

**Agenda Item: 6.4**

**This is a Major Application for which the 13 week period expires on 12/10/2006.**

06/02897/P

13/07/2006

Kenley

Application for outline planning permission

Agent:

Ms B A Perry

160 Godstone Road

Caterham

Surrey

CR3 6RB

Applicant:

Village Developments Plc

East Wing

Harewood House

Outwood Lane Outwood, Surrey

RH1 5PN

Location: 8-10 Welcomes Road, Kenley, CR8

Description: Demolition of existing buildings; erection 3 three bedroom, 5 two bedroom terraced houses, 2 five bedroom detached houses with attached garages and and a two storey building comprising 4 two bedroom flats; formation of access road and provision of associated parking

Drawing No(s): 899/50, 899/51, 899/52,

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The proposal would result in an overdevelopment of the site out of keeping with the character of the area, detrimental to the appearance of the street scene and harmful to the appearance of the hillside and would thereby conflict with Policies UD2, UD3 , UD9, H2 and H5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
2. The development would not respect the form of the street of which it is a part by building to the established building line of frontages and would thereby conflict and would thereby conflict with Policy UD2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
3. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of its size and siting resulting in loss of privacy and visual intrusion and would thereby conflict with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
4. Insufficient detail has been provided to demonstrate that sight lines and visibility splays could be satisfactorily achieved. The design and layout of the parking and number of car and cycle spaces would not be well designed and appropriate to the development and would thereby conflict with Policies UD12, UD13, T4, T8 and T11.
5. The development would result in the loss of or the putting at risk trees and other vegetation some of which are the subject of a Tree Preservation Order and

would thereby conflict with Policies UD2, UD14 and NC4 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

6. The proposal is a major planning application but it does not incorporate an adequate environmental performance statement and does not demonstrate that the proposal will incorporate renewable energy production equipment to provide at least 10% of the predicted energy requirements of the proposal and would thereby be contrary to Policies SP1, UD1, UD8, EP15 and EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and Supplementary Planning Guidance Note No.15 on Renewable Energy.

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**Ward: Kenley**  
**Lead Officer: Head of Planning Control**

**PLANNING COMMITTEE**  
**12<sup>th</sup> October 2006**

**06/2897/P: 8-10 Welcomes Road, Kenley, CR8 5HD**

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### **1. SUMMARY**

- 1.1 This report concerns an application for outline planning permission for the demolition of the existing buildings; erection of 3 three bedroom and 5 two bedroom terraced houses, 2 five bedroom detached houses with attached garages and a two storey building comprising 4 two bedroom flats; formation of an access road and provision of associated parking.
- 1.2 This application has been referred by a Council Member.

### **2. RECOMMENDATION**

- 2.1 That planning permission be refused for the reasons set out in the agenda.
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### **3. BACKGROUND**

#### **(a) Site Description**

- 3.1 The application site is located on the western side of Welcomes Road. The site is occupied by two substantial bungalows. Both properties have in/out driveways. Number 10 has a hedgerow frontage whilst Number 8 has a brick wall. The total frontage is 66m and the depth of the site is 63m. The land rises from east to west.
- 3.2 The site boundaries to the north, south and west have many trees and the boundary between the properties is also tree lined. Tree Preservation Order No. 11, 2006 protects some trees at the site.
- 3.3 The surrounding area is primarily residential in character with large detached dwellings within large gardens. There is a variety of style amongst the properties. Welcomes Road has a semi rural character with many hedgerows and trees lining the boundaries of properties.

