

06/00761/P

22/02/2006

Kenley

Application for outline planning permission

Agent:

David Erricker
Nightingale House
East Street
Epsom Surrey
KT17 1HQ

Applicant:

Mr D Corbett and Mr L Orines
52-54 Hartley Old Road
Coulsdon
Surrey
CR8 4HG

Location: 52-54 Hartley Old Road, Purley, CR8

Description: Erection of detached house at rear fronting Hartley Way

Drawing No(s): DJE/25021/01, 02 (Rec. 22nd Feb 06)

Recommendation: **Grant Permission**

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

1. The approval of the Local Planning Authority shall be obtained with respect to the following reserved matters before the development is begun:-

- (1) design of the building(s)
- (2) external appearance of the building(s)

Reason: These matters were not submitted for consideration as part of the application.

2. The approval of the Local Planning Authority shall be obtained with respect to the following matters before the development is begun:-

Section A

- (1) visibility splays
- (2) finished floor level of the building in relation to existing and proposed site levels

Section B

- (3) any boundary walls and fences or other means of enclosing the site

Reason: 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 Plan)

3. Unless otherwise agreed by the Local Planning Authority, application for approval of the details referred to in Condition 2 shall be made to the Local Planning Authority at the same time as the first application for approval of the reserved matters referred to in Condition 1

Reason: To ensure that the details of the development are considered in relation to each other

4. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 2 shall be provided before works on site commence.

Reason: To ensure that an acceptable standard of development is provided

5. 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)
6. Any application for approval of the reserved matters referred to in Condition 1 shall be made to the Local Planning Authority 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
7. The development shall be begun no later than two years from the final approval of the reserved matters referred to in Condition 1 or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004
8. The development shall be carried out only on the whole of the land specified in the application
Reason: 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 Plan)
9. Full details of the proposed landscaping scheme to include existing and proposed planting and full details of species and size of any new planting 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)

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

1. The relevant policies of the Unitary Development Plan are SP1, BE1, BE3, BE4, BE10, BE11, BE16, BE17, BE18, SP18, NC4, SP31, H2, H3, H11 and T46
2. The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1, SP2, SP3, UD2, UD4, UD6, UD7, UD11, UD13, NC4 SP20, SP22, H2, H4 and T43.

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 safety of pedestrians and motorists on the adjacent highway
 - (h) the urban design policies of the development plan
 - (i) the housing policies of the development plan
 - (j) the transport policies of the development plan
- and having regard to all other matters raised.

Ward: Kenley

PLANNING CONTROL COMMITTEE

Lead Officer: Head of Planning Control

22nd June 2006

1. SUMMARY

- 1.1 This is an outline planning application for the erection of a detached house on a plot having a frontage onto Hartley Way.
- 1.2 Consideration of this application was deferred by the Development Control Committee at their meeting on Thursday 13th April 2006 to enable Members of the Committee to visit the site.
- 1.3 The site visit was undertaken on Saturday 10th June 2006. Further to the site visit, amendments have been made to the recommended conditions, as set out in the agenda. Condition 2 now includes a requirement for details of finished floor levels and condition 9 provides for new planting proposals.
- 1.4 It must be noted that since the last Committee meeting, an additional 16 “standard” objection letters have been received from local residents raising similar concerns already covered in section 5 (Consultations) of the report.

2. RECOMMENDATION

- 2.1 Grant planning permission subject to the conditions and reasons set out in the Agenda.

3. BACKGROUND

a) Site Description

- 3.1 The application site has been formed from part of the rear gardens of numbers 52 and 54 Hartley Old Road, which lie on the western side of Hartley Old Road. The application site has a proposed frontage onto the northern side of Hartley Way. Numbers 52 and 54 Hartley Old Road are detached two-storey single family dwelling houses, which both have existing rear garden lengths of between 33 and 36 metres. The land levels rise gently from west to east along Hartley Way, resulting in numbers

52 and 54 Hartley Old Road sitting slightly higher than the application site and the subsequent adjoining properties in Hartley Way.

