

**PART 5: Planning Applications for Decision**

**Item 5.2**

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**1.0 APPLICATION DETAILS**

Ref: 18/01641/FUL  
Location: 37-39 Heathurst Road, South Croydon, CR2 0BB  
Ward: South Croydon  
Description: Demolition of existing garages and erection of a four bedroom detached house with associated access  
Drawing Nos: 01 Rev A, 02, 03, 04, 11, 12 Rev A, 13 and 14  
Agent: Mr Rajan Patel  
Applicant: Mr Amish Derodra  
Case Officer: Georgina Betts

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

**2.0 RECOMMENDATION**

- 2.1 That the Planning Sub 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) The development shall be carried out wholly in accordance with the approved plans
- 2) Prior to the occupation of the development details of (1) Security lighting shall be provided (2) Bird and bat boxes
- 3) Submission of Construction Logistics Plan
- 4) Samples of external facing to be submitted and approved
- 5) In accordance with the tree protection plan
- 6) Hard and soft landscaping to be submitted (including Sedum Roof)
- 7) Removal of permitted development rights
- 8) Water usage and carbon dioxide reduction
- 9) Cycle and refuse stores to be provided as specified within the application
- 10) Commence within 3 years of the date of the permission
- 11) Any other planning condition(s) considered necessary by the Director of Planning & Strategic Transport

**Informatives**

- 1) Community infrastructure Levy
- 2) Code of Practice on the Control of Noise and Pollution from Construction Sites

- 3) Any other informative(s) considered necessary by the Director of Planning & Strategic Transport

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

#### **Proposal**

3.1 The applicant seeks full planning permission for the:

- Demolition of the existing garages
- Erection of a four bedroom detached dwelling at ground and lower ground floor levels
- Associated access from Heathhurst Road
- Provision of associated parking, landscaping, cycle and refuse stores.

#### **Site and Surroundings**

3.2 The application site lies on the western side of Heathurst Road, located to the rear of 37 to 39 Heathurst Road. The site comprises an undeveloped piece of land, historically used as a tennis club (1910). Prior to this, the site formed part of Sanderstead Plantation with Heathurst Road marked out in 1890.

3.3 There is some conflicting history as regards the site's later designation. After reviewing historical maps and planning archives, it appears that the site was vacant in 1940 and the properties fronting Heathfield Road were constructed in the 1950's. From the approved plans in 1953, the rear gardens do not appear to be included within the area which is now subject to this application. Whilst the precise use of the land is unknown, two detached outbuildings stood on this site until recently.

3.4 The surrounding area is residential in character and comprises of both detached and semi-detached properties, with the majority dating back to the turn of the 20th Century with some inter-war houses.

3.5 The application site is at risk of surface water and critical drainage flooding as identified by the Croydon Flood Maps. The site is not subject to a Tree Preservation Order.

#### **Planning History**

3.6 15/03163/P: Demolition of existing garages; erection of two/three storey four bedroom detached houses; formation of associated access way, hard standings, external works and landscaping. Planning permission was refused on the following grounds:

- 1) The development would result in an inappropriate form of back land development which would harm the character of the locality.
- 2) The development would be out of keeping with the character of the locality, detrimental to the visual amenity of the townscape by reason of its cramped layout, unsatisfactory relationship with adjoining occupiers, its scale, design and prominent siting.

3) The design and layout of the access road and parking areas would not be safe, secure, efficient and well designed.

3.7 An appeal was lodged against this refusal and was later dismissed on the 10<sup>th</sup> May 2016 on the following ground:

1) The development would have an adverse effect on the character and appearance of the area.

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

- 1) The residential nature of the development can be supported in principle
- 2) The development would have limited impact upon the character and appearance of the surrounding area.
- 3) The development would have an acceptable relationship with neighbouring residential properties.
- 4) The standard of accommodation for future occupiers is satisfactory
- 5) Access, parking and turning arrangements are acceptable.
- 6) Flood risks can be appropriately addressed through the use of conditions
- 7) The development would not harm any ecological interests

#### **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 way of letters sent to neighbouring occupiers of the application site and site and press notices. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 36                  Objecting: 36

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:

- Loss of privacy
- Noise and general disturbance from both construction and future occupiers
- Out of keeping/character
- Loss of green space/gardens
- Loss of trees
- Over development
- Highway safety and emergency access
- Impact on wildlife/ecology
- Parking congestion
- Piecemeal development
- Loss of outlook

## **7. RELEVANT PLANNING POLICIES AND GUIDANCE**

- 7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.
- 7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018. 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:
- Requiring good design.
  - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions
- 7.3 The main policy considerations raised by the application that the Committee are required to consider are:

### Consolidated London Plan 2015 (LP):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.9 Cycling
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.2 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland

### Croydon Local Plan 2018 (CLP):

- SP2 Homes

- SP4 Urban design and local character
- SP6 Environment and climate change
- SP8 Transport and communications
- DM10 Design and character
- DM13 Refuse and recycling
- DM23 Development and construction
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- Applicable place-specific policies

## **8.0 MATERIAL PLANNING CONSIDERATIONS**

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

- The principle of the proposed development
- The impact on the townscape and the visual impact;
- The impact on the residential amenity of adjoining occupiers;
- The living conditions provided for future occupiers;
- Transportation considerations

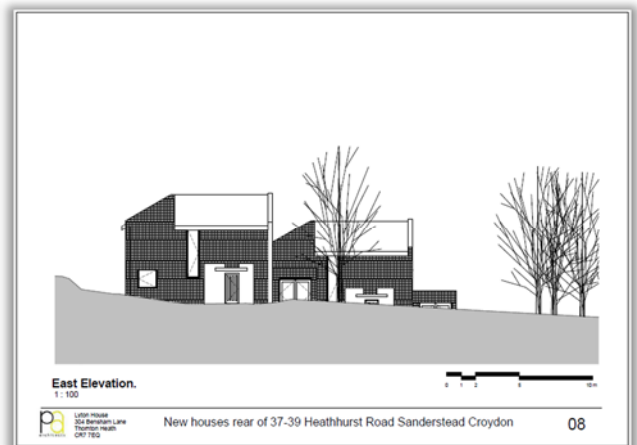
### **Principle of development and the established need.**

8.2 The application site is currently vacant and sits between the properties in Heathurst Road and Mayfield Road. The proposal would result in the net gain of one family home and would be sited within an established residential area. The principle of the development can therefore be supported subject to its impact upon the character and appearance of the surrounding area.

