

**1 APPLICATION DETAILS**

Ref: 23/03465/FUL  
Location: 34A, 34B And Rear Of 34 Arkwright Road, CR2 0LL  
Ward: Sanderstead  
Description: Demolition of existing dwellinghouses at 34a and 34b Arkwright Road and the construction of 6 dwellinghouses 3 storeys in height together with associated parking, access and landscaping

Drawing Nos:

Plans

ADL-23-686 PL 34; ADL-23-686 PL 29; ADL-23-686 PL 07; ADL-23-686 PL 08; ADL-23-686 PL 35; pl 20-540- 01 Rev B; ADL-23-686 PL 01; 19-809-TPP-E; ADL-23-686 PL 30; ADL-23-686-PL-10-revA; ADL-23-686-PL-27-revA; ADL-23-686-PL-26-revA; ADL-23-686-PL-25-revA; ADL-23-686-PL-24-revB; ADL-23-686-PL-23-revB; ADL-23-686-PL-22-revB; ADL-23-686-PL-21-revA; ADL-23-686-PL-20-revA; ADL-23-686-PL-19-revA; ADL-23-686-PL-18-revA; ADL-23-686-PL-17-revA; ADL-23-686-PL-16-revA; ADL-23-686-PL-15-revA; ADL-23-686-PL-14-revA; ADL-23-686-PL-13-revA; ADL-23-686-PL-12-revA; ADL-23-686-PL-11-revA; Key Plan; ADL-23-686-PL-36-revA; ADL-23-686-PL-33-revA; Proposed Fire Strategy Rev A; ADL-23-686-PL-32-revA; ADL-23-686-PL-31-revA; ADL-23-686-PL-28-revA; ADL-23-686-PL-22-revA; ADL-23-686-PL-09; ADL-23-686-PL-03-revA; ADL-23-686-PL-02-revA; 1809018-TK24; 1809018-TK23; 1809018-TK22; 1809018-06; AKJH.22-015-1 Rev C.

Documents

Updated Ecological Impact Assessment letter (Darwin Ecology, August 2022); Badger Walkover Survey & Monitoring (Greenspace Ecological Solutions 13 Jan 2021); Biodiversity Net Gain Report (LC Ecological Services September 2023); Design and Access Statement (addo September 2023); Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (arbeco 29 July 2019); Arboricultural Impact Assessment and Method Statement Ref F (Canopy Consultancy September 2023); Energy Statement (Bry Energy August 2023); Planning Statement (McConnell Planning August 2023); Surface Water Drainage Technical Note (Mayer Brown 4 September 2023) and Highways technical note (5 September 2023).

Applicant: Mr Martyn Avery

Case Officer: Mr Hoa Vong

<b>Housing Mix</b>						
	<b>1 bed</b> (2 person)	<b>2 bed</b> (3 person)	<b>2 bed</b> (4 person)	<b>3 bed</b> (5 person)	<b>4 bed</b> (7 person)	<b>TOTAL</b>
<b>Existing</b>	0	0	0	2	0	2
<b>Proposed</b> (market housing)	0	0	0	0	6	6
<b>TOTAL</b>	0	0	0	0	6	6

<b>Vehicle and Cycle Parking (London Plan Standards)</b>	
<b>PTAL: 1a</b>	
<b>Car Parking maximum standard</b>	<b>Proposed</b>
1.5*	12
<b>Long Stay Cycle Storage minimum</b>	<b>Proposed</b>
12	12
<b>Short Stay Cycle Storage minimum</b>	<b>Proposed</b>
2	2

1.1 This application is being reported to committee because:

- Councillor Helen Redfern made representations in accordance with the Committee Consideration Criteria and requested committee consideration
- Objections above the threshold in the Committee Consideration Criteria have been received

## **2 RECOMMENDATION**

2.1 That the Committee resolve to GRANT planning permission

2.2 That the Director of Planning Sustainable Regeneration is delegated authority to issue the planning permission subject to:

A. The prior completion of a legal agreement to secure the following planning obligations:

1. Sustainable transport contribution of £9,000
2. S.278 and S.38 agreement to secure highways works
3. Monitoring fee
4. Payment of the Council's reasonable legal costs
5. Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.

- 2.4 That the Director of Planning and Sustainable Regeneration is 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

3. Submission of Construction Logistics Plan
4. Construction Environmental Management Plan for Biodiversity
5. Land contamination assessment

#### Prior to above ground works

6. Submission of materials and design details
7. Landscaping in accordance with plans including specification of mature trees to be planted on the rear boundary, details of retaining wall;
8. Pre-occupation Wildlife sensitive lighting design scheme
9. M4(2) and/or M4(3) drawings to be submitted and approved.

#### Prior to Occupation

10. Cycle storage details
11. Details of pedestrian pathway delineation

#### Compliance

12. Obscure glazing on flank windows above ground floor level
13. Compliance with SUDS details
14. Compliance with bin storage details
15. Compliance with Delivery and Servicing Details
16. Compliance with Arboricultural Assessment and Tree Protection Plan
17. Compliance with Ecological Appraisal recommendations
18. Compliance Fire Statement
19. Development in accordance with accessible homes requirements M4(3) and M4(2)
20. Implementation of car parking as shown on plans with no boundary treatments above 0.6m in the sightlines
21. Energy
22. Water use target of 110l/p/d
23. Removal of permitted development
24. Noise from mechanical equipment to not exceed background noise
25. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Regeneration

### **INFORMATIVES**

1. Granted subject to a Section 106 Agreement
2. Community Infrastructure Levy
4. Code of practice for Construction Sites

5. Highways informative in relation to s278 and s38 works required
6. Compliance with Building/Fire Regulations
7. Construction Logistics Informative
8. Refuse and cycle storage Informative
9. Inclusion of ultra-low NOx boilers
10. Any other informative(s) considered necessary by the Director of Planning and Strategic Regeneration

2.5 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.

