

**PART 6: Planning Applications for Decision**

**Item 6.2**

**1.0 SUMMARY OF APPLICATION DETAILS**

Ref: 20/05305/RSM  
 Location: 10 Welcomes Road Kenley CR8 5HD  
 Ward: Kenley  
 Description: Reserved Matters relating to Landscaping (Condition 3) attached to planning application 19/04441/OUT for the 'Demolition of existing dwelling. Erection of 8 three/four storey dwellinghouses (2 pairs of semi-detached properties and 4 terraced properties), provision of vehicular accesses, access road, parking areas, land level alterations and cycle storage.'  
 Drawing Nos: Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E), External Lighting Plan (R/106), Hard Landscaping Plan (R/107), Boundary Treatments (R/108), Proposed Levels Strategy (R/109B), Sections through the site (R/111A, R/112A, R/113A, R/114B), Proposed Surface Water Drainage Strategy (CPWELCOMESRD.23/10 Rev P7).  
 Applicant: Chartwell Land and New Homes  
 Agent:  
 Case Officer: Jimill Patel

	1 bed	2 bed	3 bed	4 bed	Total
Market Housing			5	3	8
Total Proposed			5	3	8

*All units for private sale*

Number of car parking spaces	Number of cycle parking spaces
12	16

1.1 This application is being reported to Planning Committee as the Committee requested that the reserved matters application come before Planning Committee when considering the outline application.

**2.0 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT approval for Reserved matters Relating to Landscaping (Condition 3). A legal agreement has already secured the following:

2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the permission and impose conditions and informatives to secure the following matters:

## **Conditions**

1. Approved Drawings
2. In Accordance with all Landscaping Information
3. Ecology

2.3 That the 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.

### **3.0 PROPOSAL AND LOCATION DETAILS**

3.1 Reserved Matters relating to Landscaping (Condition 3) attached to planning application 19/04441/OUT dated 15/05/2020 for the 'Demolition of existing dwelling. Erection of 8 three/four storey dwellinghouses (2 pairs of semi-detached properties and 4 terraced properties), provision of vehicular accesses, access road, parking areas, land level alterations and cycle storage.

3.2 Condition 3 (Landscaping) of the approved Outline permission requires:

Prior to commencement of the development, the approval of the Local Planning Authority shall be obtained with respect to the following reserved matters:-

(1) Landscaping

This should include but not be limited to:

- a) Existing Planting to be Retained,
- b) Areas of New Planting
- c) Details of Species, Size and Density of New Planting including Pot Sizes
- d) Hard Landscaping including Paths and Open Area(s) including Details of Materials (which shall be permeable as appropriate)
- e) Maintenance and Management Strategy - Responsibilities, Frequency of Activities and Irrigation etc.
- f) Levels including Retaining Walls - Finish, Materials, Heights
- g) Boundary Treatments and Enclosures
- h) Lighting
- i) Amenity Spaces including Layout, materials
- j) Landscape Treatment, Planting and Habitat Provision to Increase Biodiversity on Site
- k) Sustainable Drainage Measures

Reason: These matters were not submitted for consideration as part of the application.



Figure 1: Indicative Landscaping Strategy submitted for 19/04441/OUT

3.3 The above figure is taken from the Outline permission to show the indicative siting of the hard and soft landscaping. This provides an indication of where the lawn, trees and hardstanding would be situated with the reserved matter condition to seek full details.

3.4 During the course of the application, the scheme was revised to include the following:

- Information needed on hard standing and boundary treatment – new plans showing this provided
- Full details of the levels including various sections throughout the site
- Three proposed trees within the rear garden of Block C moved further forward into the gardens to reduce overshadowing to the adjacent property
- Various sections through the site to understand the existing and proposed land levels alongside the boundary treatment
- New retaining walls within the sub-divided rear areas of Block C – approx. 0.7m in height
- Clarification on the responsibilities of landscaping management within private and communal areas

3.5 This revised information, which includes the above, would not prejudice those interested in the application and as such a public re-consultation was not considered necessary.

