

PART 6: Planning Applications for Decision

Item 6.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 18/05383/FUL
 Location: 59 Rectory Park, South Croydon, CR2 9JR
 Ward: Sanderstead
 Description: Demolition of the existing garage and alterations to the existing vehicular access with erection of a two storey building to provide 6 units at the rear including a provision of associated landscaping, parking, cycle and refuse storage.
 Drawing Nos: 6618 (PL) 001 Rev B, 6618 (PL) 002 Rev C, 6618 (PL) 003 Rev B,
 Applicant: Mr Harvey
 Agent: David Upton
 Case Officer: Tim Edwards

	1 bed	2 bed	3 bed	4 bed
Proposed Flats	1 x 1b, 2p	3 x 2b, 3p 1 x 2b, 4p	1 x 3b, 4p	
Total	1	4	1	

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
6	12

1.1 This application is being reported to committee because the ward councillor, Councillor Tim Pollard, has made a representation in accordance with the Committee Consideration Criteria and requested committee consideration. Objections above the threshold as specified by the Committee Consideration Criteria have also been received.

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
- 2. Materials to be submitted.
- 3. Full Details of Cycle and Refuse storage/Car parking/Electric vehicle charging point to be provided
- 4. Refuse management plan to be submitted
- 5. Landscaping scheme including boundary treatments to be submitted

6. Trees - Accordance with Tree Protection Plan. Trees to be removed out of bird nesting season.
7. Ecology report recommendations to be followed.
8. Detailed flood risk assessment include SUDs to be submitted.
9. All ground floor flats to meet M4(2).
10. 19% Carbon reduction
11. 110 litre Water usage
12. Construction Logistics Plan to be submitted
13. Time limit of 3 years
14. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Community Infrastructure Levy
- 2) Code of practise for Construction Sites
- 3) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

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 The proposal includes the following:

- Demolition of the existing garage (previously approved under ref. 18/01154/HSE).
- Erection of a two storey building at the rear of the site.
- Provision of 1 x three bedroom flats, 4 x two bedroom flats and 1x one bedroom flats
- Provision of private amenity spaces for all units
- Provision of 6 off-street parking spaces and new access.
- Associated refuse and cycle stores located within the communal areas.

3.2 The scheme has been amended during the application process to improve the access route in regards to visibility as well as altering the unit mix to provide family accommodation on-site.

Site and Surroundings

3.3 The site is located on the north-western side of Rectory Park and although the development plot is solely located within the curtilage of 59 Rectory Park, it is noted to be located at the rear of 57A and 59 Rectory Park.



Fig 1: Site Location Plan highlighting the existing irregular nature of the proposed site.

- 3.4 The proposed building at the front of the site would remain as is, with the proposed garage demolished and replacement garage built adjacent to the flank elevation of the host property.
- 3.5 The site itself is not located within an area at risk of surface water but areas surrounding it are noted to be. The site is located within a PTAL 1b area and adjacent to an Archaeology Priority Area.

Planning History

- 3.6 The most relevant planning history associated with the site is noted below:
- 18/01154/HSE -Demolition of existing single storey garage and the erection of a single storey side garage positioned to the left of the front elevation: **Permission Granted but not implemented.**

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of the surrounding area.
- The design and appearance of the development is appropriate for its setting.
- The living conditions of adjoining occupiers would be protected from undue harm subject to conditions.

- The living standards of future occupiers are acceptable and Nationally Described Space Standard (NDSS) compliant.
- The level of parking and impact upon highway safety is considered acceptable.
- Sustainability aspects can be controlled by conditions.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by 10 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours in response to notification and publicity of the application are as follows:

No of individual responses: 37 Objecting: 36 Supporting: 0 Comments: 1

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:

