

1.0 APPLICATION DETAILS

Ref: 21/00339/FUL
 Location: 1 Kearton Close, Kenley, CR8 5EN
 Ward: Kenley
 Description: Demolition of existing dwelling and erection of 9 x 3 bedroom dwellings of 2 storeys plus accommodation in the roof with associated access, 18 parking spaces, cycle and refuse storage.
 Drawing Nos: CX13-S3-100; CX13-S3-101B; CX13-S3-102; CX13-S3-103F; CX13-S3-104B; CX13-S3-105B; CX13-S3-111B; CX13-S3-112B; CX13-S3-113B; CX13-S3-114B; CX13-S3-116B; CX13-S3-117B; CX13-S3-119B; Hard Landscaping Plan – Part A; Hard Landscaping Plan Rev C – Part B; Soft Landscaping Plan Rev C – Part A; Soft Landscaping Plan Rev C– Part B;
 Agent: Aventier LTD
 Applicant: Mr Gerasimos Stamatelatos
 Case Officer: Jeni Cowan

	3b6p	4b8p	TOTAL
Existing	0	1	1
Proposed (all market housing)	9	0	9

Number of car parking spaces	Number of cycle parking spaces
18	18

1.1 This application is being reported to Planning Committee in accordance with the following committee consideration criteria:

- Objections above the threshold in the Committee Consideration Criteria

2.0 RECOMMENDATION

2.1 That the Planning Committee resolve to GRANT planning permission subject to the completion of a legal agreement to secure the following:

- A financial contribution of £13,500 for sustainable transport improvements and enhancements
- Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport.

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.

- 2.3 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

1. Commencement time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports

Pre-commencement conditions

3. Submission of sustainable urban drainage scheme (SUDS) details
4. Biodiversity enhancement strategy
5. Construction environmental management plan for biodiversity
6. Construction Logistics Plan
7. Conditions survey of public highway

Pre-Occupation Conditions

8. External materials and samples
9. Submission of cycle store details; floor plans, elevations, materials, and provision of visitor cycle parking
10. Wildlife lighting design scheme
11. Submission of details of EVCPs
12. Submission of details of semi-mature planting on both side boundaries

Compliance Conditions

13. Implementation of car parking as shown on plans with no boundary treatments above 0.6m in the sightlines
14. Development in accordance with accessible homes requirements; one unit to be M4(3) and other M4(2)
15. Blue Badge parking bay
16. Refuse and recycling details as shown on plan CX13-S3-116B
17. In accordance with Tree Protection Plan and Arboricultural Impact Assessment
18. In accordance with hard and soft landscaping plan, plus 5 year maintenance plan
19. Compliance with energy and water efficiency requirements
20. Action required in accordance with ecological appraisal recommendations
21. Compliance with Fire Strategy Statement
22. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

INFORMATIVES

1. Granted subject to a Section 106 Agreement
2. Community Infrastructure Levy
3. Code of practice for Construction Sites
4. Highways informative in relation to s278 and s38 works required
5. Compliance with Building/Fire Regulations
6. Construction Logistics Informative
7. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

- 2.4 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
- 2.5 That, if within 6 months of the planning committee meeting date, the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal seeks planning permission for the demolition of the existing detached dwelling and a comprehensive redevelopment of the site to form a mews style development. The proposed development would result in an intensification of residential accommodation on the site to provide 9 family sized dwellings, each provided with private amenity space. There are also 18 car parking spaces and 18 cycle parking spaces proposed, as well as communal refuse stores, and a revised site access. Landscaping and other alterations are proposed.

Amendments

- 3.2 Throughout the course of the application, amendments were submitted which were re-consulted on for a period of 14 days. These include the following changes to the scheme:
 - The front dwellinghouse has been reduced in height; and
 - The dwellings were moved back from the boundary shared with the properties on Uplands Road, due to concerns on the impact to trees.
- 3.3 Following these amendments, further amendments were requested which included the following changes:
 - The floor to ceiling heights were increased to be 2.5m, which subsequently raised the height of the buildings from 16.69m to 17.34m, a difference of 0.65m; and
 - The waste bins were relocated to the front of individual properties instead of being amalgamated in two bin stores outside of the curtilage of each dwelling.
- 3.4 These second set of amendments are considered to be minor and were therefore not re-consulted on. This does not prejudice neighbouring objectors.



Figure 1: Proposed front view of detached dwelling fronting onto Kearton Close



Figure 2: Proposed view within the development site

Site and Surroundings

- 3.5 The application site comprises a detached dwelling centrally positioned on a broadly rectangular shaped plot on the southern side of Kearton Close in the Kenley ward. The application dwelling is a bungalow with a hipped pitched roof. There are many trees which border the site, and are within close proximity of the existing dwelling house.
- 3.6 The surrounding area is suburban and residential in nature with varying types of buildings, predominantly detached and semi-detached dwellings. The surrounding area comprises residential properties which are similar in scale and massing.
- 3.7 Land levels fall towards the south of the site. The site is at very low risk of surface water flooding and is in flood zone 1. The application site has a PTAL of 0.