### Site and Surroundings

3.6 The application site is located on the western side of Welcomes Road in Kenley. The site currently comprises a small detached bungalow within an extensive garden. There

are two existing vehicular access points onto Welcomes Road currently forming an in-and-out driveway.

- 3.7 Whilst the front of the site is relatively flat, land levels rise from east to west within the rear garden. There are a number of trees and shrubs on site, some of which are protected by a Tree Preservation Order (TPO 11 of 2006), which is discussed in more detail below.
- 3.8 In terms of policy constraints, the site falls within the Kenley Area of Focussed Intensification (AFI) and Croydon Panorama. The site falls within a surface water flood risk area, and a surface water critical drainage area.
- 3.9 The surrounding area is predominantly residential, with Kenley Station and Local Centre within the wider area. The site has a PTAL rating of 2, indicating poor access to public transport links.

### **Planning History**

- 3.10 21/00859/DISC – Discharge of Condition 6 (Construction Logistics Plan) attached to planning permission 19/04441/OUT

Pending Consideration

- 3.11 19/04441/OUT – Demolition of existing dwelling. Erection of 8 three/four storey dwellinghouses (2 pairs of semi-detached properties and 4 terraced properties), provision of vehicular accesses, access road, parking areas, land level alterations and cycle storage [Amended description] –

Outline permission granted 14/05/2020. This reserved matters application is made pursuant to this permission.

- 3.12 21/00064/DEV – Enforcement investigation relating to whether development was occurring in breach of conditions.

Concerns were raised that works at the site had commenced prior to conditions being discharged and not in accordance with the approved arboricultural report. A site investigation concluded that the works being undertaken on site were works to trees which were in accordance with the approved arboricultural report. Works to trees are not development and so do not constitute commencement of development requiring conditions to be discharged.

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

- This application is a reserved matters application to consider the landscaping only.
- The submitted landscaped strategy is robust and will ensure the development is positive by respecting the verdant setting whilst providing ecological and sustainable benefits.

## 5.0 CONSULTATION RESPONSE

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

### Ecology Consultant

5.2 The Council's Ecological Assessors advised that following review of the submitted Landscape Strategy (HW & Co, November 2019), the Landscape Planting Plan with Biodiversity Enhancements (HW & Co, September 2020) and the External Lighting Plan (Accura, October 2020) the level of information provided was sufficient. The landscape planting plan with Biodiversity Enhancements identifies that appropriate species planting will be undertaken, and that the development will include enhancement measures for biodiversity. Additionally, the External Lighting Plan (Accura, October 2020) states that low lumen LED bollard lighting will be provided. All mitigation and enhancement measures shall be carried in accordance with the submitted documents.

## 6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification of the application (including a re-consultation on amended plans received) are as follows:

No of individual responses:    Objecting: 21                      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:

<b>Objection</b>	<b>Officer comment</b>
<b>Character and Appearance</b>	
Too large	This application only refers to the landscaping element of this already consented Outline permission.
Overdevelopment	
Bin stores poorly sited	
<b>Trees/Landscaping/Ecology</b>	
Ecology will be destroyed	See paragraphs 8.2 – 8.15
Ecology Report does not conclusively demonstrate that there are no important reptiles	
Loss of wildlife	
Cooper Beech tree will be impacted by development	

Regal Prince trees to the front take many years to grow	
Autumn will cause issues – leaves dropping and blocking drains	
<b>Impact on Neighbouring Occupiers</b>	
Overlooking	This application only refers to the landscaping element of this already consented Outline permission.
45 degree rule broken	
<b>Highway Safety, Access and Parking</b>	
Highways and parking stress	This application only refers to the landscaping element of this already consented Outline permission.  21/00859/DISC – a planning application (discharge of conditions) has been submitted in relation to condition 6 (CLP). This is currently under assessment and does not form part of this application.
Roads will be disrupted	
A viable CLP is unlikely to be possible as road will be blocked during construction	
Roads need repairing alongside infrastructure improvements	
Not enough parking	
Two driveways to the site not acceptable	
<b>Flooding</b>	
Impact to drainage	See paragraph 8.13
No thought to further reduction of natural soak away by paving in an area subject to flooding.	
<b>Other Matters</b>	
Proposal would add stress to the surrounding services	This application only refers to the landscaping element of this already consented Outline permission.