Objection	Officer comment
<i>Principle of development</i>	
Cumulative impact of flatted developments within the surrounding area.	Each application is assessed on its own merits and cumulatively there is not considered to be a detrimental impact caused by the proposal.
<i>Design and appearance</i>	
Out of keeping with the surrounding area – flats, contemporary design, character (exiting sylvan setting) height, density, overbearing scale and mass.	This is addressed in section 8.6 to 8.12 of this report.
<i>Impact on amenities of neighbouring properties</i>	
Adverse impact on neighbouring properties – loss of privacy, overbearing, visually dominant, outlook, light, smell and noise/	This is addressed in section 8.17 to 8.25 of this report.
The introduction of a 3 bedroom unit would mean a strong possibility of children playing outside and especially with windows (and balconies) overlooking the gardens of the surrounding properties and detrimentally impacting the	The proposed 3 bedroom unit, is located at ground floor level and therefore, if children were to be present within this unit, they would have private amenity space separated from the adjoining occupiers by the existing/proposed boundary fencing.

amenities of the adjoining occupiers.	This is further addressed in section 8.17 to 8.25 of this report.
<i>Impact of the development on the future occupiers</i>	
Insufficient/poor quality private amenity areas.	This is addressed in section 8.13 to 8.14 of this report.
<i>Trees and ecology</i>	
Loss of trees	This is addressed in sections 8.33 of this report.
No regard for wildlife and their habitats.	This is addressed in section 8.34 to 8.35 of this report.
<i>Highways and parking⁵</i>	
Inadequate parking provision and impact on the existing highway network.	This is addressed in section 8.25 to 8.27 of this report.
The proposed driveway width would make access difficult for emergency vehicles and refuse lorries to access.	The width of the access drive is 3.7 metres which is considered acceptable for emergency vehicles to fully access the site. Refuse vehicles are not proposed to access the site and a condition securing a refuse management strategy is proposed to be conditioned accordingly.
The propose refuse store is separated from Rectory Park by a significant distance.	This is addressed in section 8.31 of this report.
<i>Other material considerations</i>	
The proposed plans would create flood risk within and surrounding the site.	This is addressed in section 8.37 of this report.
Security issues which the application will create for the adjoining sites. (Properties have previously been burgled from the rear gardens).	The proposed access road would be overlooked by future occupiers providing 'eye on the street', with the existing/proposed boundaries between properties are dealt to be repair/replaced.
Local transport, schools and health services are already over stretched.	The development will be CIL liable. This is addressed at section 8.38 of this report.
<i>Procedural or non-material comments</i>	
If the development if forced upon us, can the developer put up a	The proposed site plans states that the existing fencing will be repaired/replaced and

boundary wall between the two gardens?	new fencing erected up to 1.8 metres in height surrounding the site.
It appears the Council have decided to proceed with the development.	<p>The Local Planning Authorities role is to determine/make recommendations on an application based upon the policies set out by the relevant development plans.</p> <p>During the application process, the case officer made recommendations to the applicant based upon the relevant development plans which applications are assessed against.</p> <p>Each application is judged on its own merit with all material objections/representations submitted thoroughly considered, in-line with the relevant development plans.</p>
The development would impact upon property prices.	This is not a planning consideration.
Loss of a view.	This is not a planning consideration.
The proposal will only benefit those who financially gain.	This is not a planning consideration.

6.3 The following Councillors made representations:

6.4 Cllr Tim Pollard [objecting and referred the application]

- Loss of privacy to neighbours.
- Overdevelopment of site.
- Loss of badger habitat.
- Visual dominance.

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 Consolidated London Plan 2015, 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:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;

- Requiring good design.

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

7.4 Consolidated London Plan 2015

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees

7.5 Croydon Local Plan 2018

- SP2 - Homes
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- SP4 – Urban Design and Local Character
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM16 – Promoting healthy communities
- DM18 - Heritage assets and conservation
- SP6 – Environment and Climate Change
- DM23 - Development and construction
- DM25 – Sustainable drainage systems and reducing floor risk
- SP7 – Green Grid
- DM27 – Biodiversity
- DM28 – Trees
- SP8 – Transport and communications
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG, March 2016.
- National Technical Housing Standards, 2015.