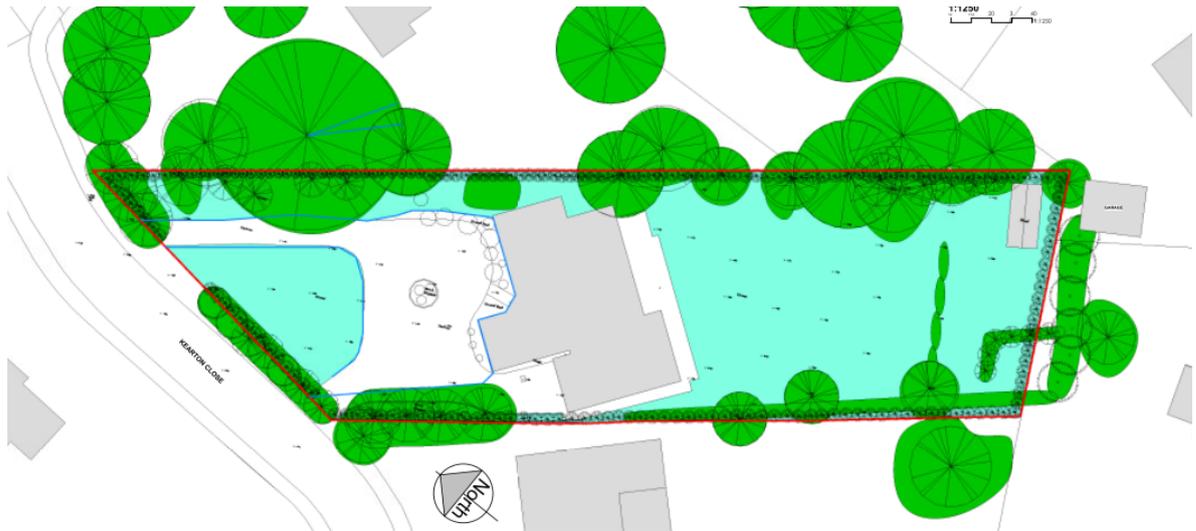


Figure 3: Existing site plan

Planning History

3.8 The site history is set out below.

Reference	Description	Decision	Date
20/05075/FUL	Full planning application for the demolition of a single-family dwelling and erection of one 3 and 4 storey block, containing 2 x 4 bedroom and 2 x 2 bedroom semi-detached Houses and 2 x 1-bedroom, 8 x 2 bedroom and 5 x 3 bedroom Apartments in total 19 Units with associated access, 23 parking spaces, cycle storage and refuse store at 1 Kearton Close, Kenley, CR8 5EN.	Withdrawn	25.01.2021
18/05877/FUL	Full planning application for the demolition of single-family dwelling and erection of three storey building for nine flats with associated access, 9 off-street parking spaces, cycle storage and refuse store.	Withdrawn	05.04.2019
01/02731/P	Erection of single storey side extension; erection of pitched roof over existing rear extension to include three dormers in rear roof slope	Granted	22.11.2001

3.9 Two pre-apps were submitted before the current application. The applications were submitted by the current agent as per this proposal.

Reference	Description
19/03860/PRE	Proposed demolition of a single-family dwelling and erection of a one 4 and 3-storey block containing 2x 4-bedroom, 4x 3-bedroom, 4x 2-bedroom and 9x 1-bedroom apartments/houses totalling 19 units with associated access, 26 parking spaces, cycle storage and refuse store.
18/03110/PRE	Demolition of existing dwelling and replacing with single block of apartments which is containing 9 apartments. The proposal is associated with access, parking spaces for 9 cars, cycle storage and refuse store.

3.10 There is history of relevance at the adjoining site, 2 Kearton Close, as follows:

Reference	Description	Decision	Date
21/03707/FUL	Proposed flatted development within the rear of no. 2 Kearton Close to comprise of three units including landscaping, cycle and refuse store.	Under consideration	
21/01326/FUL	Proposed flatted development within the rear of no. 2 Kearton Close to comprise of four units including landscaping, cycle and refuse store.	Refused	26.05.2021
20/02159/PIP	Residential development of 2 - 4 units	Approved for Permission in Principle	27.07.2020

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the intensified residential development is acceptable;
- There is an acceptable mix of unit sizes;
- The quality of accommodation is acceptable;
- The design and appearance of the development is an acceptable quality, and it is not considered that it would harm the character of the surrounding area;
- The proposed landscaping scheme will result in an enhancement to the street scene;
- The proposal would not create undue harm to the amenity of nearby residential properties and their occupiers;
- The level of parking and impact upon highway safety and efficiency would be acceptable;
- No harm to the existing trees on the site.

5.0 CONSULTATIONS

LOCAL REPRESENTATION

5.1 The application was publicised by 13 letters of notification to neighbouring properties.

5.2 The number of representations received from in response to the initial notification and publicity of the application are as follows.

No of individual responses: 40; Objecting: 40; Supporting: 0

5.3 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.

Objection	Officer comment
<i>Character and design</i>	
Overdevelopment, too large/dense/deep for the site	Addressed in paragraphs 7.8 – 7.22 of this report
Bulk and mass will cause harm to the street scene/over dominant	
Homes in the area are detached/semidetached. No blocks of flats	
Design is out of character with surrounding properties due to its contemporary style	
Roof line is out of character with the 1930s/post-war properties in the vicinity	
The number and shape of windows in the front elevation make the building appear wider	
Proposed materials bear no relation to other buildings in the vicinity	
Fails to preserve the pattern of development	
Dominance of car parking and bins at the front	
<i>Impacts on neighbouring amenity</i>	