## **7.0 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 (2021), 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), 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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport;
- Achieving Well Designed Places;

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

### 7.4 London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage

### 7.5 Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees

- DM29 Promoting Sustainable Travel and Reducing Congestion
- Applicable Place-Specific Policies

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG (March 2016)
- Croydon Suburban Design Guide Supplementary Planning Document (April 2019)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- The Nationally Described Space Standards (October 2015)

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

8.1 Outline planning permission (19/04441/OUT) has already been granted for the redevelopment of the site to provide 8 houses. As such, whilst concerns by residents have been raised, this is an established development and the purpose of this application is to deal with the reserved matters - landscaping.

### **Landscaping**

8.2 The reserved matters landscaping condition requires the following information – with the drawings/information submitted relevant to each requirement in brackets afterwards. An assessment against each criteria of the condition is also provided.

#### **8.3 a. Existing Planting to be Retained**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

In terms of tree planting, the level of information has been developed and also includes a further tree (to the front) – total of 5 mature heavy duty trees which is positive and will help reinforce the ‘green and leafy’ character of Kenley. The type, size, nature and specification of species proposed (trees, hedgerow, planting) is considered to be sufficient and would provide a variation across the site and its built form. This will provide a seasonal interest. Concerns were raised by neighbours that the front trees would take years to grow. However, these are high quality trees and whilst not of ‘instant’ growth, they will provide a long term screening of the development alongside re-providing the ‘leafy and verdant’ features of this area. Officers requested the 3 Betula Pendula proposed trees within the rear of Block C to be pushed further forward into the garden to mitigate any potential overshadowing to the amenities of this occupier, which has been done. This is now positive.

#### **8.4 b. Areas of New Planting**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

A variety of planting such as Carex morrowii - Ice Dance, Abelia -Pinky Bells, Taxus baccata, Lavandula stoechas is proposed across the site. The landscaping aspect would provide a wide mix of interesting planting which would contribute and enhance the levels of greenery the proposals would bring.

#### **8.5 c. Details of Species, Size and Density of New Planting including Pot Sizes**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

As per the above section, the species, size and density of the new planting is considered to be satisfactory.

**8.6 d. Hard Landscaping including Paths and Open Area(s) including Details of Materials (which shall be permeable as appropriate)**

(Hard Landscaping Plan (R/107)) - Revised and further information was requested in relation to all hardstanding and boundary treatment/retaining walls.

All paved footpaths would be finished in Kandla Grey Indian Sandstone. The access road and parking courts would be finished in a grey blend of block paving (Marshalls Coppice Pennant Blend). The parking bays and a section of the access road – as per the plan would be finished in permeable paving. The immediate frontages have a large area of hardstanding which are light and grey toned. Some of the more recent backland developments further along the road have a light coloured paving which helps the developments appear vibrant rather than overly dark. The proposed palette would respond well and reflect the pattern of the context which is positive and acceptable.

**8.7 e. Maintenance and Management Strategy - Responsibilities, Frequency of Activities and Irrigation etc.**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

The maintenance and management of landscaping has been well considered.

It will be the responsibility of the individual dwelling owners to maintain their private gardens.

The communal areas however will be maintained by a management company, to be formed. The owners of the new dwellings will each have an equal share in the management company and will carry joint responsibility for the upkeep of the communal areas.

The sales contract for the new dwellings will include a condition stating that each purchaser must contribute a share towards the management company to cover the cost of the maintenance; an annual service charge will be levied from the management company to each owner. The developer will take responsibility until all houses are sold.