#### **(b) Relevant Planning History**

- 3.4 93/1235/P- Planning permission was refused in January 1994 for the erection of two detached 4 bedroom houses with double garage and formation of vehicular access. The application was refused on the following refusal reasons:
- 1) The development would have a cramped and overcrowded layout, out of keeping with the character of development in the immediate locality resulting in an unsatisfactory environment for the occupiers of the buildings and would thereby conflict with Policies E.1 and H.6 of the District Plan and Policies BE1, BE2, BE3 and BE4 of the Deposit Draft Unitary Development Plan
  - 2) The development would be likely to result in an unsatisfactory spatial relationship with existing buildings detrimental to the amenities of occupiers of adjoining property by reason of noise, disturbance, loss of privacy and visual intrusion and would thereby conflict with Policies E.1 and H.6 of the District Plan and Policies BE10 and BE17 of the Deposit Draft Unitary Development Plan
- 3.5 06/1079/P- Planning permission was refused on 22<sup>nd</sup> June 2006 for an outline application for the demolition of the existing buildings; erection 3 three bedroom and 5 two bedroom terraced houses, 3 four bedroom detached houses with integral garages and 1 five bedroom detached house; formation of access road and provision of associated parking. The siting and means of access were considered. The application was refused for the following reasons:
- 1) The proposal would result in an overdevelopment of the site out of keeping with the character of the area, detrimental to the appearance of the street scene and harmful to the appearance of the hillside and would thereby conflict with Policies SP1, BE1, BE3, H2 and H3 of the Unitary Development Plan and Policies UD2, UD7, H2 and H4 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan).
  - 2) The development would not respect the form of the street of which it is a part by building to the established building line of frontages and would thereby conflict with Policy BE4 of the Unitary Development Plan and Policy UD2 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan).
  - 3) The development would be detrimental to the amenities of the occupiers of adjoining property by reason of its size and siting resulting in loss of privacy and visual intrusion and would thereby conflict with Policies SP1, BE3, BE16, BE17 and H2 of the Unitary Development Plan and UD6 and H2 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan).
  - 4) The design and layout of the parking and number of car and cycle spaces would not be well designed and appropriate to the development. The proposal would also not make provision for sustainable transport and would thereby conflict with Policies BE10, T23, T27, T37 and T46 of the Unitary Development Plan, Planning Guidance Note 1 on Planning Obligations and Policies UD10, UD11, T14, T31, T39 and T43 of the

Second Deposit Draft Replacement Unitary Development Plan  
Incorporating Proposed Modifications (the Croydon Plan).

- 5) The development would result in the loss of or the putting at risk trees and other vegetation some of which are the subject of a Tree Preservation Order and would thereby conflict with Policies SP11 and NC4 of the Unitary Development Plan and Policy NC4 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan).
- 6) The proposal is a major planning application but it does not incorporate an adequate environmental performance statement and does not identify how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods. It therefore conflicts with Policy BE23 of the Unitary Development Plan and Policies UD1, EP22 and EP23 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan).
- 7) The proposal does not provide for the enhancement of nearby open space and educational contributions would thereby conflict with Policy RO15 of the Second Deposit Draft Replacement Unitary Development Plan Incorporating Proposed Modifications (the Croydon Plan) and Planning Guidance Note 1 on Planning Obligations.

This refusal is the subject of an outstanding appeal that will be considered by means of a Public Inquiry, currently scheduled for 29<sup>th</sup> November 2006.

(c) Proposal

- 3.6 An application for outline planning permission has been received for the demolition of the existing buildings; erection of 3 three bedroom and 5 two bedroom terraced houses, 2 five bedroom detached houses with attached garages and a two storey building comprising 4 two bedroom flats; formation of an access road and provision of associated parking. The matters to be considered are siting and means of access. The applicant has submitted a perspective, floor plans and elevations for illustrative purposes. A tree survey has been submitted with the previous application. It is stated that the tree survey is identical in this scheme.
- 3.7 The proposal is formed of two rows of terraced houses, 2 detached houses and a two storey building comprising 4 two bedroom flats. Units 1 to 3 form a terrace with Units 4 to 8 which form the other terrace all to the rear part of the site. Units 9 to 10 form the 2 detached houses on the frontage of the site. The two storey building would be for units 11-14 and would also form a frontage building
- 3.8 The application proposes to create a new vehicular access and access road onto the site from Welcomes Road. 4 car parking spaces are proposed which front Welcomes Road and this would be in addition to two garages and two car standing spaces. 19 car parking spaces are proposed at the rear of the site.
- 3.9 Various landscaping will be undertaken and several trees are to be removed as part of the scheme.

#### 4. PLANNING POLICIES

- 4.1 The policies of the Replacement Unitary Development Plan (the Croydon Plan) are SP1, SP2, SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD9, UD12, UD13, UD14, UD15, RO12, SP8, NC2-4, SP11, SP9, SP10, SP13, EP15, EP16, SP14, T4, T8, T11, SP17-SP22, H2, H5, H13 and H14. Planning Guidance Note 1 on Planning Obligations and Supplementary Planning Guidance Note 15 on Renewable Energy are relevant to this application.

