservation Order No. 70, dated on 1989. The remaining trees are unprotected. Overall, there are 20 trees and 2 groups of trees which could be affected by the proposed development.

8.84 11 individual trees and 1 group of trees are proposed to be removed, all of which are classified as Category C trees. The scheme accounts for the retention of all higher value trees, including 5 Category B trees, as shown in the below table.

**Table 2. Tree Retention and Removal**

Trees to be Retained +grade	Trees to be Removed +grade	U Grade Trees to be Removed
<b>GRADE A (0)</b>	<b>GRADE A (0)</b>	0
<b>GRADE B (5)</b> T1, T9, G15, T17, T19	<b>GRADE B (0)</b>	
<b>GRADE C (5)</b> T7, T8, T13, T14, T18	<b>GRADE C (12)</b> T2, T3, T4, T5, T6, G10, T11, T12, T16, T20, T21, T22 (secondary stem of T18)	
<b>Total 9 &amp; 1G</b>	<b>Total 11 &amp; 1G</b>	<b>Total 0</b>

- 8.85 The Council's tree officer has accepted the loss of some trees (subject to replacement planting) given that the scheme accounts for and retains the higher value trees. The applicant confirm via e-mail that replacement mature / semi mature planting, and in particular, planting to the front of the site would be provided. Further details of the replacement planning will be secure by a planning condition.
- 8.86 Robust tree protection measures are also proposed to ensure that the health of the retained trees is not harmed due to construction activity. In particular, care would be taken to protect the health and stability of T9, the protected tree. The applicant proposed that the retaining wall alongside the sloping path would incorporate root-spanning footing, including spanning lintels on concrete pads. The adjacent paths would be constructed of no-dig surfacing. Further, the combined zones of RPAs of all retained would form the Construction Exclusion Zone, and would be protected by a Tree Protection Fence comprising steel mesh panels of 1.8 metres in height. The Tree Protection Fence is to be erected before any work commences on site, is to remain in situ undamaged for the duration of all work or each phase, and only to be removed once all work is completed. The Protection Fence would also be erected to the rear of the site in order to protect the group of Cypresses on the boundary of the site. The suggested protection measures have been reviewed by the Council's Tree Officer, and deemed satisfactory.
- 8.87 Overall, the suggested protection measures coupled with replacement planting are considered sufficient the loss of 11 Category C trees and 1 group of Category C trees.
- 8.88 The Council's tree officer has accepted the loss of some trees (subject to replacement planting) given that the scheme accounts for and retains the higher value trees.

### **Ecology**

- 8.89 An ecology survey, as well as reptile and bat detector surveys, were submitted and reviewed by the Council's advisor who raised no concerns, subject to the recommended conditions.
- 8.90 Residents were concerned that the proposed ecological measures do not make adequate provisions for the protection of nesting birds, such as nightingale, blackbird, thrush, robin, wren, dunnoek, nuthatch, long tailed tit, blue tit and great tit. However, the Council's advisor was satisfied that the Biodiversity Report stipulates adequate mitigation for all nesting birds, including nesting nightingale (not expected to occur at the site).
- 8.91 Residents were also concerned about potential harmful impacts on bats. In order to mitigate the potential loss of roosting sites due to any felling / pruning of bat roost trees, provision of bat boxes on retained trees and / or on suitable sections of the new building will be secured via planning conditions. In addition, external light spillage minimisation measures (for both the construction and operational stages) will be adopted for the bat roost potential trees and suitable bat foraging / commuting habitat.
- 8.92 Overall, the Council is satisfied that the surveys have been conducted in accordance with all relevant published guidance and using experienced ecological consultants, and that the proposed mitigation and enhancement measures are adequate. That said, the grant of planning permission does not override other legislation protecting specific habitats or species and an informative is recommended to advise the applicant to see

the standing advice by Natural England in the event that protected species are found on site.

- 8.93 A landscaping plan is also recommended to ensure appropriate biodiversity benefits and to integrate the scheme into its verdant setting, including a suitable proportion of mature planting to the front to soften the visual impact of the development and to provide some screening to the parking areas and bin store entrances.

### **Other Matters**

- 8.94 The development will be liable for a Community Infrastructure Levy (CIL) payment. CIL payments are pooled from developments and contribute to delivering infrastructure to support the development of the area, such as local schools.

### **Conclusions**

- 8.95 The site is in a sustainable location for new housing development and the scale, size and amount of development would result in efficient use of land and the delivery of new housing units. The new dwellings would provide a good quality with the design responding to the character of the area and generous amount of family sized units, supported by a communal garden, cycle storage and bin storage. The building is well-spaced from neighbouring properties and has an acceptable impact on them. Although there could be a shortfall in car parking, the site is within walking distance of commuter links and mitigation is proposed through the S.106 Agreement to discourage car use in favour of more sustainable modes of transport. The impacts to neighbours would be largely limited to the construction period and the further potential impacts highlighted in this report would be mitigated by the recommended planning conditions.
- 8.96 All other relevant policies and considerations, including equalities and the public consultation responses, have been taken into account.
- 8.97 It is recommended that planning permission is granted in line with the officer recommendation for the reasons summarised in this report.