

**Agenda Item: 6.4**

06/01908/P

17/05/2006

Kenley

Application for outline planning permission

**Agent:**

RDjW Architects Ltd  
'Quoin House'  
11 East Park  
Crawley West Sussex  
RH10 6AN

**Applicant:**

Nelson Securities Ltd  
10 Bushetts Grove  
Merstham  
Surrey  
RH1 3DX

Location: 3 Hartley Farm, Purley, CR8

Description: Erection of 2 chalet bungalow and detached garage at rear; formation of access road

Drawing No(s): 3005/002.

**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) means of access
  - (3) landscaping of the siteReason: 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) security lighting

Section B

  - (2) any boundary walls and fences or other means of enclosing the site
  - (3) finished floor levels of the building(s) in relation to existing and proposed site levelsReason: 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. 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)

5. No window shall be formed in the western and eastern elevations at or above first floor level.

Reason: To protect the privacy of adjoining occupiers in accordance with Policy BE17 of the Unitary Development Plan and the Supplementary Planning Guidance Note No.2 on Residential Extensions and Policy UD6 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

6. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 2 shall be provided before any part of the development is occupied and those in Section A thereof shall also be retained for so long as the development remains in existence

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

7. Unless otherwise previously agreed by the Local Planning Authority in writing 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
- (2) turning Facilities

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)

8. A landscaping scheme to include existing and proposed 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)

9. The existing planting 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 protect the visual amenities of the locality 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. A scheme of protective fencing to be erected around each tree or group of trees referred to in the foregoing condition shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the commencement of any demolition, site clearance or development works. The fencing shall be erected around each tree or group of trees at a distance to be specified in the scheme and in accordance with British Standard 5837:2005.

The fencing shall be not less than 2 metres in height and shall comprise a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either 'Heras' panel fencing or 20 mm exterior grade ply or other robust man-made boards (in accordance with British Standard 5837:2005. The fencing shall be kept in position at all times unless otherwise agreed in writing with the Local Planning Authority until the completion of the development

Reason: To ensure that the trees to be retained are not damaged by the construction and associated works 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)

11. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no window shall be inserted or constructed in the eastern and western elevations of the roof of the development without the express permission of the Local Planning Authority

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

12. The development shall be begun before the later of the following dates:-

- (i) three years from the date of the permission or
- (ii) 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

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

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  
and having regard to all other matters raised.

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**Ward: Kenley**

**PLANNING COMMITTEE**

**Lead Officer: Head of Planning Control**

**6<sup>th</sup> July 2006**

**06/1908/P - 3 Hartley Farm, Purley**

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## **1. SUMMARY**

1.1 This is an outline planning application for backland development consisting of the erection of two chalet bungalows a detached garage and the formation of an access road to the rear of No 3 Hartley Farm.

## **2. RECOMMENDATION**

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

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## **3. BACKGROUND**

### **a) Site Description**

The application site is a two storey detached single family dwelling house with red brick and render elevations with a detached double garage to the east situated in Hartley Farm. Hartley Farm is a steep private driveway off of Hartley Down No.3 is setback by 9m from Hartley Farm driveway and located towards the top. The existing rear garden length of the application site is between 70 and 80 metres. The land levels rise gently from north to south which would result in the proposed development sitting slightly lower than No 3 site and the adjoining properties in Hartley Farm.

3.1 Hartley Farm is deemed an un-adopted highway with access onto Hartley Down, which is deemed a Local Distributor Road. There are no other policy constraints or Tree Preservation Orders on the site.

3.2 The surrounding area is wholly residential in character and is characterised by mainly 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**

3.3 90/2188/P- Planning permission was refused and subsequently the decision was upheld on appeal for the erection of a five bedroom detached house with

detached garage.

**c) Proposal**

- 3.4 Outline planning permission is sought for the erection of two chalet style bungalows and a detached garage at the rear of No 3 Hartley Farm. Formation of an access road is proposed on the eastern boundary of the site between No 3 and No 4. The applicant's have requested that siting and external appearance be determined at this stage. Some other illustrative information has been submitted.
- 3.5 The proposed rear garden depth for the bungalow sitting to the east of site would measure approximately 11 metres deep and have a frontage width of approximately 6 metres. The proposed plot size for the bungalow sitting to the west of site would measure approximately 9 metres deep and have a frontage width of approximately 6 metres. The host property would retain a rear garden of approximately 14 metres deep. The proposed site area for the bungalow to the east would be approximately 81 sq. metres. The bungalow to the west would have a plot size of approximately 64 sq. metres. The gross internal floor area for the footprint of the proposed dwellings would be approximately 341 sq. metres.
- 3.6 An access road is proposed off of Hartley Farm to the proposed bungalows. Screening along both the eastern and western boundaries will remain similar to that existing.

**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 Adoption draft Replacement Plan for Croydon (The Croydon Plan) are SP1, SP2, SP3, UD2, UD3, UD6, UD7, UD8, UD9, UD13, UD14, NC4, SP18, SP22, H2, H5 and T11

**5. CONSULTATIONS**

- 5.1 Twelve adjoining and nearby owners/occupiers have been notified in writing of the application; Forty -two 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 proposal would be out of keeping with the area
  - The plot is not large
  - Loss of space and privacy and overlooking
  - No 4 Hartley Way would be affected by noise and disturbance
  - Possible adverse effect on the local environment through the loss of trees
  - 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 access road would be a hazard
  - Increased traffic.

- There is an existing strain on local facilities.
- 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

5.2 Councillor Steve O'Connell has referred the application to the Planning Control Committee stating the reasons for the referral being inappropriate back garden infill development, the adverse effect on the amenity and privacy of adjoining occupiers, cramped development and loss of trees.

## **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.
- (b) The effect of the proposal upon the amenities of the owners/occupiers of adjoining/neighbouring properties.
- (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". The spirit of these policies is reflected in the emerging policies of the Adoption Draft UDP.

6.3 The Hartley area, and in particular Hartley Farm is characterised by detached properties of varying design and character, both single and two storey which sit on fairly large plots with good separations at the boundaries. However, looking at the wider townscape, it is noted that various plots are considerably smaller with unusual shapes and with a varied separation to adjoining plots.

6.4 The proposed development would be situated to the rear of the host property therefore would not have an adverse impact on the streetscene. The separation between buildings would be acceptable with the separation between the bungalows being approximately 5m which is consistent with the relationships between other houses in the area, albeit not those others at Hartley Farm. The average separation between the proposed dwellings and surrounding adjoining occupiers is approximately 35m. In comparison to the surrounding area, it is considered that this separation between buildings is in keeping with the spaces between other buildings. In considering the plot sizes of the bungalows 64 sq metres and 81 sq metres, shapes and separation distances of buildings within the vicinity, it is considered that the size and siting of the proposed plots and

dwellings respects the existing pattern of buildings and spaces between them and is in keeping with wider townscape.

6.5 It is not considered that the amenities of the adjoining occupiers would be significantly affected by this proposal. As these properties sit on slightly higher ground, there would be no undue visual intrusion, loss of outlook or loss of light from the new dwellings. 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 dwellings. Conditions would 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.

6.6 In terms of traffic and highway safety, the application site is within an area with a PTAL (Public Transport Accessibility Level) rating of 1a, 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, the quantity of car parking provision is considered acceptable.

## **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.

## **8. EQUALITIES CONSIDERATIONS**

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

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Report Author: Priscilla Nhembe

Background Documents: 47 letters of representation from local residents;  
Referral letter from Cllr. O'Connell;  
Letter from Haling and District Residents Association

Contact Officer: Philip Mills Tel 020 8760 5419