Overlooking towards adjoining neighbours due to side windows	Addressed in paragraphs 7.32-7.56 of this report
Increased height dominates neighbouring properties	
Building lines are deeper than neighbouring properties	
Loss of light to neighbouring properties	
Noise from new residents using the outside space will be detrimental to local residents and wildlife	The use of the site would remain as residential, and the anticipated noise are not expected to exceed standard domestic levels.
Noise from construction.	A construction logistics and management plan condition would be imposed. Construction works cannot take place out of permitted hours as outlined on the councils website. The construction process would need to comply with environmental health legislation.
<i>Transport and highways impacts</i>	
Inadequate car parking provision. On street parking on Hartley Down would cause traffic congestion	Addressed in paragraphs 7.68-7.74 of this report
Traffic will cause congestion, noise and pollution and damage to the roads	
The parking study takes a snapshot during a weeknight only and should be undertaken during the weekend	The Lambeth methodology requires surveys to be undertaken in the night when the highest numbers of residents and cars are likely to be home
Where will delivery and service vans, ambulances and taxis stop	There is sufficient space within the site for delivery and servicing.
Inadequate provision for bins. Bins would be left on the pavement	The proposal includes individual bin stores for each dwelling.
<i>Quality of accommodation</i>	

Lack of private amenity and play space	Addressed in paragraphs 7.23-7.31 of this report
<i>Flooding</i>	
Flood risk, moving the soil on the site would result into water run-off to properties lower down the hill	A condition would be attached for submission of the final details of the proposed SUDS measures.
Paved parking area does not have provision for drainage so will increase flood risk	Permeable paving would be used on the parking forecourt.
<i>Trees</i>	
Detrimental impact on sylvan character and loss of trees, shrubs and hedges;	Addressed in paras. 7.57-7.67 of this report.
<i>Ecology and Biodiversity</i>	
Paving over gardens would result in a loss of ecological environments and the removal of trees would be harmful	Discussed in paragraph 7.84-7.88 below
<i>Other matters</i>	
Burden on local amenities including sewage, gas, electricity, water. Lack of provision of local infrastructure	The development will make a CIL payment to contribute towards infrastructure and services
Flats not appropriate in this area of single family dwellings	Flats are not part of this scheme; the proposal relates to 9no. single family dwellings.
Croydon is overpopulated	Croydon's housing needs are set out in both policies and specialist reports which make clear the amount of additional homes required

5.4 The Welcomes Road and Uplands Road Residents Association (WURA) have objected to the application. In summary, their concerns relate to the following items:

- Impact on roads and traffic safety;
- Inadequate parking;
- Inadequate construction management plan;
- Impact on the long-established nursing home adjacent during the construction phase;
- Impact on trees;
- Waste management the plan does not provide adequate space for recycling facilities;
- Impact of developing so many individually relatively small sites;

- Impact on the infrastructure of the drainage and gas supply with the increased capacity.

6.0 RELEVANT PLANNING POLICIES AND GUIDANCE

- 6.1 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).
- 6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) (2021). 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.
- 6.3 The main planning Policies relevant in the assessment of this application are:

London Plan (2021):

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire Safety
- H1 Increasing housing supply
- H2 Small sites
- H10 Housing size mix
- S4 Play and informal recreation
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- S11 Improving air quality
- S12 Minimising greenhouse gas emissions
- S13 Energy infrastructure
- S112 Flood risk management
- S113 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

Croydon Local Plan (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
- DM25 Sustainable drainage systems and reducing floor risk
- DM27 Protecting and Enhancing our Biodiversity
- DM28 Trees
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

Supplementary Planning Documents/Guidance

- Croydon Suburban Design Guide SPD (2019)
- Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy (2019)
- SPG 12: Landscape Design
- London 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)

7.0 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues relevant in the assessment of this application are as follows:

- Principle of development
- Design of the proposal and the impact on the character of the area
- Quality of accommodation
- Impact on neighbouring residential amenity
- Impacts on trees
- Landscaping
- Impacts on ecology and biodiversity
- Access, parking and highways impacts
- Waste / Recycling Facilities
- Sustainability and Flood Risk

Principle of Development

7.2 The London Plan (LP) and the National Planning Policy Framework (NPPF) place significant weight on housing delivery and focus on the roles that intensification and small sites in particular can play in resolving the current housing crisis.

7.3 Policy SP2.1 of the Croydon Local Plan (CLP) applies a presumption in favour of development of new homes and Policy SP2.2 states that the Council will seek to deliver 32,890 homes between 2016 and 2036, with 10,060 of said homes being delivered across the borough on windfall sites.

7.4 LP policy D3 encourages incremental densification to achieve a change in densities in the most appropriate way. Policy H3 seeks to significantly increase the contribution of small sites to meeting London's housing needs.

- 7.5 The site's existing use is residential and as such the proposed redevelopment of the site for residential purposes is acceptable. Given the above, the principle of intensifying the residential use of the existing site to provide a greater quantum of homes than existing is acceptable.
- 7.6 CLP Policy DM1.2 seeks to prevent the net loss of small family homes by restricting the loss of three bedroom units and the loss of units that have a floor area of less than 130sqm. The existing property has four bedrooms and exceeds 130sqm. Each proposed dwelling would have three bedrooms; as such, there would be no net loss of family sized accommodation.
- 7.7 CLP Policies SP2.7 and DM1.1 set a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms in order to meet the borough's need for family sized units and ensure that a choice of homes is available in the borough. The proposal achieves 100% 3 bedroom accommodation and as such meets the strategic target and contributes to family housing provision for the borough.