#### 5. CONSULTATIONS

- 5.1 The occupiers of 179 adjoining and nearby properties have been notified of the application and the application has been advertised in the local press. 166 letters of objection have been received, including one from Welcomes and Uplands Road Association. The following concerns have been raised:

- 1) The development is completely out of keeping with the character of the area
- 2) Inadequate car parking and a highway hazard
- 3) Loss of trees
- 4) Negative impact on neighbours- loss of privacy, noise and disturbance
- 5) Development does not respect the existing pattern of building in the locality
- 6) Badgers are in the area
- 7) Increase demand on local services
- 7) The application is very similar to the previous refused application

- 5.2 Councillor Steve Hollands has referred the application on the following grounds:

*'This proposal is out of character with its surroundings and will have a negative impact on the surrounding properties and is an overdevelopment of the site'.*

- 5.3 The Welcomes and Uplands Road Association request that the application be refused on the grounds of loss of character of Welcomes Road, loss of the rural character of Welcomes Road through the increase in width of the road, highway safety concerns, design, siting and massing of buildings being inappropriate, potential damage to trees, and adverse impact on local infrastructure.

- 5.4 The Policy and Strategy Team provided details with regards to:- **Education Contribution:** There is currently a surplus of places in both primary and secondary schools in the local area. Analysis shows that the likely numbers of primary and secondary school aged children that could be expected to live in the development in the future would not exceed the number of surplus primary and secondary school places. **Health Contribution:** Assumption: 3 Months of revenue funding required (i.e. if all units would be occupied for 3 months before funding review occurs). The HUDU model was used to calculate size of contribution required, as Table 3 below shows, approximately £9,072 would be required towards revenue funding and £13,250 required covering capital costs. Total sought: £22,322. **Open Space Contribution:** Site is located in an area of open park deficiency but an estimate of on site open space showed that there would be sufficient on site to meet the requirements of Policy RO12. **Sustainable Transport:** The site is located in an area with a PTAL of 1b, accordingly the full sustainable transport obligation is sought = £11,300. The applicant has stated they are willing to enter into a legal agreement for the various contributions.

- 5.5 The Contaminated Land Officer has stated that the applicant is required to provide details of the previous historical uses of the site.
- 5.6 The East Surrey Badger Protection Society has stated, on the previous application, there are no badger setts or evidence of regular badger activity. However given the known wider local badger activity and the possibility of badgers occasionally entering the site it would be prudent to ensure that the site's construction do not pose a danger to badgers. Specifically there should be an escape route for badgers from any steep sided diggings on site and large pipes should be blocked off at night.

## **6. CONSIDERATIONS**

6.1 The principal considerations relating to this application are;

- 1) The acceptability of a residential redevelopment on this site
- 2) The effect of the proposed development on:
  - a) The character of the area and the visual amenities of the street scene
  - b) The amenities and the privacy of the occupiers of the adjoining residential properties and future occupiers
  - c) Trees and vegetation
  - d) Traffic and highway conditions in the locality

### Principle of Residential Development

6.2 There is not an objection, in principle, to redevelopment of the site. Policy H2 of the Croydon Plan permit housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. New residential development should only be permitted where it maintains the character of the area and protects the amenity of adjoining properties.

### Impact on the Streetscene and the Character of the Area

6.3 Policies UD2 and UD3 of the Croydon Plan, require development to respect or improve the pattern of development in the area and to respect building widths and frontages. The existing buildings on the site are large detached bungalows. The adjacent properties are large detached houses on spacious plots. The character of the area is typified by the 'leafy' setting of the buildings and the spaces between them

6.4 The proposed buildings would represent an over development of the site. The proposal fails to respect either the scale of buildings, the spaces between them and the sizes of plots generally. The proposed buildings would fill the site with development leaving little space to help maintain the character which defines the area. The rows of terraced house would be totally out of keeping with the type of properties within Welcomes Road. The extent of buildings, hard surfacing and other hard landscape proposals would leave little opportunity to retain planting or to provide new planting opportunities, sufficient to maintain the currently well vegetated character of the area.

