

Agenda Item: 6.1

05/05400/P

16/12/2005

Purley

Application for full planning permission

Agent:

Robinson Escott Planning

Planning & Developments Consultants

Warren Court

Knockholt Road, Halstead Sevenoaks, Kent

TN14 7ER

Applicant:

Antler Homes SE Ltd

Brewery House

High Street

Westerham Kent

TN16 1RG

Location: Land R/O, 21A-23 Russell Hill, Purley, CR8 2JB

Description: Demolition of side porch to No.23; erection at rear of 1 two-storey detached five bedroom house with attached double garage; and 2 two-storey detached four bedroom houses with integral double garages; formation of access road and associated additional parking

Drawing No(s): 23905/SE/PL2/01D, 02B, 04B; 1370/1, 1370/2(revised), site survey (May 2004).

Recommendation: **Grant Permission**

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

1. 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 those in Section A shall also be retained for so long as the development remains in existence.

Section A

- (1) parking arrangements
- (2) vehicular turning area
- (3) visibility splays

Section B

- (4) refuse collection facility
- (5) finished floor levels of the buildings in relation to existing and proposed site levels

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

2. No works on site shall commence until details of the external facing materials, hard landscaping, new boundary enclosures and security measures 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 UD3 and UD6 of the Adopted Replacement Unitary Development Plan for Croydon

3. The new planting and/or other landscaping treatment specified in the application, plan no. 1370/2 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 ensure that the new planting becomes established and thereby enhances the appearance of the development and contributes to the visual amenity of the locality in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

4. 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 UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

5. Fencing for the protection of the trees on this site and within adjoining gardens shall be erected in accordance with Plan No.1370/1 before any materials, equipment or machinery are brought onto the site for the purposes of development, including 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 within be made without the prior written consent of the Local Planning Authority.

Reason: To ensure that the trees to be retained are not damaged by the construction and associated works in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

6. No cement, diesel, oil or tar, bitumen or other similar material shall be stored within 10 metres of the trunk of any tree to be retained without the prior written approval of the Local Planning Authority

Reason: To ensure that the trees to be retained are not damaged by the construction and associated works in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

7. No window or glazed door shall be provided in the following elevations other than as specified in the application:-

- (1) northern - plot 1
- (2) south-eastern - plot 3
- (3) western- plot 3

Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Adopted Replacement Unitary Development Plan for Croydon

8. The windows in the following elevations shall be glazed with obscure glass and retained in that form for so long as the development remains in existence:-

(1) first floor ensuite in northern elevation of plot 1

(2) all first floor windows in the south-eastern elevation of plot 3

Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Adopted Replacement Unitary Development Plan for Croydon

9. 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

10. 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 roof of any dwelling without the express permission of the Local Planning Authority

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

11. 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 EP4 of the Adopted Replacement Unitary Development Plan for Croydon

12. No development including excavations for drainage and foundation work shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only be carried out in accordance with the agreed programme

Reason: To safeguard the heritage of the Borough by providing an

adequate opportunity to investigate and excavate archaeological remains on the site before development is carried out, in accordance with Policy UC11 of the Adopted Replacement Unitary Development Plan for Croydon

13. 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:-

- . The relevant policies of the Adopted Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD1-3, UD6-9, UD12-15, SP4, UC11, SP8, NC4, SP9-10, SP13, EP4, EP13, SP14, T8, T11, SP18, SP20, H2 and H5

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

- . (a) 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 safety of pedestrians and motorists on the adjacent highway
- (i) the housing policies of the development plan
- (j) the environmental protection policies of the development plan
- (k) the archaeology policies of the development plan

and having regard to all other matters raised.

