

Agenda Item: 6.14

This is a Major Application for which the 13 week period expires on 30/06/2006.

06/01316/P

31/03/2006

Shirley

Application for full planning permission

Agent:

Robinson Escott Planning
Warren Court
Knockholt Road
Halstead Sevenoaks, Kent
TN14 7ER

Applicant:

Asprey Homes Ltd
Mega House
Crest View Drive
Petts Wood Kent
BR5 1BY

Location: 5-8 Oak Gardens, Croydon, CR0

Description: Demolition of 5, 6 and 7 Oak Gardens; erection of 9 two storey four bedroom terraced houses with accommodation in roofspace, 4 two storey four bedroom semi detached houses with accommodation in roofspace and 1 two storey four bedroom detached house with accommodation in roofspace with attached or detached garages; formation of vehicular access and provision of associated parking

Drawing No(s): 5319/ASP/01 rev.B;5319/ASP/03-08 rev.A; 5319/ASP/09-14 ; 5319/ASP/15-16 rev.A;5319/ASP/17;5319/ASP/18 rev.A;5319/ASP/15-19

Recommendation: Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control

Subject to the following condition(s) and reason(s):-

1. The following shall be provided as specified in the application before any part of the development is occupied and shall be retained for so long as the development remains in existence
 - (1) parking arrangements including disabled bays
 - (2) vehicular turning areas
 - (3) pedestrian footwaysReason: To ensure an acceptable standard of development having regard to the Policies of the Unitary Development plan

2. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-
 - (1) visibility splays
 - (2) any boundary walls and fences or other means of enclosing the site
 - (3) cycle storage provisionReason: To ensure an acceptable standard of development having regard to the policies of the Unitary Development Plan and of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon

3. No works on site shall commence until details of the external facing materials have been submitted to and approved by the Local Planning Authority in writing.

The development shall only be implemented in accordance with such approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policies BE1 and BE13 of the Unitary Development Plan and Policy UD2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

4. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement therefore, no enlargement of any dwelling (including the erection or enlargement of a garage or any other building or enclosure within the curtilage of any dwelling) shall be carried out without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

5. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no further windows shall be inserted or constructed in the roof of the development other than as specified on the approved drawings without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

6. The fencing for the protection of the preserved trees on this site shall be erected in accordance with plan 1353/1B before any equipment, materials or machinery are brought onto the site for the purposes of development, to include demolition. The fencing shall be retained in position until the development is complete, and nothing shall be placed within the fencing, nor shall any ground levels within be altered, nor shall any excavation be made without the formal consent of the Local Planning Authority

Reason: To ensure the survival of the existing trees that contribute to the visual amenity of the area in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

7. A landscaping scheme to include existing and proposed planting(with an enhanced area for wildlife including dead wood) shall be submitted to the Local Planning Authority for approval before the development is begun; when approved, the planting shall be provided before any part of the development is occupied or within such longer period or periods as the Local Planning Authority may previously agree in writing and shall be maintained for a period of five years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided

Reason: To enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

8. The services for the dwellings on this site shall be routed outside of the protection areas for the preserved trees, in accordance with plan 1353/1B unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure the survival of the existing trees that contribute to the

visual amenity of the area in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

9. The existing planting specified in the application as being retained shall not be felled, lopped, topped or otherwise removed during the course of development or within five years after completion, without the prior written consent of the Local Planning Authority; any planting which is removed without consent, or dies or is severely damaged or becomes seriously diseased before the end of that period shall be replaced with planting of such size and species as may be agreed with the Local Planning Authority; this condition shall not be construed as overriding the requirements to obtain consent under any Tree Preservation Order or the legislation concerning trees in Conservation Areas
Reason: To ensure that the specified planting enhances the appearance of the development in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
10. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes report that achieves 'Excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes Post Construction Review shall be provided, verifying that the agreed standards have been met, prior to the first occupation of the development.
Reason: To accord with Policies UD1 and UD18 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
11. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained for so long as the development remains in existence.
Reason: To comply with Policy EP16 of the Unitary Development Plan and Policy EP23 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
12. Before the development is begun a report of historical uses of the site shall be carried out to the approval of the Local Planning Authority, to provide an assessment into the possibility of soil contamination.