2.6 That, if by 3 months the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

### 3 PROPOSAL AND LOCATION DETAILS

#### Proposal

3.1 Full planning permission is sought for the demolition of existing dwellinghouses at 34a and 34b Arkwright Road and the construction of 6 dwellinghouses 3 storeys in height together with associated parking, access and landscaping. 12 car parking spaces are proposed along with cycle parking spaces, private amenity space, play space and hard and soft landscaping. The existing access road leading to the backland site would be upgraded.



Figure 1 Proposed courtyard view

#### Site and Surroundings

3.2 The application site is a backland site to the south of Rectory Park. The site comprises 2 dwellings (34A and 34B Arkwright road) and part of the rear garden of 34 Arkwright Road (which hosts a flatted block of 7 units). The land to the rear of 34 Arkwright Road is separated from the amenity space of number 34 by a fence and is currently unused. The existing properties on the site are 2 storey brick/render buildings with attached garages. The site is accessed via a vehicular driveway from Arkwright Road.

- 3.3 The surrounding area is suburban in character, comprising detached dwellings and flatted blocks. There are some trees on the site boundaries, none of which are protected by TPOs. The site has a Public Transport Accessibility Level (PTAL) of 1a.



Figure 2 Aerial Site Plan

### **Planning Designations and Constraints**

- 3.4 The site is subject to the following formal planning constraints and designations:

- PTAL: 1a
- Flood Risk Zone: 1

### **Planning History**

- 3.5 The following planning decisions are relevant to the application:

#### Planning Application history at 34A, 34B and 34 Arkwright Road.

- 3.6 19/03643/OUT: Demolition of existing dwellings. Erection of a three/four storey building comprising 23 flats (6 x 1 bedroom, 14 x 2 bedroom and 3 x 3 bedroom units). Alterations to existing vehicular access/road and creation of parking area, amenity space, cycle and refuse storage. Application withdrawn 06.11.2019
- 3.7 21/01208/FUL: Demolition of 2 dwellings and erection of a 3/4 storey building comprising 19 flats with associated car parking, cycle and refuse storage and landscaping. Alterations to existing vehicular access/road. Permission refused 09.05.2022 following consideration by Planning Committee 28.04.2022. Appeal dismissed 03.11.2022 for the following reasons:

1. Harmful effect on the character and appearance of the area

2. Housing mix proposed would conflict with the minimum requirements of the development plan
  3. Potential that the proposal would also be detrimental to the privacy of neighbouring occupiers.
- 3.8 22/04130/FUL- Demolition of existing dwellinghouses at 34a and 34b Arkwright Road and the construction of 9 dwellinghouses 3 storeys in height together with associated parking, access and landscaping. REFUSED 01.06.2023 following consideration on 18 May 2023 at Planning Committee for the following reasons-

1. The proposed development by reason of the layout/development pattern, height, scale and massing, including the roof form, would represent an overdevelopment of the site, which would fail to enhance the character of the local area and would not respect the local development pattern or character, contrary to DM10, DM13 and SP4 of the Croydon Local Plan (2018) and D3 and D4 of the London Plan (2021).
2. The proposed development due to the position of units 1-7 on higher ground levels would adversely impact upon the amenity of adjoining properties at Ridge Langley resulting in unacceptable levels of overlooking and loss of privacy contrary to DM10 of the Croydon Local Plan (2018) and D3 of the London Plan (2021).
3. In the absence of a legal agreement to secure financial contributions toward sustainable transport, carbon offsetting, air quality and highways works to Arkwright Road to provide appropriate access, the development is contrary to policies SP6, SP8, DM23, DM29, and DM30 of the Croydon Local Plan (2018) and policies D3, SI 1, SI 2, T1, T2, T4, T6.1 of the London Plan (2021).

Pre-application history on the site:

- 3.9 20/00149/PRE: Proposed demolition of existing houses. Erection of block comprising 21 flats with associated access, parking, landscaping

34 Arkwright Road

The site history at 34 Arkwright Road is set out below. The rear part of the amenity space of number 34 forms part of the application site. The development itself at number 34 is separate.

- 3.10 18/00749/FUL: Demolition of existing building: erection of a two-storey building with accommodation in roof space comprising 6 two bedroom and 1 three-bedroom flats: formation of associated access and provision of 7 parking spaces, cycle storage and refuse store. – permission granted 28.09.2018
- 3.11 19/04165/CONR: Section 73 application seeking to vary conditions 1 (Approved drawings), 3 (Refuse/Cycles/Boundary/Floor levels etc -(Refuse storage and Cycle storage only), 7 (CO2 Emissions) and 12 (Provision of M4(2) and M4(3) units) attached to 18/00749/FUL For the demolition of existing building: erection of a two storey building with accommodation in roof space comprising 6 two bedroom and 1 three

bedroom flats: formation of associated access and provision of 7 parking spaces, cycle storage and refuse store. – permission granted 18.05.2020

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

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

- The principle of the intensified residential development is acceptable given the residential character of the surrounding area 6 single family dwellinghouses would be in keeping with the surrounding character
- The proposal is for 6x 4 bedroom dwellings and would provide a high standard of accommodation
- The design and appearance of the development draws from the surrounding character, design and materiality and would be a positive contribution to the area
- A high quality landscaping scheme is proposed with in enhancement in biodiversity and tree planting
- The proposed development has been carefully designed and further amended in order to mitigate any unacceptable impact on neighbouring amenity
- The access arrangements have been scrutinised and would not have an unacceptable impact on highway safety.
- 12 car parking spaces would be provided on site, which would exceed the maximum parking standard but would avoid a significant impact on parking stress.
- Suitable planning obligations and conditions have been recommended.