Informative(s) :-

- 1 The applicant is advised to consult the Council's "Code of Practice on the Control of Noise and Pollution from Construction Sites" before commencing work on the site. The Code gives advice on how to undertake work on site in a considerate manner. A copy can be obtained by calling 020 8760 5483.
- 2 In considering any request to vary Conditions 7 & 8 attached to this permission, the Local Planning Authority will need to be satisfied that the purpose, position, design and glazing of a proposed window or other opening is such that the amenities and privacy of adjoining occupiers will be maintained
- 3 You are advised in relation to condition 12 above that a pre-development archaeological evaluation of the site would only identify its potential and would not constitute an archaeological investigation which may involve more extensive works.

Ward: Purley

PLANNING COMMITTEE
12 October 2006

Lead Officer: Head of Planning Control

APPLICATION NO. 05/5400/P- LAND R/O 21A-23 RUSSELL HILL, PURLEY

1. SUMMARY

- 1.1 This report concerns an application for full planning permission for the erection of 1 detached five bedroom house with attached double garage and 2 detached four bedroom houses with integral double garages behind nos. 21A and 23 Russell Hill with a new access road and additional parking in front of each dwelling.

2. RECOMMENDATIONS

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

Site and Surrounding Area

- 3.1 The application site is formed from part of the rear gardens of nos. 21A and 23 Russell Hill, with access alongside no. 23 (and demolition of its side porch). The site area is given as 0.24ha (0.59acre). The site is bounded by mature hedging and trees. No. 23 is a detached house and no. 21A is a bungalow.
- 3.2 The site levels slope down by about 2m from Russell Hill to the rear SW boundary. There are a number of trees within the site and along the rear boundary. Those along this boundary, namely Lime and Horse Chestnut in the garden of no. 23, and Sycamore and Ash in the gardens of properties in Plough Lane, but overhanging the site, are protected by a Tree Preservation Order no. 23, 2004. In addition, a Holm Oak in the front garden of no. 21A is also protected by this Order.
- 3.3 The surrounding area is entirely residential in character comprising mainly large detached houses set within spacious gardens. A number of rear gardens in this road have been developed for additional housing, and those nearest to this site include Pringle Gardens (4 houses), land at the rear of 38a-42 Russell Hill (3 houses), and land at the rear of 23b-25a Russell Hill (4 houses).

Relevant Planning History

- 3.4 04/2677/P- In October 2004, planning permission was refused for 2 semi-detached three bedroom houses with a detached pair of garages, 2 detached four bedroom houses with integral garages and 1 detached four bedroom house with an integral garage on the grounds the development would be out of keeping with the character of development in the locality by reason of its cramped and overcrowded layout resulting in unsatisfactory relationships with adjoining residential property; that it would be detrimental to the amenities of occupiers of adjoining property by reason of its size, siting and visual intrusion; and that it would be likely to put at risk protected trees.
- 3.5 An appeal against this refusal was dismissed in April 2005. The Inspector considered that a back land development on this site would be acceptable in principle, given the other back land sites which have been developed or had planning permission granted. However, he was concerned that this scheme in terms of the number, size and siting of the buildings would be “out of keeping with the established pattern of development in the area”. He said “the proposal would

fail to respect the visual character of existing development and the spaces between dwellings which allow adequate separation for planting and provide a spacious wooded appearance. The plot sizes would generally be smaller than those prevailing in the vicinity, and this in my view emphasises the cramped nature of the proposal". In terms of the effect on existing protected trees at the rear, he considered that "having regard to their height and proximity to the dwellings, I consider it likely that pressure would arise from future residents for lopping or cutting back some trees"...which would put them at risk...and which "make a valuable contribution to the area". With regard to the effect on the living conditions of the host properties, he considered that there would be no mutual overlooking or loss of privacy into their rear gardens. However as two of the new houses would be close to the boundaries on each side, this "would be visually intrusive to the adjoining occupiers as there would be little opportunity to provide additional effective screening..." In addition, he thought there would be loss of privacy from overlooking from the front windows of the new dwellings into adjoining rear gardens, particularly in the case of no.21.