- National Planning Practice Guidance, 2014.
- Supplementary Planning Document (SPD2) Suburban Design Guide.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:

1. Principle of development
2. Townscape and visual impact
3. Housing quality for future occupiers
4. Residential amenity for neighbours
5. Access and parking
6. Trees and Biodiversity
7. Sustainability and environment
8. 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. Approximately 30% of future housing supply may be delivered by windfall sites which provide sensitive renewal and intensification of existing residential areas and play an important role in meeting demand in the capital, helping to address overcrowding and affordability issues.
- 8.3 The site is located within an existing residential area and as such, providing that the proposal respects the character and appearance of the surrounding area and there are no other material impacts, a residential scheme such as this is in principle supported.
- 8.4 Policies aim for there to be no loss of 3 bedroom homes as originally built, homes under 130m² and that 30% of homes should be family homes (including 2 bed 4 person homes). As the proposed does not include the demolition of the main dwelling, there is no loss of family house on site. The proposed flatted development at the rear would also provide 2 family units (1 x 3 bedroom and 1 x 2 bedroom, 4 person units) which equates to a 30% uplift of family housing on site above and beyond the existing dwelling which is retained.
- 8.5 The proposed development would comply with Policy DM10 of the Croydon Local Plan 2018, ensuring that the proposed building is subservient to the main building as this is to be proposed to be retained. The host properties garden would also remain a minimum of 10 metres in depth with over 200m² of this area to be retained.
- 8.6 The site is in a suburban setting with a PTAL rating of 1b and as such the London Plan indicates that the density levels ranges of 150 - 200 habitable rooms per hectare (hr/ha). The proposed density would be 225hr/ha. This figure has only taken into account the area in blue as shown in figure 2. Although the proposed density is marginally above the levels sets out, the London Plan states that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad, to account for other factors relevant to optimising potential – such as local context and design. In this circumstances it is considered that the proposed development is appropriate for the site and surrounding area.

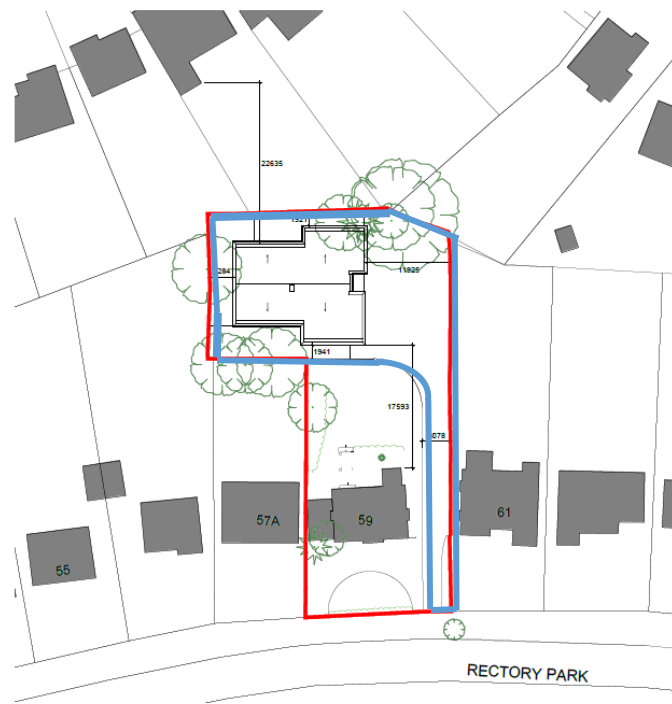


Fig 2: Site Area shown in blue for density calculations purposes

Townscape and Visual Impact

8.7 The proposed building would be located at the rear of 57a and 59 Rectory Park and being located within a back land site, its role within the wider street scene would be minimal (as seen within figure 3). The building is considered to have taken into account its location, being at a 90 degree angle to the properties fronting Rectory Park and Shaw Crescent. The flank elevation of the proposed building would therefore be separated, at its closest point by 17.5 metres (from all the adjoining occupiers) with the single storey outrigger located within the host property as shown by figure 2.



Fig 3: CGI Imagery of the site from Rectory Park

- 8.8 The proposed development would be a contemporary two storey building with a flat roof, which as detailed in figure 4 would be subservient to the host property. Taking into account the back land nature of the site, the varied character and appearance of the built form seen both within Shaw Crescent and Rectory Park, as well as the site constraints, overall the proposed contemporary design approach is considered to be a positive addition to the wider area.