## **5 CONSULTATION RESPONSE**

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

### Pollution Control

5.2 No objection subject to securing the following via informatives and conditions-

- The noise level from air handling units, mechanical plant, or other fixed external machinery should not increase the background noise level when measured at the nearest sensitive residential premises
- The 'good' standard for acoustic design criteria under the British Standards Institute BS8233:2014 must be achieved in living rooms and bedrooms
- Adherence to the requirements of Croydon Council's Interim Policy Guidance on Air Quality
- Observe the Council's Code of Practice regarding 'Control of Pollution and Noise from Demolition and Construction Sites'
- Submission of a Construction Environmental Management Plan (to include control of noise and dust from construction and demolition activities) and a construction logistics plan (CLP)

- Submission of a Delivery and Servicing Plan (after review this is no longer required and the submitted details as part of the Highways technical note are considered to be acceptable.)
- Light from the proposed illuminations should not cause a nuisance to local residents
- Inclusion of ultra-low NOx boilers

#### Tree officers

5.3 No objection subject to securing tree protection measures and tree plan

#### Highways and Transport Planning

5.4 Objections were initially raised due to the need for additional information/justification to be provided. This has now been provided and no objection is raised subject to the recommended conditions.

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#### Ecology

5.5 No objections subject to securing mitigation and enhancement measures as detailed in the ecology statement.

## **6 LOCAL REPRESENTATION**

#### Consultation

6.1 The application has been publicised by way of a site notice displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

Objecting: 40 Supporting: 1

6.2 The following local groups/societies made representations which are summarised below:

#### Sanderstead Residents Association (Support)

- Sanderstead Residents' Association support this latest application for 6 houses which is not an overdevelopment of the underutilised plot and respects the character of the surrounding area. There is also sufficient parking for each residence. We recognise that more family homes are needed in our area and feel that this application is worthy of our support.
- SRA feel this latest proposal is a significant improvement to previous applications for this site, where we had concerns and had objected in terms of the density and massing.

6.3 The following MP made representation which is summarised below:

#### Councillor Helen Redfern [objecting]



- Overdevelopment on the grounds of height, layout, scale and massing
- Overlooking
- Trees and hedges could be removed/ do not exist
- Small gaps between dwellings increases massing
- Height exacerbated by land levels
- Insufficient access for lorries refuse and fire service. Roundabout could potentially be blocked
- Highways have formerly objected
- Appeal Inspector's previous decision was refusal (*Officers note that different schemes were previously refused, and no similar proposals for a small number of detached houses has been refused on the site*).

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

<b>Objection</b>	<b>Officer comment</b>
<b>Character and design</b>	
Overdevelopment Not in keeping with area Dominating position on hillside/ elevated site Harmful to suburban character Bulk and mass not in keeping Footprint and layout not in keeping Excessive hardstanding	The proposed 2-3 storey height with the 3 <sup>rd</sup> storey contained in the roofspace is in keeping with the height and massing of the surrounding dwellings. A design led approach has been taken which reflects the character, layout, footprint and suburban character of the area  Matters related to design are assessed fully in the below report
<b>Neighbouring amenity</b>	
Overlooking Noise Loss of light Bike and bin storage location not safe Trees can be pruned impacting amenity Overbearing	The proposed development would not have a negative impact on neighbouring amenity and measures have been taken to mitigate any negative impacts. Bike and bin stores do not propose a safety risk  Matters related to residential amenity are assessed fully in the below report
<b>Quality of accommodation</b>	
Dwellings not M4(2) Wheelchair compliant	Full details to show compliance with Part M Accessible and Adaptable dwellings would be secured by condition. The houses are large enough to achieve this requirement, and the details are for Building Control.
<b>Transport and Highways impacts</b>	
Damage during construction to roads and drainage Impact of parking on local roads No disabled parking	Access arrangements have been agreed with highways officers including works to the roundabout/ island on Arkwright Road and access leading to the site to ensure safety

<p>Harm to pedestrian and other road users Lack of manoeuvring space for vehicles Not enough parking Not enough information related to highways works and servicing Increased traffic</p>	<p>There is sufficient parking and manoeuvring on site in line with policy requirements which would prevent significant impact on local parking</p> <p>A Construction Logistics Plan would be secured by condition to minimise construction impacts to highways and residential amenity</p> <p>Matters related to highways, parking and construction are assessed fully in the below report</p>
<p>Tress and ecology</p>	
<p>Destroys habitats Negative impact on wildlife (bats and badgers) Negative impact on environment Impact on trees Loss of green space Loss of 'Environmental Area' land</p>	<p>All species on site would be protected and measures taken to mitigate any negative impacts. There would also be an increase in tree planting. Overall there would be a net biodiversity gain.</p> <p>The site does not have any environmental designations and is not 'Environmental Area' land</p> <p>Matters related to Trees and ecology are assessed fully in the below report</p>
<p>Sustainability</p>	
<p>Pressure on environmental sustainability Negative impact on environment Risk of flooding Solar panels not shown on plans Pollution impacts</p>	<p>The proposal would achieve a 57% reduction in C02 emissions which exceeds the 19% minimum requirement. Full details of sustainable measures would be secured by condition.</p> <p>Appropriate measures have also been taken to mitigate flooding</p> <p>Matters related to Sustainability, pollution and flooding are assessed fully in the below report</p>
<p>Other</p>	
<p>Issues from Inspectors report have not been addressed fully Impact on infrastructure Plans do not accurately show separation distances</p>	<p>The scheme as discussed in the below report has been assessed in accordance with the development plan and all relevant guidance and polices. The proposed development is materially different from the previously appealed schemes. The plans meet planning requirements</p> <p>A scheme of this size would also not have a significant impact on</p>

	infrastructure and would add to the housing stock.
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## 7 RELEVANT PLANNING POLICIES AND GUIDANCE

### Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the 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

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

## **Planning Guidance**

### National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 December 2023, and accompanied by the online Planning Practice Guidance (PPG). 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

### SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- Section 106 Planning Obligations in Croydon and their relationship to the
- Community Infrastructure Levy (2019)
- 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)

## **8 MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity
5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Flood risk and energy efficiency
8. Other Planning Issues
9. Conclusions

## **Principle of development**

- 8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher annual target of 2,079 homes per year.
- 8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small-sites housing target of 641 per year.
- 8.4 The strategy for delivering these homes is set out in Croydon Local Plan 2018 Policy SP2.2 of the Croydon Local Plan (CLP) (2018), which separates this target into three sub targets with 10,760 new homes to be delivered within the Croydon Opportunity Area, 6,970 new homes on specific site allocations, and 10,060 homes delivered across the Borough on “windfall” sites which include the application site. London Plan 2021 Policy H2 (Small Sites) advises that small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Croydon’s annual target for homes on small sites is 641 homes a year (31% of the annual target). Therefore, increasing the rate of housing delivery from small sites is a strategic priority.
- 8.5 The site forms an existing backland development behind numbers 34-38 Arkwright Road. The existing buildings on the site are 2 x 2 storey detached houses and there is no in principle objection to their demolition (subject to adequate replacement), the principle of a backland cul-de-sac style development on this site is therefore also already established.
- 8.6 The proposed intensification would represent a more efficient use of this space and would support the principles of national and local planning policy which seek to achieve efficient use of land. There is a clear and established access road to the site, and the backland plot is sufficiently large at 0.3ha to support intensified residential use and to achieve a reasonable ratio of built form to open space across the site.
- 8.7 The existing use of the site is residential and as such the principle of redeveloping the site for residential purposes is acceptable subject to achieving a high quality development and other provisions of the development plan as assessed in this report.

## **Design and impact on character of the area**

- 8.8 Policies SP4.1 and DM10.1 of the Local Plan state 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. London Plan policy D3 states that a design-led approach should be pursued and that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 8.9 The surrounding area is a mix of detached houses of varying height, including bungalows with dormers, and two-storey houses under substantial pitched roofs, many of which have extended into the roofspace. There is also an example of a three storey flatted development at 34 Arkwright Road which has recently been completed.

8.10 The proposed development consists of 6x 3 storey dwellings (with the third storey contained in the roofspace) arranged as 6 detached dwellings.



Figure 3 Proposed Site Layout

8.11 The proposed dwellings are located around a central courtyard, on spacious plots with large rear gardens, parking to the front and dwellings accessed from the street via small front gardens. There is an existing access road measuring 3.7m to 4m in width and which would serve as a shared path between pedestrians and vehicles entering the site.

8.12 The proposed layout reflects the spacious character of the area and utilises the backland site in a similar fashion to the established cul-de sacs in the vicinity at Ridge Langley and Courtlands Close, which the site backs onto.

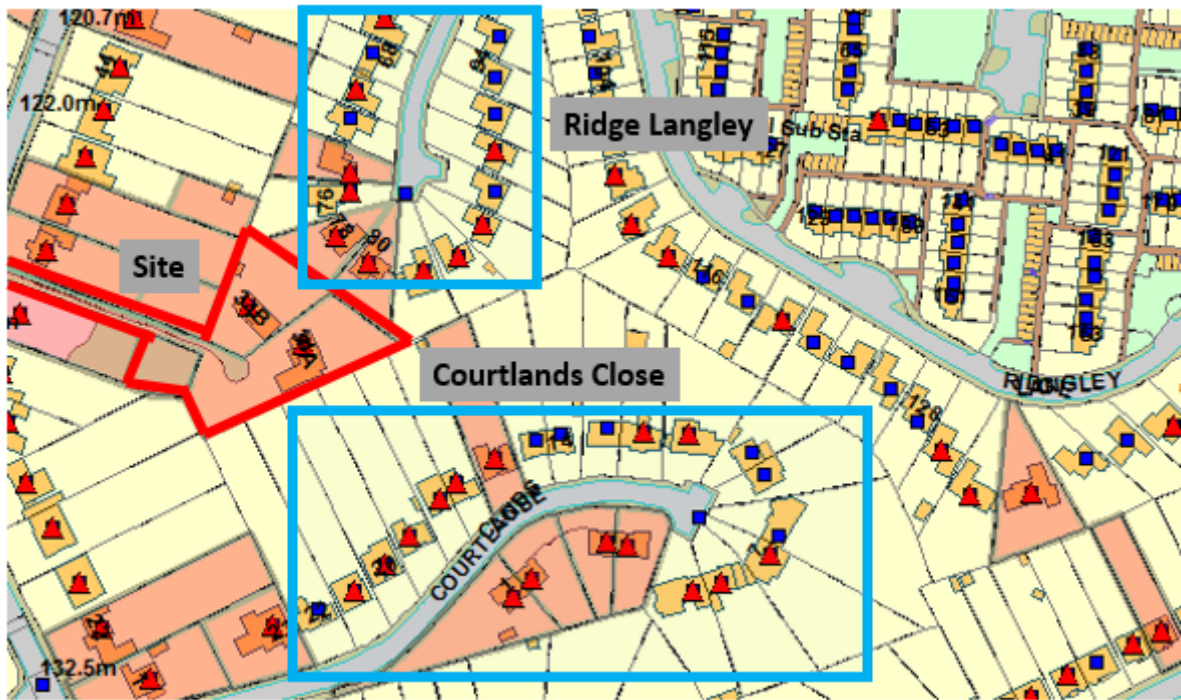


Figure 4 Wider urban grain

- 8.13 The proposed layout also picks up on other key elements of the surrounding typology and this can be seen in the proposed unit mix which provides family homes in the form of single family dwelling houses rather than apartments, regular gaps in between dwellings, large rear gardens and dwellings accessed from the street via small gardens and parking to the front.
- 8.14 Whilst objections have been raised with regards to the proposed layout which does not exactly replicate the semi-detached rows located on Arkwright Road, it can be seen that the character of the area is more varied than this and consists of combination of post-war housing extended and refurbished in various ways together with new build development which has over time contributed to a streetscene which is constantly changing.