Proposal

- 3.6 The new dwellings would be sited at the rear of nos. 21A-23 off an access road running between nos. 23 and 23a Russell Hill. They would have garden depths ranging from 13m-18m. Plots 1 & 2 would be 4-bedroom detached houses with integral double garages, each having a floor area of approximately 231sq.m. Plot 3 would be a 5-bedroom detached house with attached double garage and bedroom over. The house would be orientated such that its main garden would be to the south-west side. The house is shown with a floor area of approximately 262sq.m. No details have been given of the external materials, although there would be a mixture of brickwork, render and tile hanging. This would be agreed as a condition if planning permission is granted.
- 3.7 The majority of the boundary hedging and trees would remain, but details of other boundary enclosures not shown (to the host properties) would be part of the conditions on a grant of permission.
- 3.8 The new access road would be part block paving and part black top covering. Each dwelling would have parking space for 2 vehicles in the front drive.
- 3.9 The application has been amended twice during the course of its consideration. Firstly, to show alterations to the layout to omit the double garages shown in front of plots 1 and 3 and a re-orientation and redesign of the house on plot 3; to increase the depth of the rear gardens for all 3 dwellings; and provision of additional information on the retention of existing trees with a landscaping scheme; and submission of a design statement. In addition, pedestrian visibility splays have been shown at the access road entrance and a refuse collection point 21m in from the frontage.
- 3.10 The second set of revisions show the house on plot 1 moved away from the western boundary by 3m to allow for additional planting; the house on plot 2 revised to have the same layout/footprint to the house on plot 1; the house on plot 2 moved further forward from the rear boundary by 3m; and a reduction in the size of the roof over the garage on plot 3.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Adopted Replacement UDP for Croydon are SP1-3, UD1-3, UD6-9, UD12-15, SP4, UC11, SP8, NC4, SP9-10, SP13, EP4, EP13, SP14, T8, T11, SP18, SP20, H2 and H5.

5. CONSULTATIONS

- 5.1 Thirty-four occupiers of adjoining and nearby property have been notified of the application. Replies have been received from 13 occupiers objecting on the following grounds:-

- (a) cramped and out of keeping with the character of the street;
- (b) increased traffic flows and increased noise/pollution;
- (c) would affect safety of the elderly and children living in the area;
- (d) increased pressure on parking in the road;
- (e) risk to existing trees subject to a preservation order;
- (f) scheme is lacking in detail;
- (g) layout and footprint of buildings very similar to previous refused scheme;
- (h) visual intrusion, loss of outlook, privacy and amenity;
- (i) would affect existing wildlife in area;
- (j) would increase the density of housing in the area to an unacceptable degree.

- 5.2 Councillor Graham Bass has referred the application on grounds that the plot would be over-developed/overcrowded, especially given the detached garages; it would be out of character in the area; the TPO trees would be in danger; there would be too many accesses to Russell Hill of particular concern given the volume of school traffic/parking; and it would be detrimental to the amenity/privacy of immediate neighbours.

- 5.3 Letters received from Webb Estate Ltd and Furze Lane Residents Association stating that the scheme is similar to a previous refused application. They are concerned about the potential risk to or loss of trees on a wooded hillside/ridge and the fact that the scheme is an overdevelopment which would result in a cramped and overcrowded layout. They feel the development would also have a detrimental effect on adjoining occupiers.

- 5.4 Letter from Purley & Woodcote Residents' Association concerned about the density of the scheme and the size of development which is high for the area. It remains concerned about the multitude of similar developments taking place in Russell Hill which will destroy the character and appeal of the area.

- 5.5 Letter from English Heritage stating that the development may affect remains of archaeological importance, but has requested more information from the applicant.

- 5.6 The same occupiers were notified of the first set of amendments. Ten of those occupiers who originally commented replied re-iterating their objections. In addition a further 4 letters were received objecting on similar grounds to those

outlined above in paragraph 5.1. A letter of support was received from an occupier of one of the host properties.