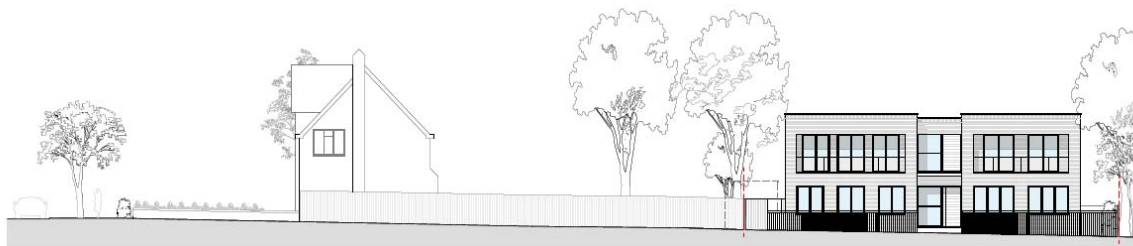


Fig 4: Front Elevation of the proposed development and flank elevation of the host property, 59 Rectory Park

- 8.9 The proposed building would incorporate balconies within the front and rear elevation at first floor level, which are sensitively designed to minimise overlooking, but not significantly increase the buildings mass to an unacceptable degree. Overall, it is considered that the design integrates into the sites and surroundings whilst maximising the number of units that can be delivered.
- 8.10 The proposed buildings materiality would mainly constitute brick, with timber detailing and aluminium fenestration used throughout the building. Overall this approach is supported, subject to further details relating to this being secured via condition.
- 8.11 The site would introduce an access road and hard standing area at the front of the building for off-street parking. This is appropriately broken up by soft landscaping, whilst providing multi-functional spaces which are provide safe ingress and egress from the site.
- 8.12 The scheme is considered to be a sensitive intensification of an existing disused area of garden (an old tennis court) which makes the best use of the site whilst being of an appropriate scale that respects the existing character of the wider area.

Housing Quality for Future Occupiers

- 8.13 All the units would comply with requirements set out by the Nationally Described Space Standards (NDSS) in relation to units, bedrooms and floor to ceiling heights. All units are provided with acceptable outlook, daylight and sunlight, with all units being dual aspect in some form.
- 8.14 All units would be afforded private amenity spaces which, in a number of instances significantly exceed minimum standards as detailed by DM10 of CLP2018 as shown within figure 5. Whilst no communal spaces/child playspace is provided within the site, taking into account the large private amenity spaces that all units are provided with (apart from Unit 5) as well as the site constraints, overall this approach is considered acceptable.