Figure 5 Proposed View Plots 1-4



*Figure 6 Proposed View Plots 5-6*

8.15 Members refused the application at committee on 18/05/2023 on design grounds for the following reason.

“The proposed development by reason of the layout/development pattern, height, scale and massing, including the roof form, would represent an overdevelopment of the site, which would fail to enhance the character of the local area and would not respect the local development pattern or character, contrary to DM10, DM13 and SP4 of the Croydon Local Plan (2018) and D3 and D4 of the London Plan (2021).”

8.16 The applicant has undertaken detailed contextual analysis of the surrounding area and has since revised the design to incorporate pitched roofs, front gables and detached dwellings only and as a direct reference to surrounding dwellings to properties on Arkwright Road, Ridge Langley and Courtlands Close.



24 Arkwright Road



63 Arkwright Road



12 Arkwright Road

*Figure 7 Surrounding properties*

8.17 In terms of height and massing, three storeys is proposed across the site with the third storey contained in the roof space. This would follow DM Policy 10.1 which states that proposals should seek to achieve a minimum height of 3 storeys, should respect the development pattern, layout and siting; the scale, height, massing, and density; and the appearance, existing materials and built and natural features of the surrounding area.



Figure 8 Proposed view from access

8.18 It should also be noted that whilst a third storey is proposed, the dwellings are read as predominantly two storey traditional single-family houses, with a converted roofspace and as can be seen in the below figure the proposed dwellings would be taller than the existing but would take a similar format of “two storeys under a pitched roof”.



Figure 9 Comparison of elevations of existing dwellings at No. 34a and proposed dwellings

8.19 Furthermore this also results in buildings of a height, massing and layout comparable to the existing dwellings on Arkwright Road, Ridge Langley and Courtlands Close and would ensure that the character of the streetscene would be maintained.

8.20 The Council has previously refused larger developments on this site, and officers have successfully defended the Council’s position at appeal. That being the case, a larger development may not be appropriate and a condition is justified removing permitted development rights in order to allow any future proposed extensions to be determined through a planning application with consideration against the development plan policies.

8.21 In terms of the architecture and materials, a traditional design is proposed that incorporates features such as pitched roofs, hanging tiles, render, brickwork and timber Tudor boarding. This has been influenced by the character analysis and design led approach and references the substantial pitched roofs which slope back from the main

elevations, darker material to the lower floors and light or red brick and render elevations.

8.22 Final details will be secured by condition, however officers are satisfied that the proposed materials would be high quality and contextually appropriate.

8.23 The applicant has demonstrated that a design led approach has been taken which respects the character of the area and which is considered to be of a high quality and of an appropriate scale and mass for this location. This can be seen in the proposed materials which match those in the area, how the roofspace has been utilised to create a third storey and incorporation of single family dwelling houses.

8.24 The proposal would therefore comply with policies SP4.1 and DM10 and London Plan policy D3 as it is of an appropriate form and mass for this site and a suitably high design quality which responds appropriately to its context.

### **Quality of residential accommodation**

8.25 Policy D6 of the London Plan 2021 outlines housing development should be of a high-quality design and provide adequate-sized bedrooms and residential units, as well as sufficient floor to ceiling heights and light.

8.26 CLP policy SP2.8 requires residential development to comply with the minimum standards set out in the Mayor of London's Housing Supplementary Planning Guidance and National Technical Standards (2015). Furthermore, proposals should meet minimum design and amenity standards set out in the CLP and other relevant London Plan and National Technical Standards (2015) or equivalent.

8.27 CLP policy DM10.4 requires proposals for new residential development to provide a minimum amount of private amenity space of 5m<sup>2</sup> per 1–2-person unit and an extra 1m<sup>2</sup> per extra occupant thereafter.

8.28 Policy D5 of the London Plan outlines development should be convenient and welcoming with no disabling barriers and policy D7 requires at least 10 per cent of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings'.

<b>Home</b>	<b>Size (bedroom/person)</b>	<b>GIA (sqm) proposed</b>	<b>Min. GIA (sqm)</b>	<b>Amenity Space (sqm)</b>	<b>Min. Amenity Space (sqm)</b>
1	4b/7p	156	121	49	9
2	4b/7p	161	121	55	9
3	4b/7p	161	121	76	9
4	4b/7p	156	121	64	9
5	4b/7p	161	121	38	9
6	4b/7p	156	121	38	9

*Table 1: scheme considered against London Plan Policy D6 and Table 3.1*

8.29 All dwellings would meet or exceed external and internal space standards and would be dual aspect. The standard of accommodation would be high quality and would far exceed minimum space standards.

8.30 1 dwelling (plot 5) has been shown to be possibly built to M4(3) accessible standards with the remaining dwellings would be built to M4(2) standard. The internal

arrangements would not comply with the detailed provisions of the guidance which sits alongside the building regulations, but the provision of an M4(3) home in this location would exceed the minimum policy requirement and officers are of the opinion that the house is large enough to accommodate the relevant adaptations to facilitate an M4(3) home. Similarly, the M4(2) homes are shown with substantial internal space and whilst larger ground floor WC/Shower rooms are needed to comply with the relevant guidance (although not necessarily part M4(2) itself), it is clear from the submitted plans that there is sufficient internal space to accommodate this. The plans have been checked with the Council's building control inspector and details such as kitchen worktop lengths and circulation spaces are generally in accordance with the relevant guidance for the bed spaces shown on the plans. This is acceptable details would be secured by condition.