Design and impact on the character of the area

- 7.8 CLP policy SP4.1 states that the council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities.
- 7.9 CLP policy DM10.1 has a presumption in favour of 3 storey dwellings, which should respect the development pattern, layout; siting, the scale, height, massing, and density; and the appearance, existing materials, and built and natural features of the surrounding area.
- 7.10 CLP Policy DM10.7 requires developments to incorporate high quality materials that respond to the local character in terms of other things durability, attractiveness, sustainability, texture and colour. This policy also requires roof forms to positively contribute to the character of the local and wider area with proposals being sympathetic with its local context.
- 7.11 Demolition: the existing dwelling does not hold any significant architectural merit, and it is not protected by any CLP policy, therefore, there is no objection to the demolition of this property.
- 7.12 Layout and siting: the site has a linear layout. One of the proposed properties would face directly onto Kearton Close, whilst the other 8no. dwellings would face at a 90 degree angle to this property (facing south-west) towards the neighbouring property, No. 2 Kearton Close. The dwelling facing onto Kearton Close would be detached; in sequence, there would be a terrace row comprising 3no. dwellings, then there would be a set of semi-detached properties, then another terrace row of 3no. dwellings. This is shown in figure 4 below:

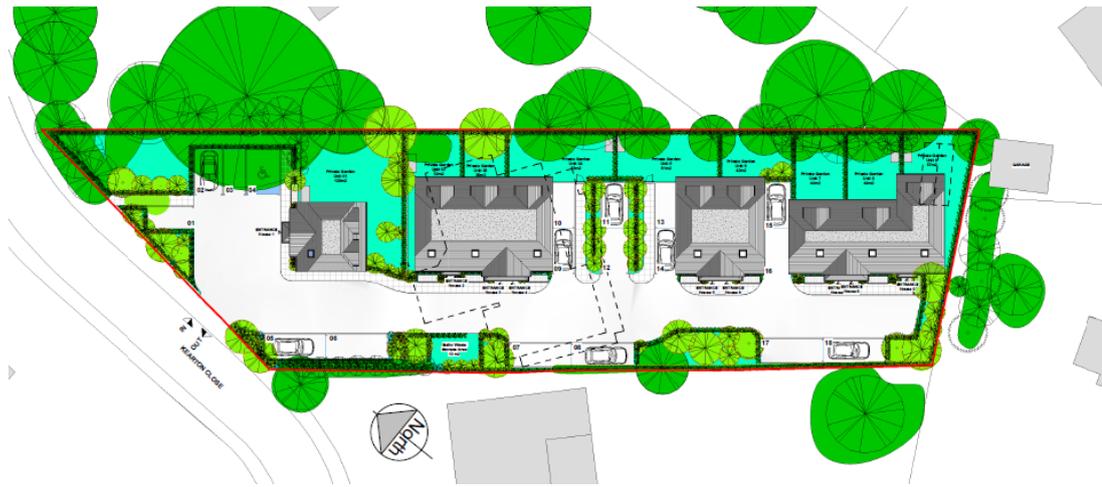


Figure 4: Site Plan

- 7.13 The dwellings would be sited along the northern part of the site. Each would have a rear garden which would abut the party wall with the Uplands Road dwellings. This reinforces the strong suburban character of the surrounding area, which is defined by properties having large rear gardens. The space provided for each unit is of a sufficient size to enable a functional space to serve the family sized dwellings and they are compliant with policy.
- 7.14 Car parking has been integrated well within the development. Bay parking spaces have been provided to the front of the site and between the sets of dwellings, and parking is also provided to the sides of some dwellings. Along the site boundary with No.2 Kearton Close, 6no. parallel parking spaces have been positioned. The parallel parking spaces have been effectively screened with high level planting which will help soften the appearance and positively contribute to the verdant character of the application site and its surroundings. A communal area for bulky waste has been strategically placed and screened between parallel spaces, which will aid in blending this in to the surroundings.
- 7.15 CLP Policy DM10.1 (a) requires the development pattern, layout and siting must respect that of the surrounding area. The proposed layout of the site has been developed to form a linear style of development, with buildings aligning in a north west to south east alignment. Whilst different to the norm of alignment of properties along the southern side of Kearton Close, on the northern side of Kearton Close there is an 'off shoot' where properties follow a similar linear pattern of development around a cul-de-sac; therefore, linear patterns are evident within the local area.
- 7.16 With regards to the proposed pattern of development, the proposal includes a front facing detached dwelling, which would face towards Kearton Close. The placement of this property helps to reinforce the established pattern of development when viewing the site from Kearton Close. The linear development pattern would be positioned to the rear of this property and as such would be less visible from the public realm. As such, the proposal is considered to respect the pattern of development and helps to re-establish the urban grain of the locale and is considered acceptable in this regard.

- 7.17 Scale and massing: the proposed buildings are considered appropriate in relation to the context. Due to the retained trees fronting the site onto Kearton Close, the site has limited visibility due to the screening and would only be readily visible from Kearton Close.
- 7.18 The massing of the buildings would be set away from the neighbouring property at No. 2 Kearton Close by 13m at its closest, and would also be set in (in comparison to the existing dwelling on site) from the Uplands Road dwellings by 19.4m at its closest.
- 7.19 The proposed properties would be the same height and a similar style. The proposed linear row of dwellings would not be readily visible from the surrounding area. The height and scale of the dwellings would be similar to that of the detached dwelling fronting Kearton Close, and the surrounding residential properties which range from one to two storey. Given the secluded nature of this element of the proposal, the proposed development is considered acceptable in terms of its scale, massing and overall height.
- 7.20 External Finishes: The surrounding area has a varied mix of material finishes. Typically dwellings in this area are render finished painted in light colours. There are a number of examples of properties finished in brick. Brick finish properties tend to be finished in red/brown and light brown tones; London stock brick is not a character of this area. The proposed materials shown on the plans indicate a light brown facing brick, with white eaves detailing in the roof profile and a brown coloured roof tile. The materials are traditional in their design and appearance. The proposal includes tile pitched open sided porches and white aluminium framed windows with decorative glazing bars and white aluminium doors. Similar material finishes are found within the local area.
- 7.21 The above materials are indicative at this stage. Full details on the external materials and finishes are secured via condition to ensure the final details are assessed prior to the construction of the development and are suitably high quality.
- 7.22 Conclusion: The placement of the detached property to the front of the site reinforces the existing pattern of development within the immediate area; the height is compliant with policy and the approach to the massing is considered to sit well within the street scene. The design approach is considered to be of a high quality and subject to the approval of materials by condition, the design is in keeping and helps reinforce the suburban character of the environment. The proposal is considered to comply with policies SP4.1, DM10 and the Suburban Design Guide 2019.