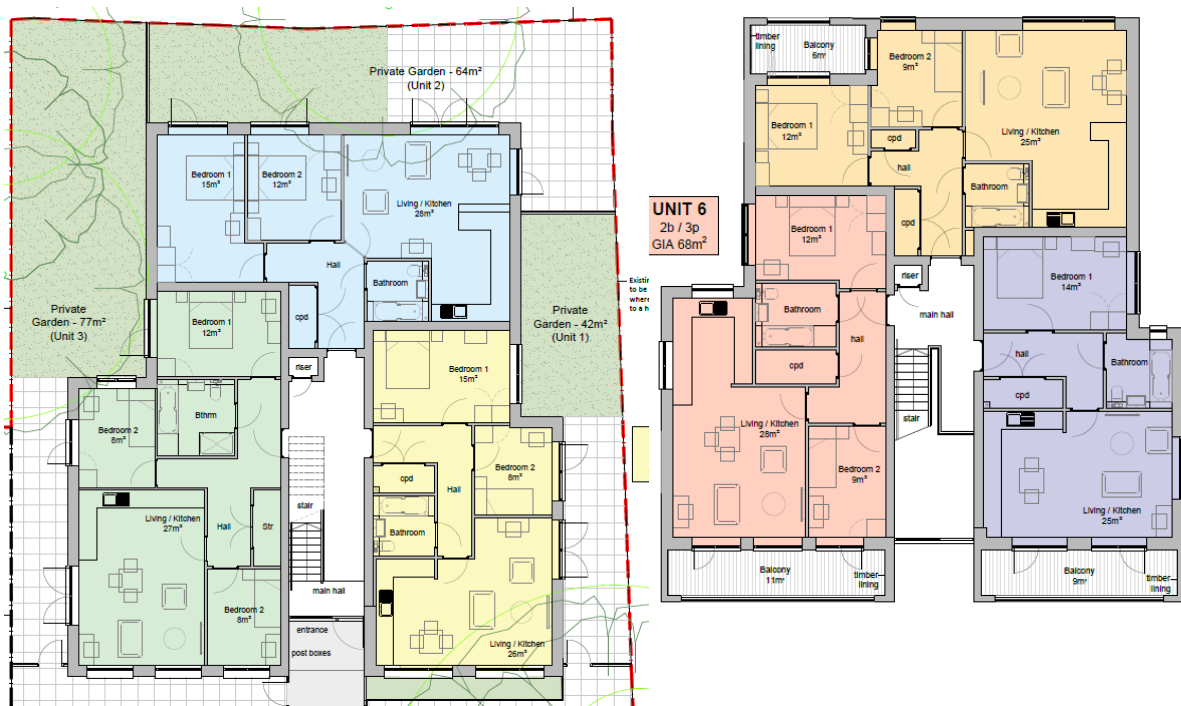


Figure 5 – Ground and First Floor Layout – with private amenity space

- 8.15 As set out by the London Plan, developments of four stories or less require disabled unit provisions to be applied flexibly to ensure that the development is deliverable. All ground floor units in the development would meet M4(2) 'accessible and adaptable dwellings', which is considered acceptable under the circumstances.
- 8.16 The development is considered to result in a high quality development including 2 x family units with all units provided acceptable internal and external spaces.

Residential Amenity for Neighbours

- 8.17 The proposed development has the potential to most impact upon the following adjoining occupiers amenities; 57, 57a and 61 Rectory Park, 18 Shaw Close, 30, 32, 34 and 36 Shaw Crescent as indicated within the figure 6.

18 Shaw Close

- 8.18 There would be an approximate separation of 36 metres between the proposed building and the rear elevation of this adjoining occupier. Owing to this significant separation between the built forms overall the proposal is not considered to impact upon the amenities of this adjoining occupiers.

30, 32, 34 and 36 Shaw Crescent

- 8.19 The proposed buildings flank elevation would be separated from the adjoining properties within Shaw Crescent, at its closest point by approximately 22 metres from the rear extension at no.34. Taking into account this separation distance, that the existing and proposed buildings would be at an angle to each other and only one principle window is positioned with the first floor level of the northern flank elevation,

as well as the existing vegetation both on and off-site overall there is not considered to be a detrimental impact upon the adjoining occupiers.