### **Impact on neighbouring residential amenity**

- 8.31 Policy DM10.6 of the Local Plan 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.
- 8.32 A number of objections have been raised with regards to the impact of the proposal on residential amenity and the below sections assess the impact of the proposal on the surrounding properties generally as well as those adjoining on Ridge Langley, Arkwright Road and Courtlands Close. Overall it is considered that the modest height, separation distances proposed and traditional design would mitigate any significant impacts and the residential amenity of neighbouring properties would be preserved.

#### 78- 80 Ridge Langley

- 8.33 The dwellings achieve a minimum separation distance of 22m-28m with properties at 78-80 Ridge Langley. These distances comply with para 2.3.36 of the Mayor of London's Housing SPG, which suggests that 18-21m could be a 'useful yardstick' for measuring separation distances to ensure visual privacy between habitable rooms facing each other. There are also no direct window to window relationships with the proposed dwellings set at oblique angles as shown in the below figure 9 which would further reduce overlooking impacts.
- 8.34 In comparison to the previous scheme the number of units facing Nos. 78-80 Ridge Langley has been reduced from 7 units to 4 with the all rear dormer windows at roof level omitted and openings changed to traditional windows matching the surrounding which also reduces the perception of overlooking in addition to the separation distances proposed.
- 8.35 These changes in comparison to the previous application refused at committee responds to members concerns whilst optimising the site for family housing. The separation distances and window to window relationships are typical for residential areas across the borough and the proposed development would maintain this.



Figure 10 Proposed separation distances between Plots 1-4 and nos. 78 and 80 Ridge Langley

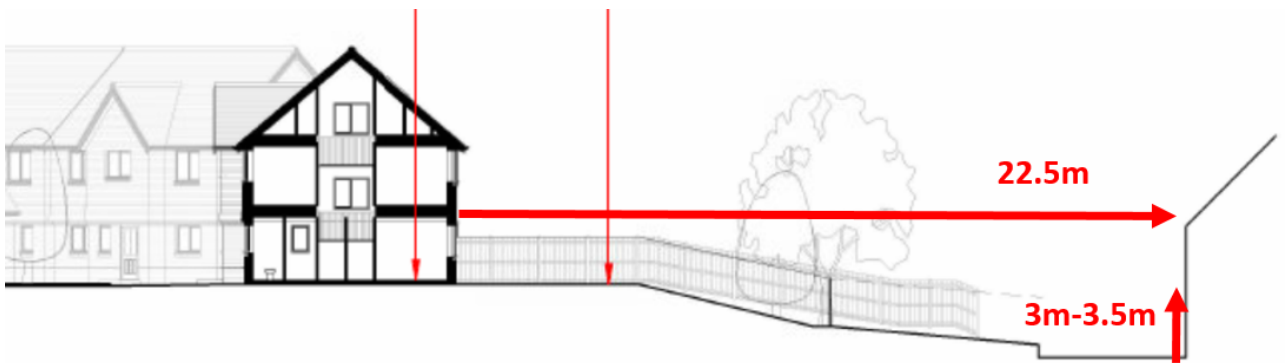


Figure 11 Relationship with No. 80 Ridge Langley

- 8.36 A number of comments have been received regarding the planting to the rear comprising trees and hedging. Officers note that there may be a possibility that this planting could not be maintained, in this case however, the proposed separation distances together with the modest height and traditional windows would mitigate significant overlooking impacts at Nos. 78- 80 Ridge Langley in themselves and therefore the proposed development would not be reliant on additional measures to be policy compliant.
- 8.37 It should be noted however that these trees have already been at the boundary of the site for a number of years and so will continue to provide screening to the rear of the site. This planting would also be maintained with additional tree cover and secured for the lifetime of the development by condition.
- 8.38 The proposed separation distance and overall height would also prevent any significant overbearing, sense of enclosure and daylight/ sunlight impacts
- 8.39 Overall therefore it is considered that the proposed height and mass of the development, together with the separation distances to adjacent properties and

traditional design would not materially harm the residential amenity of nos. 78- 80 Ridge Langley.

#### Arkwright Road and Courtlands Close

- 8.40 The properties on Arkwright Road have gardens approximately 30m- 51m in depth. There would be window to window separation distances of approximately 40m- 50m which would prevent negative impacts on residential amenity with regards to privacy, overbearing, sense of enclosure and daylight/ sunlight.
- 8.41 At Courtlands close the separation distances would be between 64m and 41m which would also prevent negative impacts on residential amenity with regards to privacy, overbearing, sense of enclosure and daylight/ sunlight.
- 8.42 The residential amenity the properties at Ridge Langley and Courtlands Close would therefore not be significantly impacted and would overall be preserved. The proposed development would not result in any further significant impacts to neighbouring amenity

#### **Trees, landscaping and biodiversity**

##### Trees

- 8.43 Policy G7 requires that wherever possible, existing trees of value should be retained. Similarly, CLP policy DM28 specifies that proposals which result in the avoidable loss of retained trees where they contribute to the character of the area will not be acceptable. CLP policy DM10 also requires proposals to incorporate hard and soft landscaping.
- 8.44 Policy DM10.8 seeks to retain existing trees and vegetation and policy DM28 requires proposals to incorporate hard and soft landscaping.
- 8.45 A total of eight individual trees, two groups of trees, part of one further group of trees, one hedge and part of one further hedge will be removed to enable the proposed development.
- 8.46 Objections have been raised with regards to the loss of tree however the trees to be removed are within the 'C' category either because they are young or are unsuitable for their current situation. These trees are also necessary to be felled to enable the development of access. In addition to this due to their size and visibility the trees to be felled are of limited amenity value to the local area and their loss is therefore capable of being mitigated by replacement tree planting.
- 8.47 A total of 32 replacement trees would be planted which would mitigate the loss of the existing trees together with new hedges, scrub planting and shrub planting.
- 8.48 There are some trees which would experience root incursions as a result of the development, generally due to the hardstanding required for car parking, but these incursions would be relatively minor and the new hard surface areas would be porous and constructed using 'no dig' principles and a cellular confinement sub base.
- 8.49 The Council's Tree Officer has raised no objection to the tree survey, tree protection plan or method statement. It is considered that the replacement species, sizes and locations listed within the landscaping proposal are suitable mitigation planting. A

condition would be attached to ensure all works are carried out in accordance with the tree protection plan.