Quality of Accommodation

- 7.23 LP policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments. Policy SP2.8 deals with quality and standards in the CLP. The table below demonstrates the GIAs of each residential dwelling:

Unit	Provision	GIA	Min GIA	Storage	Amenity Space
1	3bedroom/5person	108.05sqm	99sqm	1.24sqm	120.53sqm
2	3bedroom/5person	99.15sqm	99sqm	3.48sqm	31.17sqm
3	3bedroom/5person	100.62sqm	99sqm	3.49sqm	25.53sqm
4	3bedroom/5person	100.65sqm	99sqm	3.58sqm	61.47sqm
5	3bedroom/4person	96.36sqm	90sqm	1.23sqm	59.7sqm
6	3bedroom/4person	96.54sqm	90sqm	1.23sqm	40.98sqm
7	3bedroom/4person	90.07sqm	90sqm	0.82sqm	42.94sqm
8	3bedroom/4person	90sqm	90sqm	0.78sqm	55.79sqm
9	3bedroom/5person	99.87sqm	99sqm	2.61sqm	55.79sqm

- 7.24 As shown on the table above, all units comply with LP standards on minimum floorspace areas and amenity space. In terms of storage, there are some shortfalls, however, this is considered to be acceptable, as it is demonstrated that each bedroom would have storage and there would be some storage space provided for each unit for this purpose.
- 7.25 All bedrooms within the proposal comply with parts 2, 3, and 4 of policy D6 in relation to bedroom size standards. Each dwelling would also have a floor to ceiling height of 2.5m for at least 75% of the floor space of the entire dwelling.
- 7.26 Standard 29 of the Mayor of London Housing SPG 2016 states that developments should minimise the number of single aspect dwellings. CLP Policy DM10.6 states that proposals must provide an adequate level of sunlight and daylight to potential future occupants and to ensure that there is no direct overlooking of close range or habitable rooms. All of the dwellings are dual aspect, therefore adequate light levels and ventilation will be available. Due to the distances with dwellings within the development and properties outside of the development but in the immediate vicinity, and the orientation of the properties, there would not be any overlooking for the future occupiers.

Amenity Space

- 7.27 CLP Policy DM10.4 states that all new residential developments should be provided with private amenity space that is of a high quality design and respects the local character, functional space and provides a minimum amount of private amenity space of 5m² per 1-2 person unit and an extra 1m² per additional occupant. Each dwelling has outdoor amenity space in the form of a private garden which complies with this policy.

Accessible Dwellings

- 7.28 LP policy D7 states that 10% of new build housing should meet Building Regulation requirement M4(3) 'Wheelchair User Dwellings'; and all other dwellings should meet the Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings' which requires step free access to all units and the facilities of the site.
- 7.29 The proposal includes one M4(3) unit, which is unit 1. The property has step-free access and includes a platform lift for a wheelchair user. Furthermore, the floorplans demonstrate that a wheelchair user would be able to use the facilities within this property. There would also be one accessible car parking space; this would be located beside unit 1.
- 7.30 The other dwellings on this site are M4(2) compliant, in that these dwellings all have step free access and the car parking area is at an acceptable gradient that would enable disabled users to navigate the site and access the dwellings.
- 7.31 The proposal is compliant with LP policy D7; these aspects will be secured via condition.

Impacts on Neighbouring Residential Amenity

- 7.32 CLP policy DM10.6 states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels.
- 7.33 CLP Policy DM10.6c requires new developments to not result in direct overlooking of private space 10m perpendicular to the rear elevation of an existing neighbouring property.
- 7.34 Section 2.9.10 of the SDG outlines that there should be a minimum distance of 18m between a new dwelling and a third party dwelling.
- 7.35 Each property surrounding the site will be taken in turn below. Figure 5 (below) is the block plan submitted with the application, which shows the context.



Fig 5: Block plan showing proposed dwellings and surrounding neighbouring properties

Impact on Cheriton, Pine Close

- 7.36 This property is situated approx. 19m south-east from the closest new dwelling (unit 9) within the application site.
- 7.37 Outlook/loss of privacy: there are no windows on the flank of unit 9 facing toward Cheriton, therefore, there are no opportunities for overlooking, nor would the proposed development result in overlooking of the first 10m perpendicular to the rear elevation of this neighbour, which would only be visible through oblique views from unit 9. The rest of this garden towards the south would have some level of overlooking, but this would be beyond the 10m perpendicular from the rear of the property. Due to the separation distances, the proposal would not create a sense of enclosure on this neighbouring property.
- 7.38 Overshadowing/loss of daylight and sunlight: given the distance of Cheriton from the closest dwelling (unit 9), the proposal would not create a loss of daylight on this property. In terms of overshadowing and sunlight, the orientation of the properties, coupled with the distance, would mean that there is unlikely to be an impact in this regard.