If the report indicates the possibility of soil contamination an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority. The investigation report shall include a risk assessment and details of remediation if required.

Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building. A validation report detailing evidence of all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority at the conclusion of the work and before any occupation of the properties.

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.

Reason: To ensure the safe development of potentially contaminated land in accordance with Policy EP8 of the Unitary Development Plan and Policy EP9 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

13. Plans of the new street including levels, gradients, surface water drainage and construction shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development; the foundation of the carriageway shall be constructed in accordance with the approved details prior to the commencement of other building operations unless otherwise agreed in writing by the Local Planning Authority; no part of the development shall be occupied until the approved details have been fully implemented.

Reason: To safeguard local amenity during the construction and to ensure that a satisfactory standard of development is provided and retained in accordance with Policy BE10 of the Unitary Development Plan and Policy UD10 of the Second deposit Draft Replacement Unitary Development Plan (the Croydon Plan)"

14. The development shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

1. The relevant policies of the Unitary Development Plan are SP1, SP2, BE1, BE3-14, BE16-18, BE23, SP12-14, EP1, EP7, EP10, T23, T37, T46, SP30-32, H2, H8, H10, and H18.
2. The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD1-2, UD4-6, UD10-II, UD13-14, UD18, RO15, EP1-2, EP4-5, EP7, EP10, EP12, EP15-16, EP22-23, T6, T14, T30-31, SP19-22, SP24, H2, H4, H8, H10, H13

The development is considered to be satisfactory in relation to the following:-

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the relationship of the development to trees to be retained
- (h) the housing policies of the development plan
- (n) the archaeology policies of the development plan
- (o) sustainability issues

and having regard to all other matters raised.

06/01316/P: 5-8 Oak Gardens, Croydon

1. SUMMARY

- 1.1 This application relates to the demolition of three existing houses, the retention of the existing house at no.8 and the erection of a total of 14 houses on the remainder of the site. The houses would be two storeys with accommodation in the roofspace and have 22 parking spaces with a new access formed adjacent to no.8.

2. RECOMMENDATIONS

- 2.1 Grant planning permission subject to the conditions and reasons set out in the agenda and the prior completion of a Section 106 legal agreement relating to contributions towards local open space, libraries and sustainable transport.
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3. BACKGROUND

(a) Site Description

- 3.1 The site is located at the end of Oak Gardens which is a residential cul de sac leading from Oak Avenue. The application site comprises 4 houses forming 5-8 Oak Gardens with a frontage onto the turning head at the end of Oak Gardens. The houses have large garden areas to the rear and a number of the trees that are subject of a Tree Preservation Order (No.13-2004).The site area is 0.36 hectares.
- 3.2 Oak Gardens comprises a total of 18 two storey terraced houses mainly dating from the interwar years. To the west of the site are semi-detached houses fronting onto Bridle Road and to the south are further semi-detached properties in Ash Road.

(b) Relevant Planning History

- 3.3 (87/00830) - Erection of block of 23 flats (5, 6,7and 8 Oak Gardens) for the elderly with wardens flat –refused April 1987 and dismissed on appeal in February 1988.
- 3.4 (05/5345/P) Demolition of three existing houses (6, 7.8), the retention of the existing house at no.8 and the erection of a total of 14 houses on the remainder of the site. The houses would have been two storeys with accommodation in the roofspace and have 22 parking spaces with a new access formed adjacent to no.8.This application was withdrawn in March, 2006.

Proposal

- 3.4 This application is for the demolition of Nos 5, 6 and 7 Oak Gardens and to erect a development of 14 houses on the site of these properties together with the part of the rear garden area of no.8.The houses would be two storeys with accommodation in the roof space.