### Landscaping

- 8.50 The application is submitted with a supporting Landscaping Plan by AKJ Landscaping. The existing site consists of two domestic dwelling houses and part rear garden of another and as such it is predominantly a mixture of soft landscaping; lawn and shrub planting and hard landscaping of concrete and tarmac providing the access drives and parking areas for no. 34A and 34B Arkwright Road.
- 8.51 There are substantial shrub, hedge and tree planting proposed which would result in an enhancement to the area which is otherwise characterised as low quality.
- 8.52 The application has also been reviewed by the Council's Tree officer and no objections have been raised.
- 8.53 A condition can be attached to ensure the trees are where appropriate at least semi mature when planted so that they are instant impact. The proposed hard landscaping includes permeable paving across the car parking area, block paving for paths and various planters.
- 8.54 The proposal is considered to comply with Local Plan policy DM10.8 and DM28 and G7.

### Ecology

- 8.55 London Plan policy G6 requires proposals to manage impacts on biodiversity.
- 8.56 A Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment was carried out by Agbeko Ecology, Tree & Habitat Services in July 2019 with an updated site visit undertaken in August 2022. The site comprises of two dwellings with associated access track and landscaped gardens. Habitats within the site included buildings, hardstanding, ponds, scattered broad-leaved and conifer trees, introduced shrubs and species poor hedges. The Preliminary Bat Roost Assessment confirmed that both buildings were of negligible potential to support roosting bats.
- 8.57 A badger walkover survey was carried out by Greenspace Ecological Solutions which confirmed that the holes were confirmed badger setts. The sett comprised of two holes which are likely linked together. The sett was confirmed to be an outlier sett. A 10m zone within which no construction will take place was recommended along with a no dig construction methods within the car park near the sett. A planting of a new hedgerow around the sett would secure it in the long-term. The report concluded that any vegetation clearance works and building works should be undertaken during the period of October to February, inclusive, outside of the nesting bird season. Precautionary approaches to clearance of vegetation were recommended with regards to reptiles and amphibians. These measures are to be secured by planning conditions.
- 8.58 A Biodiversity Net Gain Assessment has been undertaken which concludes that the scheme would result in a 24.21% increase in biodiversity for habitats which is a measureable net gain. Proposed biodiversity enhancement measures include bird and bat boxes, native species, minimal external lighting, deadwood habitat piles, and the incorporation of gaps within boundary fencing to allow hedgehogs to roam.

- 8.59 Further updated site visit surveys would be secured by condition as the update surveys would be considered out of date in February 2024. This approach is acceptable given the sites previous history and numerous ecological assessments stating that the proposal is not likely to result in loss of protected species or habitats and that there has been no change since 2019.
- 8.60 The proposal has been reviewed by the Council's independent Ecology advisor and no objection has been raised subject to conditions for a Construction Environment Management Plan (Biodiversity), ensuring that works are carried out in accordance with the submitted assessments and the incorporation of a wildlife sensitive lighting design scheme.
- 8.61 The proposal complies with Local Plan policy DM27 and London Plan policy G6.

### **Access, parking and highway impacts**

- 8.62 London Plan policies T4, T6, and T6.1 (and Table 10.3) set out parking standards for proposed development and seek to ensure that proposals should not increase road danger. Similarly, CLP policies SP8, DM29, and DM30 promote sustainable growth and provide further guidance with respect to parking within new developments.
- 8.63 The application site has a PTAL (public transport accessibility level) of 3, which is considered moderate on a scale of 0 (worst) - 6b (best). The application site is not located within a controlled parking zone. The site is approximately 200m from the Beulah Road Local Centre and nearby bus routes to Thornton Heath District Centre and train station.

### Access

- 8.64 The site has a Public Transport Accessibility Level (PTAL) of 1a which indicates very poor access to public transport. The closest train station is Sanderstead which is approximately 1km (24 min walk) away, and there is a bus route on Selsdon Road 480m (5 min walk) away. It is acknowledged that the site is not well served by public transport.
- 8.65 The site has an existing vehicle entrance point and access road. The proposal is to widen the existing entrance to allow cars to be able to pass by together with alterations to the central island on Arkwright Road to enable vehicles exiting the site to turn right without conflicting with either the island or vehicles attempting to turn into the site at the same time.
- 8.66 These alterations are proposed following a Stage 1 Road Safety Audit of the site access junction undertaken by Gateway TSP for a previous planning application, the recommendations of which the applicants have all accepted. As the access junction arrangements are identical to the previous scheme, alongside the internal access road, the findings of the audit are still considered relevant to this revised scheme.
- 8.67 No objections have been raised by Highways officers and an acceptable and safe access would be provided for both pedestrians and vehicles. These alterations would be dealt with as part of a Section 278 agreement. The works would be funded by the applicant and would need to be completed prior to occupation.
- 8.68 There are 3 further stages of road safety audit to take place and to be reviewed and approved by the highways team (outside of the planning process) including stages 2



and 3 which both take place during detailed design, and prior to first use of the new junction, then stage 4 which takes place after implementation. The current proposal is therefore acceptable in planning terms, in terms of adequate provision for road safety.