### **Townscape and Visual Impact**

8.4 As can be seen from the planning history above, the site has been the subject of a previous application for the demolition of existing garages; erection of two/three storey four bedroom detached houses; formation of associated access way, hard standings, external works and landscaping. This application was refused and later dismissed on appeal. While the applicant still seeks consent for residential development on the site, there are fundamental differences between the dismissed appeal and the current proposal. It should also be noted also that the previous appeal decision was determined in accordance with the previous Croydon Local Plan – which has now been updated and supplemented by a set of development management policies. The change in local policy is a material planning consideration – and the weight to be afforded to the previous appeal decision is more limited as a consequence.

Rear and front elevations of application 15/03163/P – dismissed at appeal



- 8.5 The application now before the LPA is for the erection of one detached dwelling at ground and lower ground levels utilising the land levels within the site. The fundamental changes since the appeal has been the reduction in the number of units, changes to site orientation and a reduced bulk and development mass. While the previous application was refused on the grounds of inappropriate back-land development, the Planning Inspector did not dismiss this form of development in principle but focussed on the particular scale and mass of the previous proposal which he concluded would have harmed the character of the area.
- 8.6 The design of the current proposal would be modest in height and would make use of the change in land levels to provide a family home over two floors with sedum roofs above. While unapologetically different to the grander Edwardian and post-war properties, the proposed dwelling responds well to its sylvan and verdant character by introducing a more naturalistic and modest appearance – especially with the proposed sedum roof forming an integral part of the overall design approach.
- 8.7 The proposed building orientation has also been adjusted (compared to the previous appeal) which respects the linear built-form found in Heathurst Road and Mayfield Road. Areas of hardstanding would be limited with ample opportunities for soft landscaping across the site. The appeal decision acknowledged that the site was not visible from wider public vantage points and whilst the development would still be visible from neighbouring properties (which was of concern to the previous Planning Inspector), the reduced bulk, massing and improved appearance would reduce this harm. The development would therefore have negligible harm to the character and appearance of the townscape.

CGI of the rear of the proposed development.



- 8.7 Given the significant changes in the design and siting of the development since the previous appeal and the recent adoption of the CLP 2018 it is not considered that the development would result in demonstrable harm to the character and appearance of the surrounding area.

#### **Impact on Neighbouring Residential Amenity**

- 8.10 Substantial separation distances would exist between the development and all neighbouring properties with the lesser of these distances being a generous 24 metres. As accommodation would be provided at the ground and lower ground levels the development would not give rise to any significant loss of privacy.
- 8.11 The proposed dwelling is not considered to give rise to any noise and general disturbance above what is generally expected in such residential areas.

#### **The standard of accommodation for future occupiers**

- 8.13 The development would provide a good standard of accommodation and would contribute to the Borough's need for new family homes. The dwelling would meet the minimum space standards set out in the "Technical Housing Standards March 2015".
- 8.14 The dwelling would be provided with a large garden which is comparable in size to the neighbouring properties, being suitable for families. Details of boundary treatments, hard and soft landscaping would be secured by planning condition.
- 8.15 It is therefore considered that the proposals would result in a good standard of accommodation that would meet the needs of the borough and can be supported.

#### **Transportation Considerations**

8.17 Whilst the site has a PTAL rating of 2 which indicates moderate accessibility to public transport, the site is within a reasonable walking distance of Sanderstead Station and the 403 bus route. A total of 2 parking spaces are proposed within a secure garage while further informal parking can be provided within the site. Cycle storage is provided in accordance with the London Plan. While it is acknowledged that Heathurst Road is heavily congested with parked vehicles, the site is capable of providing sufficient parking and therefore it is unlikely that any overspill would occur.

8.18 Representations have raised concerns over the width of the access road in terms of highway safety and fire access. While the previous application was refused on such grounds, the Planning Inspectorate did not support these conclusions. Given that the application now relates to one dwelling as opposed to two, the concerns in respect vehicular conflict has been resolved. The Planning Inspector concluded as follows:

*“In the absence of any stated objection from either the Highway or Fire Authorities and with the interest of the Fire Authority being subject to other legislation, I am not persuaded that the suitability or otherwise of the access for the use by emergency vehicles is something that would be grounds for the dismissal of this appeal.”*

8.19 Given the previous conclusions (reach on appeal) officers are satisfied that the scheme is acceptable from a highways point of view.

8.18 Cycle and refuse storage would be secured through condition. In addition the Council would seek to secure the following via condition;

- Construction Logistics Plan/Management Strategy

8.19 Subject to conditions in relation to the above the development would be acceptable on highway grounds.

#### **Other matters raised by representations**

8.20 The application site is not located near a site of nature conservation importance nor is there any evidence of protected species on site following the submission of an ecological survey. Whilst the site is not subject to a formal tree preservation order, there is a prominent tree close to the northern corner of the site which is proposed to be retained; such matters would be secured through condition. Officers are therefore satisfied subject to a suitably worded condition that the development would not result in a loss of valued vegetation or habitats.

#### **Conclusions**

8.24 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.