- 3.5 It would comprise a pair of semi-detached houses on the frontage of the site facing the turning head with a new access leading from the turning head into the remainder of the site.
- 3.6 A further pair of semi-detached houses is proposed within the site together with a detached house. The remaining houses are arranged in two terraces, one containing four houses and the other five houses. A total of 22 parking spaces (including the garages) would be provided.
- 3.7 The materials would be traditional and primarily consist of render and stock facing brickwork with interlocking concrete tiles.
- 3.8 A Planning Design Statement, Arboriculture Report, Bat Survey, Transport Assessment and Environmental Performance Statement have accompanied the application.
- 3.9 The application has been revised during the course of consideration with regards to the parking arrangements for the scheme and the submission of a stag beetle and newt survey.
- 3.10 The application differs from the previous withdrawn application with regards to the parking arrangements, provision of a footpath, alterations to the design of the proposed houses and the submission of a bat survey.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Unitary Development Plan are SP1, SP2, BE1, BE3-14, BE16-18, BE23, SP12-14, EP1, EP7, EP10, T23, T37, T46, SP30-32, H2, H8, H10, and H18.
- 4.2 The policies of the Second Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) which would amend the above and which impact upon the proposal are SP1-3, UD1-2, UD4-6, UD10-II, UD13-14, UD18, RO15, EP1-2, EP4-5, EP7, EP10, EP12, EP15-16, EP22-23, T6, T14, T30-31, SP19-22, SP24, H2, H4, H8, H10, H13.
- 4.3 The relevant policies contained within the proposed modifications to the draft Croydon plan are SP1-3, UD1(A), UD2.1(A), UD2.2(A), UD4, UD 5(A), UD6, UD10(A), UDII, UD13, UD14(A), UD18, RO15(A), EP1(A), EP7, EP10, EP12, EP15-16, EP22-23(A), T6(A), T14, T30-31, SP19-22, SP24, H2, H4, H8, H10, and H13

5. CONSULTATIONS

- 5.1 The application has been advertised in the press as a major application and 86 adjoining properties have been consulted.

32 letters of objection have been received. The issues raised are as follows:

- a) The proposal is overdevelopment and unsuitable in this location and out of character with its surroundings; this is contrary to UDP and draft UDP policies.
- b) It leads to loss of privacy and overlooking of neighbouring properties.
- c) The access road is too long and the parking is inadequate for such a large development; inevitably the parking congestion would increase in the cul-de

- sac and inhibit the use of the road by utility vehicles
- d) It will result in the loss of some trees
- e) It would lead to too much pressure on services such as schools, doctors etc
- f) The construction works will lead to stress and social problems for at least two years.
- g) It would result in too much concrete coverage and adversely affect an area prone to flooding and rising water levels; this disturbance of the water table could affect the environment.
- h) It would increase the possibilities for crime and reduce security in the area
- i) It would destroy the gardens and wildlife and protected species such as bats , stag beetles and newts

5.3 Spring Park Residents Association have objected to the proposal on the following grounds

- (a) it would result in overdevelopment of the site and be detrimental to the visual amenity of the area due to its size and siting
- (b) it would be hazardous to vehicular access to Oak Gardens
- (c) it would add to poor drainage problems in the area
- (d) it would result in invasion of privacy to existing residents
- (e) there would be inadequate parking for the development
- (f) the development would have an unacceptable impact on the trees
- (g) It would increase noise pollution and impact on wildlife in the area
- (h) it is lacking in sustainability requirements.

5.4 GLA member Andrew Pelling has requested that this application be referred to Committee on the grounds that it represents a significant increase in housing density in the area.