- 8.69 The access road would be a shared access road used by pedestrians, cyclists and vehicles, which is as per the existing arrangement but it would be formalised. The existing width of between 3.7m and 4.1m is sufficiently wide for pedestrians or bikes to have a 1m wide path and to be safely passed by a vehicle.
- 8.70 It is proposed to introduce a painted strip along the access road which would be demarcated by either a white strip, or via appropriate materials (such as brick) to ensure car drivers are aware of the potential for pedestrians to be using the access road. Considering the quantum of development and likely level of both vehicle and pedestrian flow, this is considered an appropriate measure as opposed to physically separating pedestrians and cars. Notably, the previous planning applications did not include a physically separated pedestrian path; and included a greater amount of homes (and likely vehicle movements), so given the reduced nature of this scheme refusal of the application on this basis is not justified.
- 8.71 A condition would be attached to ensure that boundary treatments and landscaping in sightline areas are not higher than 0.6m.

#### Vehicle Parking

- 8.72 London Plan policy T6.1 permits up to 1.5 spaces per 3+ bed unit which equates to a maximum of 9.
- 8.73 12 car parking spaces are proposed for the 6 dwellings and 6 electric vehicle charging points. Objections have been raised regarding insufficient parking and potential for overspill parking on surrounding roads however the proposed development would be able to accommodate all parking within site in line with London Plan Standards which should be noted are maximum not minimum standards. Plot 5 has been identified as wheelchair adaptable. It would have 2x parking spaces, which could easily be converted to one blue badge space in the future should the occupiers of that home require it, and that would result in 11 parking spaces which would still exceed the maximum parking standard for the development.
- 8.74 Furthermore and in the interests of sustainable development, climate concerns and reducing traffic on roads, new developments should not over-provide car parking and a balance needs to be struck between encouraging sustainable modes of transport on the one hand and ensuring highway safety and managing on-street parking on the other. Whilst the proposal would over-provide parking, it would avoid causing significant overspill parking on Arkwright Road, and therefore the overprovision of parking would not result in harm which warrants refusing the application.
- 8.75 This would include securing £9,000 would be secured via S106 for on street car clubs and general expansion of the EVCP network in the area and improvements to walking and cycling routes in the area. A condition will be attached to require submission of a construction Logistics Plan (CLP) and a condition survey of the surrounding footways and carriageway prior to commencement of works on site.

### Cycle Parking

- 8.76 Policy DM30 and London Plan policy T5 would require provision of a total of 12 cycle parking spaces for residents are proposed together with 2 visitor parking spaces.
- 8.77 Cycle stores could be provided within the rear gardens, which all have separate access measuring 1.2m wide. There is sufficient space for larger bikes and electric bike sockets. 2 visitor cycle parking spaces are also proposed externally. These details are acceptable subject to conditions requiring details of the cycle storage within the rear gardens.

### Refuse and Recycling

- 8.78 Policy DM13 requires the design of refuse and recycling facilities to be treated as an integral element of the overall design. Bin stores are located externally and after amending plans in line with highways officer comments, the applicant has demonstrated that collection points, access for refuse vehicles and walking distances would be acceptable.
- 8.79 The access road to the bin store is wide enough for a refuse vehicle and there is sufficient turning space on the site, plus 2m wide paths for operatives to drag bins from the store to the refuse vehicle. A 10sqm bulky good store is also provided on site.
- 8.80 Swept path analysis has also shown that a refuse vehicle would also be able to enter and exit the site in forward gear.
- 8.81 These details are acceptable and a condition will be attached for submission of final details, along with a servicing and delivery management plan.

### **Flood risk and energy efficiency**

#### Flood Risk

- 8.82 CLP policies SP6.4 and DM25 seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS) to ensure surface run-off is managed as close to the source as possible. Similarly, London Plan policies SI 12 and SI 13 require proposals to ensure that flood risk is minimised and mitigated, and that surface water runoff is managed as close to its source as possible.
- 8.83 The site is within flood zone 1 and at low risk of surface water flooding. The proposed surface water drainage strategy is for infiltration via 2 soakaway tanks. Rainwater pipes and permeable paving are also proposed. Permeable paving would be used across the car park with water routed the soakaway via site drainage.
- 8.84 A condition would be included to require full & final detailed design of the infiltration system at which time the actual proposed site & drainage levels can be confirmed.

#### Energy Efficiency

- 8.85 Energy Efficiency 8.43 CLP policy SP6 requires the development to achieve the national technical standard for energy efficiency in new homes, which is set at a minimum of 19% CO2 reduction beyond the Building Regulations Part L (2013). Policy SP6 also requires the development to meet a minimum water efficiency standard of

110 litres/person/day. If the application had been otherwise acceptable, matters regarding energy efficiency would have been secured by condition to ensure compliance with policy SP6.

8.86 The proposed development would achieve a carbon reduction of 57% and would meet the minimum water efficiency standard of 110 litres/person/day

8.87 Conditions are recommended to ensure CO2 reduction and water use targets have been met following construction.

### **Fire safety**

8.88 London Plan policy D12 requires all development proposals to achieve the highest standards of fire safety, which should be considered from the outset. Part A sets out six requirements that should be achieved on all developments.

8.89 The applicant has submitted a fire safety strategy which shows assembly points, means of escape and fire vehicle access which is acceptable. Fire safety measures would also be subject to Building Regulations approval.

### **Conclusions**

8.90 The provision of 6 single family dwelling houses in this backland location is acceptable in principle. There is an existing access road to the site and the site is large enough to sustainably accommodate increased residential use.

8.91 The proposed block would not be particularly visible from the public highway but would be of a high quality design and high quality materials have been specified. The quality of accommodation is acceptable and the quantity of car parking, cycle parking and access arrangements are all acceptable. Tree losses would be mitigated by replacement planting and landscaping and ecological features and habitats would be protected. There would be increased overlooking towards the rear of properties on Ridge Langley but this alone would not be a reason to refuse the scheme.

8.92 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.

8.93 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given 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 terms subject to the detailed recommendation set out in section 2 (APPROVAL).