Impact on Buena Vista, Pine Close

- 7.39 This property would be situated approx. 23m south/south-east from the closest new dwelling (unit 9) within the application site.
- 7.40 Outlook/loss of privacy: there are no windows on the flank of unit 9 facing toward Buena Vista, therefore there are no opportunities for overlooking. Due to the orientation of the windows on unit 9, the proposed development would not result in overlooking of the first 10m perpendicular to the rear elevation of this neighbour, as views of this section would be only from oblique views. As with all suburban environments there may be opportunities for outlook over

certain parts of this neighbour's rear garden, however this level of outlook over a neighbouring garden is considered acceptable in a suburban environment. Due to the separation distances, the proposal would not create a sense of enclosure on this neighbouring property.

- 7.41 Overshadowing/loss of daylight and sunlight: given the distance of Buena Vista from the closest dwelling (unit 9), the proposal would not create a loss of daylight on this property. In terms of overshadowing and sunlight, the orientation of the properties, coupled with the distance, would mean that there is unlikely to be an impact in this regard.

Impact on No. 44 Uplands Road

- 7.42 The development site shares its northern boundary with this neighbour, and it is 20m to the east.

- 7.43 Outlook/loss of privacy: The rear elevations of the proposed row of terrace houses (units 2, 3, and 4) face towards this boundary. Also, the rear side elevation of unit 1 faces this neighbour, however, there would be no windows in the flank of this property. The rear elevation of this neighbour faces south/south-west, whereas the proposed dwellings face north-west. Given the orientation of this neighbour and the orientation of the development, the proposed dwellings would not have a direct view of the rear elevation of this neighbour. It is acknowledged that there may be glimpses and slight opportunities to view the rear elevation of this neighbour, however, such levels of outlook are considered acceptable in suburban environments. Due to the separation distances, the proposal would not create a sense of enclosure on this neighbouring property.

- 7.44 The proposed dwellings would be set 16m away from the rear elevation. It is noted that the SDG outlines that 18m should be incorporated to avoid overlooking. However, given that this is a small shortfall to the 18m requirement, and given that there are also trees along the boundary between the properties, it is considered in this instance that this would be sufficient and the development would not result in direct overlooking. The proposal would not result in overlooking of the protected 10m zone perpendicular to the rear wall of this neighbour. As such, this is considered acceptable in principle.

- 7.45 Overshadowing/loss of daylight and sunlight: given the distance of the neighbouring property, the proposal is not considered to result in loss of light.

Impact on No. 46 Uplands Road

- 7.46 The relationship of this neighbour to the application site is similar to that of No. 44 Uplands Road. The nearest new dwellings to this neighbour are the first terrace row, units 2, 3, and 4, which are 30m to the east.

- 7.47 Outlook/loss of privacy: Owing to the position of these properties, the sightlines from this neighbour would not be directed towards this neighbour as outlined in fig 4 above. Given the distance, there would be no opportunities for overlooking. The proposal would not result in overlooking of the protected 10m zone

perpendicular to the rear wall of this neighbour owing to the orientation of this neighbour within its plot. There may be slight glimpses of the southernmost part of the rear garden in the neighbouring plot, however this would not result in overlooking that would justify a reason to refuse planning permission. As such, the impacts on this neighbour are deemed acceptable. Due to the separation distances, the proposal would not create a sense of enclosure on this neighbouring property.

- 7.48 Overshadowing/loss of daylight and sunlight: given the distance between the existing neighbouring property and the proposed dwellings, it is considered that the proposal would not result in loss of light for this neighbouring property.

Impact on No. 22 Kearton Close

- 7.49 This property sits at a splayed angle within its plot. Unit 1 faces towards Kearton Close, with a distance of 31m between the two properties.

- 7.50 Outlook/loss of privacy: Given that this neighbour sits at a splayed angle within its plot, the proposed unit 1 would not result in direct overlooking towards this neighbour. The proposal seeks to retain the dense coniferous treeline to the front of the site. Given the retention of the trees, the distance and the way in which this neighbour is sat within its site, there would be no overlooking and no loss of privacy for the front elevation of this neighbour. The proposal would not affect the rear elevations of this neighbour. Due to the separation distances, the proposal would not create a sense of enclosure on this neighbouring property.

- 7.51 Overshadowing/loss of daylight and sunlight: taking into account the distance and the orientation of the proposal in relation to this neighbouring residence, the development is not considered to result in loss of light for this neighbouring property.

Impact on No.2 Kearton Close

- 7.52 This neighbour is a detached bungalow located 12m to the south-west. The proposal is considered to have an acceptable impact.

- 7.53 Outlook/loss of privacy: The side elevation of this neighbour faces towards the application site; there is a window facing the application site, which appears to be a secondary window serving a living room and therefore would not benefit from significant protection. The proposal seeks to partially remove the dense tree lined site boundary to the front section of the site, and would have 1.8m boundary treatment. Given this, the proposal would not result in overlooking to the flank wall of this property and would not create overlooking of this flank window. The proposed development may afford a degree of outlook over this neighbouring rear garden, however this is to be expected within a suburban environment. The proposed dwellings would be set circa 12m from this garden and as such would not result in a direct level of overlooking deemed unacceptable. The proposal would not result in a loss of privacy for the first 10m of the garden perpendicular to the rear elevation of this garden.

- 7.54 Overshadowing/loss of daylight and sunlight: given the orientation of the neighbouring property to the south of the development site, the proposal is not considered to result in loss of light for this neighbouring property.