5.5 A petition with 10 signatures supporting the application has also been received.

6. **CONSIDERATIONS**

6.1 The main considerations of this proposal are:

- (a) whether residential density complies with the policies in the development plan
- (b) the impact of the development on the visual amenity of the locality
- (c) the impact of the development on the residential amenity of adjoining occupiers
- (d) the impact of the development on the future occupiers
- (e) the impact on trees on the site
- (f) parking and highway issues
- (g) provision of recreational open space

6.2 Residential Density

It is considered that the layout, scale and massing of the development respects the surroundings of the site. Policies H8 and H10 of the adopted UDP are relevant to consideration of this scheme as is Policy H8 of the draft Croydon Plan and the proposed modifications to the draft Croydon Plan. This requires that family housing residential schemes should result in a density in the range of 150 to 250 habitable rooms per hectare. The proposal would have a density of approximately 200 habitable rooms per hectare on a site area of 0.36 hectares which is well within the draft Croydon Plan and proposed modifications density range.

6.3 Design

The design is traditional and echoes that of the general style of the neighbouring terrace and semi-detached houses. However a condition is suggested requiring the

submission of sample materials. The proposed development would not have a detrimental impact on the visual amenity of the locality

6.4 Residential Amenity

It is not considered that the proposal would have an adverse impact on the amenity of adjoining residential properties. The proposed two dwellings that are positioned to face Oak Gardens (Plots 1-2) are set behind the building line and would be 4m from the flank wall of no.4. With regard to the proposed four dwellings (Plots 3-6) that adjoin the boundary with the rear garden of no.4, there would be an average distance of 11m to no 4's. boundary fence. The 5 houses to the rear of the site (plots 7-11) would be sited be over 40m from the rear of the properties in Bridle Road and 60 m from the rear of the properties in Ash Road. Plots 12 and 13 would be sited a minimum of 18m from the flank boundary of no.9.

6.5 Standard of Accommodation for future occupiers

The proposed houses would have room sizes to an acceptable standard. Adequate amenity space has been provided for the future occupiers of the houses by the provision of rear garden varying in depth from 9.6 m to 12m.

6.6 Trees

The trees that are covered by the TPO are to be retained as part of the development. These include T3 and T4 in the centre of the site but it is considered that whilst T4 is worthy of inclusion in the TPO, it may be more appropriate at a later date to remove T3 and replace it as part of a landscaping scheme. In the event of an approval a condition requiring tree protection measures should be imposed on any permission granted.

6.7 Parking

The site has a PTAL accessibility rating of 1b and is therefore considered poorly accessible to public transport links. The development would require 22 parking spaces including the garages. This is considered acceptable. The new access and footpath from Oak Gardens is also to an acceptable standard .The refuse collection and storage is considered sufficient to serve the proposal. Contributions of £14,000 towards Sustainable Transport would be expected for a development of this size and nature and has been offered by the developer.

6.8 Open Space

The area is deficient in open space. The closest classified park is Parkfields Recreation Ground which is further than 400m away. There is however other open woodland areas close to the property but they do not currently meet the standard for public open space. A commuted payment will therefore be required of £26,211. The applicants have agreed to this contribution.

6.9 Ecological Surveys

A bat survey and stag beetle and newts survey have been carried out at the site. English Nature have agreed with the conclusion of these surveys that no evidence has been found of any of these protected species. However, it is recommended that any landscaping proposals include stag beetle friendly features such as dead wood. This can be secured by condition.

6.10 Flooding and drainage

Thames Water advises that they have no objection to the proposed development with regard to the sewerage and drainage infrastructure.

6.8 Other Section 106 contributions

The applicants have agreed also agreed contributions of £2,352 to Libraries.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 A Sustainability Statement has been submitted. The Sustainability Section considers this is satisfactory although more information regarding the position of the solar water heaters and which housing units will benefit from the solar water heating is required. The standard Sustainability and Ecohomes conditions are recommended.

7. EQUALITIES CONSIDERATIONS

- 7.1 The houses would have level access and two disabled parking spaces would be provided.

Case Officer: Kieran Gilmore

Background Documents: 32 letters of objection
Letter from Spring Park Residents Association
Letter and Referral from Andrew Pelling, GLA member
2 letters from English Nature
Letter from Thames Water

Contact Officer: Phil Mills 020 8760 5419