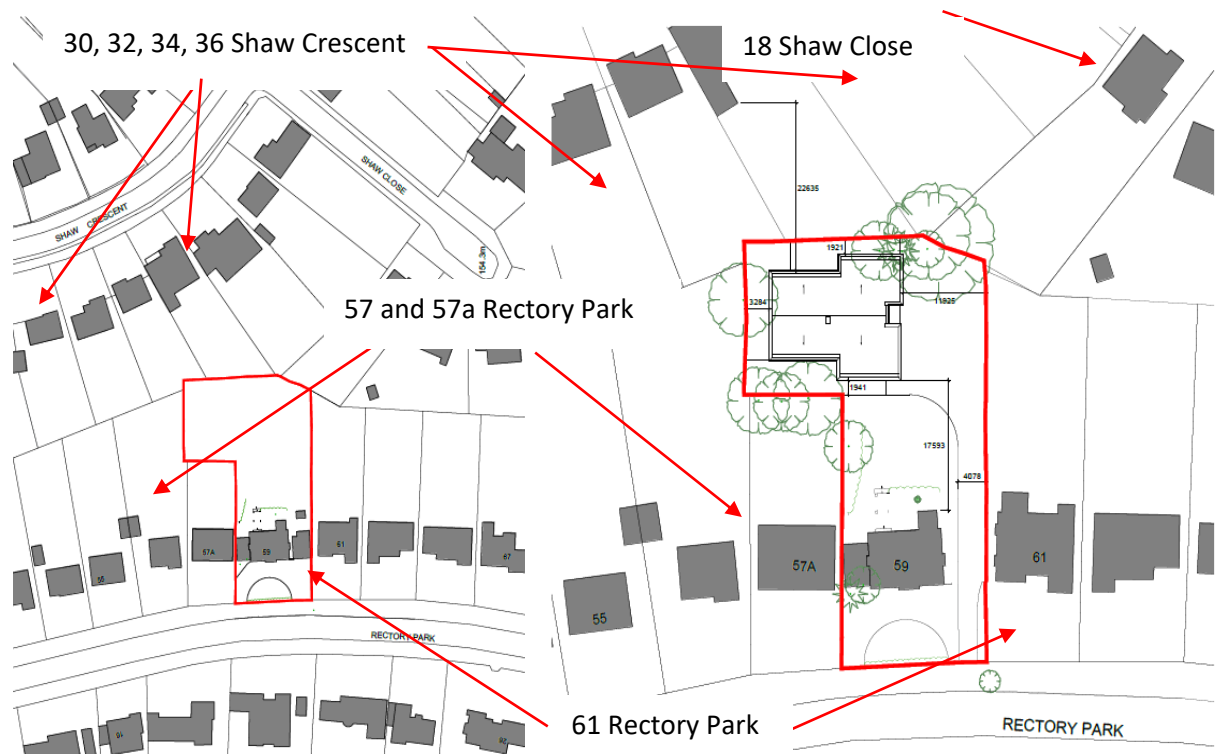


Fig 6: Existing Site Plan (left) and Proposed Block Plan (right)

57 Rectory Park

- 8.20 The proposed building would be located approximately 3.2 metres from the boundary with 55a Rectory Park. Taking into account that any overlooking would be restricted to the very end of their private amenity spaces and separation to the built form would be significantly increased overall there is not considered to be a detrimental impact upon these adjoining occupiers.

57a Rectory Park

- 8.21 At its closest point, the proposed development would be approximately separated from 57a by 19.5 metres. However, as the proposed building steps in and away from the boundary behind 57a, the development would then be separated by approximately 22 metres. Overall, considering the proposed step in the proposed massing and subsequent separation distance as well as the existing third party trees, which are proposed to be protected accordingly, the amenities of these adjoining occupier are considered to be satisfactorily protected.

59 Rectory Park (Host Property)

- 8.22 The proposed development would be at its closest separated from the host property by 17.5 metres. However, this separation is increased to approximately 20 metres between the main rear elevation of this host property and that of the proposed flatted development. There is noted to be one flank window within the developments first floor level, however considering the separation distances, overall there is not considered to be a detrimental impact upon the host properties future amenities.

61 Rectory Park

- 8.23 There would be an approximate separation of 11.5 metres between the proposed front elevation of the building and the boundary with 61 Rectory Park. There would also be an approximate 20 metre separation between the rear elevation of this adjoining occupier and the development at its closest point. Whilst there are balconies located within the front elevation of the development, owing to the separation distances to the boundary, the existing boundary treatment (which is stated to be repaired and replaced where required to be 1.8 metres in height) and that the proposed development is at a 90 degree angle to this adjoining occupiers property, overall the proposal is not considered to lead to an unreasonable level of overlooking or a loss of privacy due to the development.
- 8.24 Concerns have been raised in relation to the proposed access road and the potential impact this would have on the adjoining occupiers. As the proposed building is for residential use, within a residential area, overall it is considered that the proposal would not result in undue noise, light or air pollution from an increased number of occupants or vehicles on-site.
- 8.25 Subject to conditions, the proposed development is not visually intrusive and would not result in a loss of privacy.