Construction Impacts

- 7.55 It is acknowledged that with any build, whilst there may be slight disturbances and inconveniences for neighbouring properties, it is considered that this would be acceptable and a Construction Logistics Management Plan shall be imposed to ensure neighbouring amenities are protected. In addition, under the Control of Pollution Act 1974, the council has a Construction Code of Practice which sets out when construction and demolition work can occur, and it is not expected that works will be permitted to take place out of these hours. This would be placed as an informative (in the event planning permission is granted) and a Construction Logistics Plan to be submitted as a pre-commencement condition.

Conclusion

- 7.56 Overall, any potential amenity impacts on neighbouring occupiers are considered to have been adequately mitigated by spatial separation between neighbouring properties. Furthermore, the orientation of the proposed dwellings and the existing orientation of the surrounding neighbouring properties is favourable to mitigate adverse impacts, where the separation distances do not meet 18m. The proposal is considered to be acceptable in line with policy DM10.6 and the Suburban Design Guide 2019.

Trees

- 7.57 Policy G7 of the London Plan and CLP policy DM10.8 and DM28 seek to retain existing trees and vegetation. An Arboriculture report was submitted with the application.
- 7.58 The report states that in order to facilitate development, it is proposed to remove 12 category C trees (G3, T9, G10, T12, G16, T17, T18, T19, T23, G24, T25 and T26). Category C trees are generally considered to have low amenity value; they may have a limited life expectancy and contribute little to visual amenity of the wider area. It is proposed to carry out replacement planting throughout the site to mitigate against their loss. The removal of these trees are not considered to be a constraint to the overall development and given the low quality of these trees, the removal of these trees is considered appropriate; furthermore, these trees will be replaced within the site. The planting schedule outlines that the 28no. new trees will be planted on site, this would consist of 10no. Betula Pendula Zwisters Glory, 14no. Prunus Padas Albertii, and 4no. Magnolia stellate star magnolia. Therefore, there is an uplift of 16no. trees.
- 7.59 The proposed building foundations will overlap with the root protection areas (RPAs) of 2 trees - T11 and T20 (by 1% and 3% respectively). To minimise the impact on these trees, the foundations will be excavated in the presence of the project arborist using hand tools to a depth of 600mm and the foundations will not extend beyond 200mm of the footprint of the proposed building.

- 7.60 New hard surfacing is proposed within the RPAs of 6 trees (T11, T13, T14, T15, T20, and T27). All new hard surfacing shall be installed sympathetically using the No-Dig Method, as per BS 5837 recommendations, and all excavation shall be overseen by the project arborist.
- 7.61 The existing hard surfacing over the RPAs of trees T1, G2, and T11 will be removed and replaced, however, the excavation will be limited to the depth of the existing surface and its sub-base to ensure minimal impact to the trees.
- 7.62 All category A and B trees are proposed to be retained. Tree T14 will be pruned to facilitate the building of one of the proposed dwellings.
- 7.63 There are a number of trees (5-6) covered by Tree Protection Order (TPO) situated along the rear boundary of Nos. 44 and 46 Uplands Road which abut the northern side of the application site; no works are proposed to these trees.
- 7.64 The council's arboricultural officer has reviewed the information and has confirmed there is no objection to the proposal.
- 7.65 Overall, the proposal is considered to overlap with a limited amount of the RPA's of these trees, therefore in order to ensure the protection of these trees both during the course of the construction of the development and the lifetime of the development, a compliance condition will be included to ensure that the recommendations set out in the submitted Arboricultural Report are followed.

Landscaping

- 7.66 Local Plan policy DM10.8 requires proposals to incorporate hard and soft landscaping. A full hard landscaping plan has been submitted, which includes details of hard surfacing materials, boundary fencing materials, decking materials. These details are considered to be good quality and would result in an enhanced environment.
- 7.67 The proposed details of the soft landscaping scheme is also considered appropriate. The details outline a suitable mix of planting to be used within the site. A 5 year maintenance plan has also been submitted with the application and is considered acceptable. A compliance condition shall be imposed to ensure that this management plan is adhered to.

Access, Parking and Highway Safety

- 7.68 The site has a Public Transport Accessibility Level (PTAL) of 0, on a scale where 0 is the worst and 6 is the best, which indicates poor access to public transport. The site is not within a Controlled Parking Zone and there are no on-street parking restrictions.

Access arrangements

- 7.69 The proposal includes a vehicle access point 5x5m adjacent to the public highway that allows vehicles to exit the site at 90 degrees to the foot path. The cross over measures 4.5m in width and has 0.5m wide sections adjacent to the vehicular access point. Visibility splays to the required standards are also

outlined on the plans with a 2x25m visibility splay for vehicles. The proposal includes a separate pedestrian access to the site.

Transport Contributions

- 7.70 A contribution of £13,500 will be secured via S106 agreement to contribute towards sustainable transport initiatives including on street car clubs with electric vehicle charging points (ECVPs) as well as general expansion of the EVCP network in the area in line with Local Plan policies SP8.12 and SP8.13. The funding will go towards traffic orders, signing, and lining of a potential car club bay, EVCP provision including electrics and set up costs for the car club. Funding will also be used for extension and improvements to walking and cycling routes in the area to support and encourage sustainable methods of transport.

Car Parking

- 7.71 London Plan Policy T6.1 suggests a maximum of 1.5 spaces per dwelling given the poor PTAL and the Council normally requires 1:1 parking on sites such as this. The proposal includes 18 car parking spaces integrated within the development site, so 2 spaces per home. The London Plan suggests that Boroughs should consider standards that allow for higher parking provision where there is clear evidence that this would support additional family housing. Whilst we do not have an alternative higher maximum parking provision, this is considered acceptable to serve the development of entirely family housing. As such, it is unlikely that the proposal would generate overspill parking on the local highways network which is a matter raised in representation.