**8.8 f. Levels including Retaining Walls - Finish, Materials, Heights**

(Proposed Levels Strategy (R/109 B), Sections R/111A, R/112A, R/113A, R/114B))

A retaining wall would be positioned partially to the side of block C (house 4) and running along the rear of Block A and B – this would be finished in red brick multi brick to be similar to the proposed external material of the dwellings which is acceptable. Low level retaining walls are also proposed within the sub-divided areas of Block C in order to work with the land levels (revised amendment) and towards the side of House 8 – rear (west) and partially to the front of this dwelling. It is important to note that Condition 11 (materials) is pre-commencement and still requires to be discharged. So this does not necessarily mean that this application would allow or grant the use of this particular brick for the dwellings.

**8.9 g. Boundary Treatments and Enclosures**

(Boundary Treatments (R/108))

Separate plans have been provided which show the two types of timber boundary fences (1.8m high) that would be boarded around the site and within those 'sub-divided' areas including lattice over the top.

It should be noted that the low level brick retaining walls (as mentioned in section f) would be placed within the sub-divided areas of Block C (approx. 0.7m in height) in order to respond and work with the land level change. This would be acceptable.

From the submitted scheme, revised and new plans have been provided to include various sections throughout the site to understand the existing and proposed land levels. It should be noted that it has always been the intention of the neighbouring boundary treatment to include 1.8m high boundary fences (drawing R/108 confirms this). The requested sections have made it clearer on existing and proposed land levels. Following receipt of these plans, officers requested the land levels along the rear boundary of Block C (no.8 Welcomes Road) to be slightly lowered (0.2m) in order to prevent any potential overlooking and privacy concerns to this neighbour, noting a 1.8m high boundary fence would be installed. Furthermore, the proposed access drive, notably the immediate area adjacent to two parking bays in front of House 5 was requested to be lowered by approx. 0.2m in order to mitigate any concerns of overlooking and privacy to the occupiers of no.12 Welcomes Road.

#### **8.10 h. Lighting**

(External Lighting Plan (R/106))

The external lighting would comprise low lumen led bollard lighting with 'dusk till dawn' photocell operation. This is positive and the lighting bollards (10 in total) would be well placed and within areas that would be around the landscaping of the site and 'communal' areas – the notion and provision is positive.

#### **8.11 I. Amenity Spaces including Layout, Materials**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

Each of the dwellings would have their own private garden – in lawn. This is supported.

#### **8.12 J. Landscape Treatment, Planting and Habitat Provision to Increase Biodiversity on Site**

(Landscaping Planting Plan with Biodiversity Enhancements (0277/20/B/2E))

The Councils Ecological Assessors reviewed the submitted scheme. In terms of mitigation, log piles and bird and bat boxes would be situated and well placed around the site.

#### **8.13 K. Sustainable Drainage Measures**

(Proposed Surface Water Drainage Strategy (CPWELCOMESRD.23/10 Rev P7))

In terms of SuDS, Condition 17 (Forecourt) required the frontage to be permeable paving. Condition 24 (SuDs) required the submission of a detailed design of the drainage scheme. The submitted surface water drainage strategy plan is sufficient and

demonstrates the location of the Infiltration tank (along front boundary) and areas of where permeable paving is proposed. As the site drops from the rear to the front, it is natural for the tank and permeable paving to be located towards the front (lower area) as surface water will naturally flow down the site. The notion is positive and all matters of SudS (detailed design) will be dealt through Condition 24. Please note this drawing only refers to the proposed sustainable drainage measures.

### **Conclusions and Planning Balance**

- 8.14 This reserved matters application has been assessed against the relevant development plan policies and other material considerations above and is considered to be acceptable in planning terms. It is therefore recommended that permission be granted for appearance as set out above.
- 8.15 All material considerations have been taken into account, including responses to the consultation. The conditions recommended and obligations already secured by Section106 have ensured that any impacts of the scheme are mitigated against and it is not considered that there is any material planning considerations in this case that would warrant a refusal of this application. Taking into account the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning policy terms. As such, the proposal would comply with the relevant Policies within the London Plan (2021), Croydon Local Plan (2018) as well as the Croydon Suburban Design Guide (2019).

### **6. OTHER MATTERS**

- 6.1 All other planning considerations including equalities have been taken into account.