- 3.2 The proposed plot would have a 14 meters frontage onto Hartley Way and would be just over 40 metres in depth, therefore reducing the remaining rear gardens of 52 and 54 Hartley Old Road to approximately 20 metres.
- 3.3 Both Hartley Old Road and Hartley Way are unclassified, Local Access Roads, and there are no other policy constraints or Tree Preservation Orders on the site.
- 3.4 The surrounding area is wholly residential in character and is characterised by large detached properties, both two storey and bungalows, with different architectural designs; the plot sizes and shapes differ somewhat, but are predominantly well spaced with lengthy rear gardens.

b) Planning History

- 3.5 There is planning history on numbers 52 and 54 Hartley Old Road, in the form of residential extensions, but none that is considered relevant to this application. This is the first application of this type proposed on the plot to the rear of 52 and 54 Hartley Old Road.
- 3.6 Full planning permission was granted in 2004 for a residential extension to number 31 Hartley Way, the first adjoining property to the west of the application site in Hartley Way. The approval was for the erection of a single/two storey side/rear extension to include a front garage; the development has not yet been implemented. At ground floor level, the windows in the side elevation of the extension facing onto the application plot serve the garage, utility room (with a single glazed door) and family room, and at first floor level they serve a bedroom, family bathroom and en-suite. The approved extension would be 1.5 metres from the eastern boundary, with the proposed application plot.

c) Proposal

- 3.7 Outline planning permission is sought for the erection of a detached house in the rear gardens of numbers 52 and 54 Hartley Old Road, fronting onto Hartley Way with a new vehicular access. Under outline planning permission, the applicant's have requested that siting, means of access and landscaping be determined at this stage.
- 3.8 The proposed plot size would measure just over 40 metres deep and have a frontage width of 14 metres onto Hartley Way. The house itself would be set back from the footpath by just over 11 metres, being in line with the established building line along Hartley Way, with the rear garden measuring approximately 17 metres long. Because of the positioning of the house within the plot, there will remain 2.4 metres from the side wall of the house to the western boundary (with 31 Hartley Way) and 1.8 metres from the opposite side wall to the eastern boundary (with rear of 52-54 Hartley Old Road).
- 3.9 The proposed site area would be 560 sq. metres (0.056 ha) with the proposed dwelling having a gross internal floor area of approximately 180 sq. metres. There would be a tarmac drive from the road into the house and a rear patio area of approximately 4 metres deep. The remaining land will be for the front and rear garden areas. Screening along both the eastern and western boundaries will be similar to that in place currently, with thick hedging of roughly 2 metres high.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Unitary Development Plan are SP1, BE1, BE3, BE4, BE10, BE11, BE16, BE17, BE18, SP18, NC4, SP31, H2, H3, H11 and T46.
- 4.2 The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1, SP2, SP3, UD2, UD4, UD6, UD7, UD11, UD13, NC4 SP20, SP22, H2, H4 and T43.

5. CONSULTATIONS

- 5.1 Twelve adjoining and nearby owners/occupiers have been notified in writing of the application; thirty-one letters of representation have been received from residents of the Hartley area, including one from the Hartley and District Resident's Association (HADRA) raising the following points:

- The proposed house would be out of keeping with the area where the houses are in the region of 75 years old and built in a particular style;
- The additional house in Hartley Way would disturb the long established and unique street scene;
- The plot is not sufficiently large enough to accommodate a house which would be in keeping with the area. The houses in the vicinity have large gardens, and as a result of the development, three gardens would be disproportionately small;
- The loss of space and privacy would have a detrimental impact on the owners/occupiers of 52 and 54 Hartley Old Road;
- 31 Hartley Way would be particularly adversely affected with a significant loss of light to the house and patio area and a loss of privacy due to the proposed dwelling sitting higher;
- The proposed dwelling would also be terribly overlooked by the occupiers at 54 Hartley Old Road;
- There would be an adverse effect on the local environment with the loss of one tree, although it is very likely to be more;
- HADRA applied for the area to be classed as a Local Area of Special Character, with the support of the local MP, Richard Ottoway;
- The proposed driveway would be a hazard onto a road where speed is already controlled by road humps;
- The adjoining roads are inadequate for transport vehicles for building;
- Approving the application would set an unwanted precedent which would be detrimental to the area's unique pleasant character;
- The infill development can be detrimental to the value of existing houses;
- Noise and disturbance concerns during the building work;
- The area is a considerable natural habitat for a diversity of wildlife, including badgers, owls, birds, deer and foxes, because of the large gardens.

- 5.2 Councillor Steve O'Connell has referred the application to the Planning Control Committee stating the reasons for the referral being the adverse effect on the privacy, amenity and loss of light to 31 Hartley Way, the plot size not being sufficiently large to accommodate the dwelling and the amenity space that is in keeping with the area and the nature of the proposal not being consistent with the maintenance of the character of the area.