Cycle parking

- 7.72 Policy DM30 and London Plan policy T5 and Table 10.2 requires provision of a total of 18no. cycle parking spaces for residents, which are proposed within a designated cycle store within the private rear gardens, which would each have 2no. spaces. This level of cycle storage provision is considered appropriate, given the development is for 9 houses. Details of the means of enclosure will be secured by condition.
- 7.73 Visitor cycle parking is not shown on the plans; a condition is secured to ensure details of visitor cycle parking is demonstrated, in accordance with LP policy which requires 2no. spaces on the site for this provision.

Conclusion

- 7.74 Overall, in terms of transport matters, the proposal is considered to be acceptable, subject to conditions regarding further information required on the cycle parking storage, and a Section 106 Agreement to secure a contribution of £13,500 for sustainable transport initiatives.

Waste / Recycling Facilities

- 7.75 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design.

- 7.76 Each dwelling will have a separate bin store to the front of their property which will house 3no. bins. It has been adequately demonstrated that waste removal services will be able to access the site, therefore, it is expected that bins will be collected from the front of each property on collection day. This arrangement is considered to be acceptable.
- 7.77 Plan no. CX13-S3-116B demonstrates the dimensions of the bin stores and the materials proposed. This is acceptable.
- 7.78 There is an allocated communal space to the south of the site (between the car parking spaces) for bulky waste. This is adequately sized and positioned for these purposes; this aspect is considered to be acceptable.

Flood Risk and Energy Efficiency

Flood risk

- 7.79 The application site is situated in a site of low flood risk and located in flood zone 1. The site benefits from a large area of soft landscaping and permeable paving to the front. This is considered satisfactory to deal with any surface water flooding on the site.

Sustainable Urban Drainage Systems (SuDS)

- 7.80 The applicant has submitted a Surface Water and SuDS Assessment. Based on a desktop study of the underlying ground conditions, it is likely that infiltration of surface water runoff following redevelopment will be feasible.
- 7.81 The existing areas at the site are: existing hard standing: ~667sqm; existing permeable areas ~1425sqm. There are no watercourse in the immediate vicinity of the site and there are no known infiltration technique currently installed. As proposed, the hardstanding areas will be ~1386sqm; and the permeable areas will be ~706sqm. Through the development of the site, the increase in hardstanding areas will increase by approximately 719sqm.
- 7.82 The parking area will incorporate permeable paving which will provide capacity for surface water runoff from hardstanding areas in up to the 1 in 100 years plus 40% climate change event. Further details on this is secured via condition.

Energy efficiency

- 7.83 CLP policy SP6 requires development proposals to both achieve the national technical standard for energy efficiency in new homes.
- 7.84 The applicant has outlined in the Design and Access Statement that the maximum reduction to carbon emissions will be made with consideration to SuDS, water reduction, low emissivity glass and high performance window frames, condensing boilers and low energy light fittings, and maximised light penetration into buildings.
- 7.85 New homes are required to achieve a minimum of 19% CO2 reduction beyond the Building Regulations Part L, and meet a minimum water efficiency standard

of 110 litres/person/day as set out in Building Regulations Part G. These aspects are secured via condition.

Ecology and Biodiversity

- 7.86 CLP Policy DM27 seeks to protect and enhance biodiversity by ensuring developments incorporate biodiversity to enhance local flora and fauna, aid pollination locally, and incorporate productive landscapes.
- 7.87 The proposal includes extensive soft landscaping throughout the site. The proposal includes planting, a diverse mix of planting should be incorporate; this will be secured via condition.
- 7.88 The applicant has submitted Preliminary Ecological Appraisal (July 2020), the Bat Emergence Survey Report (September 2020), and the Ecological Response (April 2021).
- 7.89 The ecology officers have reviewed the aforementioned documents. They have no objection to the proposal, subject to the migration measures which are outlined in the PEA and Bat Emergence Survey Report, and the biodiversity enhancements outlined in these documents are supported. It is considered that the information and recommendations set out in the PEA, the Bat Emergence Survey, and Ecological Response is acceptable and compliance with these documents will be secured via condition.
- 7.90 In addition to the above conditions, it is recommended that a construction environmental management plan is submitted to demonstrate the impact on habitats in more detail. As well as this, a Biodiversity Enhancement Strategy is required in order to enhance protected species and their habitats. A lighting design scheme is required to ensure that associated light for the development will not disturb bats in the local area. Details regarding these aspects will be secured via conditions.

Fire Strategy

- 7.91 LP policy D12A states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety.
- 7.92 The applicant has submitted a Fire Strategy Statement which provides details in relation to fire safety, specifically in relation to fire appliance positioning, evacuation assembly point, safety features and access. The quantum of information supplied at this stage is considered to be acceptable and complies with policy D12 of the LP. This matter will be finalised through the Building Regulations regime and a condition is imposed.

Conclusion

- 7.93 The provision of 9 houses in this location is acceptable in principle. The proposed design, massing, site layout and quality of accommodation is acceptable, with good quality landscaping, shared amenity and play space proposed. Mature Category A and B trees are to be retained and a detailed soft

planting schedule has been submitted with the submission. Amenity impacts on neighbouring properties have been successfully mitigated through a good quality design and site layout. Transport impacts are considered to be acceptable.

- 7.94 All material considerations have been taken into account, including responses to the public consultation. 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.

Other matters

- 7.95 The development would be liable for a charge under the Community Infrastructure Levy (CIL).
- 7.96 All other planning considerations including equalities have been taken into account.