Access and Parking

- 8.26 The site falls within a PTAL of 1b, with access to public transport considered to be poor within the local area, although there is reasonable access to local bus services.
- 8.27 The London Plan and Policy DM30 of CLP2018 sets out that maximum car parking standards for residential developments based on public transport accessibility levels and local character. 1-2 bedroom units should provide a maximum of less than 1 space per unit and up to 1.5 spaces per unit for 3 bedrooms. The proposal would provide six on-site parking bays, with one space designated for each unit, in line with the policy requirements for a development of this nature in this location, which is considered acceptable.
- 8.28 During the course of the application process, amended plans have been submitted altering the width of the proposed access route to a minimum of 3.7 metres in width and area to the front of the site to 4.2 metres to allow vehicles to wait off the highway, should another vehicle be exiting the site at the same times. The layout of the rear parking area allows for vehicles to enter and exit the site in first gear whilst providing acceptable pedestrian visibility splays and sight lines from the site. Amendments have also indicated that the host property would alter their existing access, to maintain an in and out driveway. This included the removal of existing soft landscaping and use of an existing crossover. Although these works do not require planning permission, the cumulative impact of reinstating this crossover with the proposed development are overall not considered to negatively impact highway safety in any form.
- 8.29 In compliance with the London Plan, electric vehicle charging points would be secured by way of a condition.
- 8.30 Cycle storage facilities would comply with the London Plan (which would require 12 spaces). These are proposed to be located in front of the building. Whilst the location

is considered acceptable, further details in relation to the proposed appearance and the security of this storage are proposed to be conditioned accordingly for further details to be provided.

- 8.31 The refuse store is proposed to be located adjacent to the boundary with 61 Rectory Park, located behind the existing repaired/replaced boundary fencing. As this would be well set back from Rectory Park, with a soft landscape area proposed directly in front of this, overall it is considered this approach is acceptable. Taking into account the proposed separation distance of the refuse area from the roadside, the applicant has stated that a private management company will collect refuse from the proposed refuse area. Therefore, a condition requiring further information to be submitted is proposed to ensure that the management of this refuse collection is appropriately considered.
- 8.32 Taking into account the sites location within a residential area, a Construction Management Plan (CMP) will be required via condition. This condition would require a CMP to be submitted and approved prior to the commencement of any works on site.

Trees and Biodiversity

- 8.33 The proposed development would include the removal a number of tree specimens, within the site. Taking into account their location, well set back from the roadside, and being screened from public vantage points by the existing building form which surrounds them, they provide little if no visual amenity to the wider area. The most prominent tree located within the site, an oak (T20) which is located on the site boundary is proposed to be retained. Overall the details relating to tress is considered acceptable and would be conditioned accordingly.
- 8.34 Concerns have been raised by local residents and councillors in regards to the potential impact of the development on protected habitats/species, namely Badgers. The development has been accompanied by both a phase 1 habitat survey which has identified that whilst there are noted to be records of badgers within a 1km radius of the survey area and it could have potential for the site to be as a suitable foraging habitat, there was no evidence of badger setts within the site confines, a lack opportunities for sett creation and limited connectivity to badger habitats within the surrounding area. Whilst the above is noted, the survey has recommended a number of precautionary actions relating to mammals (badgers, hedgehogs), reptiles, amphibians and birds which is considered to have widely considered any potential ecology impact. These recommendations are proposed to be conditioned accordingly.
- 8.35 Alongside the Phase 1 survey, a bat survey was also completed following its findings. The bat survey summarises that although a common pipistrelle bat was recorded on-site, this emerged from the roof of the main property (which is not subject to any works relating to this proposal) and then left the site. No bats were recorded within the garage building which is proposed to be demolished. The bat survey has suggested recommendations including the installation of bat boxes, in relation to lighting as well as for an updated survey to be completed, if the development has not begun within 12 months of the survey's findings. These details are proposed to be conditioned accordingly.

Environment and sustainability

- 8.36 Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.
- 8.37 The application site does not fall within either a flood zone or an area at risk of surface water risk. However, considering the nature of the development further details will be conditioned accordingly requiring a detailed drainage statement to be submitted, alongside the already set out use of permeable materials and soft landscaping.

Other matters

- 8.38 Representations have raised concerns that local services will be unable to cope with additional residents moving into the area. The development will be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.

Conclusion

- 8.39 The principle of development is considered acceptable providing two family units and an additional six units in total. The design of the scheme is of an acceptable standard, relating to the site and its surroundings. It would not harm the visual amenities of the area or the adjoining occupiers. The proposed impact on the highway network and parking provision is also acceptable and is therefore, overall considered to be accordance with the relevant policies.
- 8.40 All other relevant policies and considerations, including equalities, have been taken into account.