6. CONSIDERATIONS

- 6.1 The principal planning considerations are:
- (a) The effect of the proposal upon the character of the area and the visual amenities of the street scene in terms of the siting and sizing;
 - (b) The effect of the proposal upon the amenities of the owners/occupiers of adjoining/neighbouring properties by reason of privacy, light, outlook and dominance;
 - (c) Traffic and highway safety implications.
- 6.2 Policy BE3 of the UDP states that “the siting and massing of development should respect or improve the existing pattern of buildings and the spaces between them and maximise opportunities for creating an attractive and interesting environment”. Policy H2 of the UDP states that housing will be permitted “within the existing built up area provided it does not conflict with protecting the character of the residential area”. Similarly, policy H4 of the Croydon Plan states that “residential development on back garden and backland sites will only be permitted where it respects the character and protects the amenity of adjoining residential areas”.
- 6.3 The Hartley area, and in particular Hartley Way and the southern end of Hartley Old Road is characterised by detached properties, both single and two storey which sit on fairly large plots with good separations at the boundaries. The design of the properties is somewhat individual and there is no set street form or architectural design between the houses, each boasting its own character. However, looking at the wider townscape, it can be seen that because of the layout of the roads and natural land level changes, various plots are considerably smaller with unusual shapes and with separation to adjoining plots.
- 6.4 In terms of the street scene, it is important to consider the frontage of the proposed plot onto Hartley Way in comparison to those in the vicinity. It can be seen from the OS extract that the frontage widths of properties in Hartley Way are similar to that of the proposed plot, which measure 14 metres. For example, the average frontage width of properties 11-31 Hartley Way is 12.86 metres, the smallest width being 6 metres and the widest 17 metres.
- 6.5 The separation between buildings is also an important consideration in terms of the street scene and area character, but also when considering the amenities on adjoining occupiers (see clause 6.7 for residential amenity considerations). As detailed in clause 3.6, 31 Hartley Way was approved planning permission in 2004 for a single/two storey side/rear extension, so it is paramount to take into account the additional extension when considering this application. With the construction of the extension, there will remain approximately 3.9 metres between the two side walls of the new dwelling and 31 Hartley Way. In comparison to the surrounding area, it is considered that this separation between buildings is in keeping with the spaces between other buildings. For example, the average separation distance between properties along the odd numbered side of Hartley Way (numbers 11-31) is 3.67 metres.
- 6.6 The plot dimensions of the proposed application site measure 14 metres wide and 44 metres deep, with the resulting plot size for 52 Hartley Old Road measuring 18 metres wide by 43 metres deep and 54 Hartley Old Road measuring 22 metres wide by 43 metres deep (bearing in mind number 54 is a corner plot). When taking into account the plot sizes, shapes and separation distances of buildings within the vicinity, it is considered that the siting and sizing of the proposed plot and dwelling respects the existing pattern of buildings and spaces between them and is in keeping with wider townscape.

- 6.7 When considering the amenities of adjoining and nearby residential properties, it is important to ascertain who could be affected and to what degree. It is not considered that the amenities of occupiers at 52 and 54 Hartley Old Road would be significantly affected. As these properties sit on slightly higher ground, there would be no undue dominance or loss of light from the new dwelling. Conditions could be imposed to restrict windows in the side elevation of the new dwelling to protect privacy of both those properties and the occupiers of the new dwelling. Second to this, conditions can also be imposed to require the planting of trees/hedges and other such landscaping which will protect privacy for the occupiers of the new dwelling and adjoining properties.
- 6.8 Given the distances between the proposed dwelling and 50 Hartley Old Road, it is considered that the only other property to be significantly affected by the proposal would be 31 Hartley Way, adjoining the proposed new dwelling. As was detailed in clause 6.5, the separation between the two properties is considered adequate. In terms of privacy, a condition can be imposed to restrict any windows in the western elevation of the new dwelling, as windows were permitted in the eastern elevation of number 31's extension. In terms of loss of light, it is not considered that the loss of light would be sufficient to warrant a refusal as the side elevation of number 31 is not south-facing and 3.9 metres is enough distance to respect both light and outlook amenities.
- 6.9 In terms of traffic and highway safety, the application site is within an area with a PTAL (Public Transport Accessibility Level) rating of 1b, as indicated by TfL (Transport for London); therefore it is considered poorly accessible to public transport links. Appendix 2 of the Croydon Plan requires a maximum of 2 parking spaces to be provided per detached dwelling, and although this is not clearly indicated on the plans, it is evident that at least two vehicles would be able to park within the driveway on site. As Hartley Way is an unclassified Local Access Road, it is not considered that the proposed development will significantly impede the safety or efficiency of the highway network.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The development would make a more efficient use of an existing developed site and would be consistent with the objectives set out in PPG3. It is not considered that there are trees on the site that would merit a TPO.

8. EQUALITIES CONSIDERATIONS

- 8.1 Level access could be provided to the principal entrance. There are no other equalities issues arising from this application.

Report Author: Natalie Glover

Background Documents: 47 letters of representation from local residents;
Referral letter from Cllr. O'Connell;

Contact Officer: Phillip Mills Tel 020 8760 5419