- 5.7 Councillor Graham Bass wants his original referral to stand in the light of the amendments made, but for the words “detached garages” to read “sprawling garages”.
- 5.8 Purley & Woodcote Resident’s Association re-iterated their concerns and feel this application has not materially changed from the previous refusal. It should be seen in the context with other infillings going on in Russell Hill which, in their opinion, are destroying the pleasant/green environment of this attractive road.
- 5.9 The same occupiers were notified of the second set of amendments. Six of those occupiers who originally replied re-iterated their objections and consider the changes do not alter the scheme to any great degree, but additionally are concerned about the design of the dwellings, the noise and disturbance from construction; and the loss of protected trees. One of these occupiers is supportive of the changes to part of the layout (Plot 1) and of the additional planting proposed along the northern boundary.

6. CONSIDERATIONS

6.1 The principal issues are:-

- (a) the effect on the character and visual amenity of the locality
- (b) the effect on the amenities and privacy of adjoining occupiers
- (c) the risk to existing trees and future living standards for new occupiers
- (d) traffic and highway conditions in the area

6.2 The locality is characterised by mainly two-storey detached houses occupying generous well treed grounds. There are also some single-storey dwellings in the road. Of the backland sites developed in the vicinity, the one recently completed at the rear of 25A-23B Russell Hill for 4 detached houses is the most relevant for comparison purposes. The Inspector in dismissing the previous appeal on this site had no objection in principle to a backland development. However, he was concerned that the number, size and siting of the dwellings would not respect the pattern of development in the locality. Given that the amended scheme has been reduced from 5 houses to 3, and the layout has been improved to increase the space between dwellings with additional planting together with the omission of detached garages, it is considered the development would now respect the visual character of development in the vicinity, in particular, compared with the site at 25A-23B Russell Hill. In addition, the dwellings are shown sited further from the rear south-western boundary and the layout would allow for most of the existing boundary planting to remain and with the addition of new trees to provide a “spacious wooded appearance”, as noted by the previous Appeal Inspector. The plot sizes and depths of the rear gardens of this scheme would be generally comparable with other backland sites in this road.

- 6.3 The front elevation of the house on plot 1 would be 40m from the rear of 23a Russell Hill and the side elevation of the house on plot 3 would be 21m from the rear of 21 Russell Hill. At these distances, and given the existing and proposed tree and hedge screening, there would be no significant loss of amenity from visual intrusion or loss of privacy from overlooking into adjoining rear gardens. In addition, the house on plot 3 has been designed with no principal windows at first floor level facing the rear garden of no.21. The windows that are shown can be conditioned to be obscure glazed and fixed shut to alleviate any possible overlooking.
- 6.4 Four protected Horse Chestnut trees within the group of 10 trees along the rear south-western boundary are shown to be removed. This would allow the remaining 6 Lime trees to grow adequately with more space and is acceptable in line with good forestry practice. The new houses have been moved further away from this boundary and it is considered that there would adequate useable rear garden space for future occupiers having regard to the crown spread of these trees. The proposed tree protection fencing plan submitted with application for use during construction is satisfactory, and the new planting would enhance the appearance of the development.
- 6.5 There are no objections to the amended scheme on highway or other traffic grounds. The number of parking spaces shown is satisfactory.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 In line with the objectives of PPG3 and policies in the Replacement UDP, the development would make more efficient use of garden land which would not be out of keeping with the visual character of the area.

8. EQUALITIES CONSIDERATIONS

- 8.1 There would be level threshold access to the new dwellings

Case Officer: John Lawson

Background Documents: 34 letters from adjoining occupiers
Referrals from Councillor Graham Bass
Letters from Webb Estate Ltd & Furze Lane Residents Association
2 letters from Purley & Woodcote Residents Association
Letter from English Heritage

Contact Officer: Mr P. Mills, Tel 0208 760 5419