6.5 The proposal would be unduly prominent in the context of the building line and the existing detached properties with vegetation and tree lined boundaries. Although no finished floor levels have been provided, it appears that the terraced houses

would be on higher ground than the road and therefore would appear as prominent features within the street scene. Given that Policy UD9 of the Croydon Plan states 'The Council will seek to protect the special character of wooded hillside and ridges. Development that would adversely affect the character of the area or lead to the loss of tree cover, either as a result of construction or as a likely consequence of the everyday use of the development, will be refused'. It is considered that the introduction of two tiers of development, one behind the other, with the rear portion on rising ground, would harm the appearance of this hillside location.

- 6.6 The parking layout should form an integral part of design and should not dominate the form of the scheme. The parking to the front of the site, facing Welcomes Road, dominates the main part of the streetscene and would be visually intrusive and out of keeping with the predominant character of the area in contrast to the remaining parts of this section of Welcomes Road.

#### Impact on Amenities of Adjoining Occupiers

- 6.7 The proposed rows of terrace house would appear bulky and would result in visual intrusion and loss of outlook mainly to the occupiers of number 12 and 6 Welcomes Road. The buildings would also result in a loss of privacy for the occupiers of these properties.

#### Parking and Highway Implications

- 6.8 The subject site is shown to be in an area with a PTAL accessibility rating of 1b, as indicated on maps produced by Transport of London (TfL). The site is therefore considered poorly accessible to public transport links.
- 6.9 The car parking standards described in Appendix 2 of the Croydon Plan require a maximum of 1 space to be provided per flat, 1.5 spaces per terraced dwelling and 2 spaces per detached dwelling, equating to a maximum total of 20 spaces for this development. 27 spaces are well in excess of the maximum standards of the Croydon Plan. The applicant states that additional parking spaces are proposed due to concerns raised by local residents. However, this is not considered justification enough for providing residential parking in excess of the Development Plan standards. The maximum allowable provision of 20 spaces is deemed an adequate amount and in keeping with the policies and intentions of the Plan.
- 6.10 There is no provision for disabled parking. At least two of the parking spaces should be designed in accordance with the standards in Supplementary Planning Guidance No 10.
- 6.11 Footways are provided on both sides of the access into the site. Visibility splays measuring 1.5m x 1.5m should be provided and maintained behind the back of the footway on both sides of the vehicular accesses, with no obstruction above the height of 0.6m for the parking spaces in front of proposed units. This can be dealt with as a condition to any permission.
- 6.12 The design statement states that full sightlines of 2.4m x 90m are provided. However, the ability to provide sight lines has not been demonstrated on the plans by the applicant.

#### Trees and Vegetation

- 6.13 It is considered the scheme is unacceptable in terms of the damaging impact on the treed character of the application site and the verdant enclave at the northern

end of Welcomes Road. Such damage will occur as a direct result of the removal of trees and other vegetation, some of which are subject of a Tree Preservation Order, to facilitate the development. During the construction process and following occupation of the dwellings there is likely to be indirect pressure on the trees and other vegetation. This would result in a further devaluation of the treed character of the site.

Proposed Standard of Accommodation

- 6.14 The standard of accommodation and amenity space is deemed to be acceptable, although some of the rear gardens are small and main aspects of the houses face into the canopies of trees and the side elevations of other buildings.

**7. ENVIRONMENTAL CONSIDERATIONS**

- 7.1 The proposal would result in the redevelopment of an existing developed site.

- 7.2 The Planning and Design Statement has included a sustainability section but it does not address adequately how the sustainability requirements for this type of development as set down in EP23 of the Croydon Plan could be achieved. This requires a development of this size to produce 10% of the predicted energy consumption by renewable energy on site.

**8. EQUALITIES CONSIDERATIONS**

- 8.1 The outline application does not cover issues of access.

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Case Officer: Laura Millar

Background Documents: 166 adjoining occupier letters  
1 objection letter from Welcomes and Uplands Road Association.  
Referral from Councillor Steve Hollands  
Tree Officer Comments  
Transportation Team Comments  
Policy and Strategy Team Comments  
East Surrey Badger Protection Society Comments (on previous application)

Contact Officer: Mr. P. Mills 020 8760 5419