

Agenda Item: 6.6

06/01864/P

10/05/2006

Waddon

Application for outline planning permission

Agent:

Lane Associates
62 Sorrel Bank
Linton Glade
Croydon Surrey
CR0 9LW

Applicant:

Mr R Crook
Albion Business Units
New Albion Works
21-23 Rectory Grove
Croydon
CR0 4TA

Location: Land at Rectory Grove and, Sylverdale Road, Croydon, CR0

Description: Demolition of existing buildings; erection of 6 two storey three bedroom terraced houses with accommodation in roofspace and 2 two bedroom bungalows; formation of vehicular access and provision of associated parking

Drawing No(s): 0407/000/10 Rev A, 0407/000/11 Rev A, 0407/000/12 Rev A, 0407/000/13 Rev A, 0407/000/14 Rev A, 0407/000/15 Rev A, 0407/000/16 Rev A, 0407/000/17 RevA, 0407/000/18 RevA, 0407/000/19 Rev A.

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)
- (3) landscaping of the site

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

2. 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

3. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters:-
Section A

- (1) parking arrangements
- (2) vehicular turning area
- (3) visibility splays
- (4) garden and communal areas
- (5) vehicular access and drive
- (6) roads, footpaths and access routes within the site including levels and gradients

- (7) refuse collection facilities
 - (8) any boundary walls and fences or other means of enclosing the site
- Section B
- (9) finished floor levels of the building(s) in relation to existing and proposed site levels
 - (10) any screen walls and fences

Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

4. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 3 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 having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

5. 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

6. 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 EP3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

7. Prior to the commencement of the development, a landscaping scheme to include existing and proposed planting shall be submitted to and approved by

the Local Planning Authority; the approved 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 UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

8. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

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 Croydon Replacement Unitary Development Plan (The Croydon Plan)

9. The first floor windows in the western elevation of the first terrace of houses shall be obscure glazed and shall be retained in that form for so long as the development remains in existence

Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).

10. 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 ensure an acceptable standard of development having regard to the Policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

11. 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

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

1. The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1 – SP3, UD1 – UD3, UD6 – UDUD8, UD12 – UD16, SP8, NC2 – NC4, SP9 – SP10, SP13, EP1 – EP5, EP15 – EP16, SP14,

T2, T4, T8, T11, SP15, EM5, SP17 – SP22, H2, H5, H9 – H10, H13 and H14.

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 safety of pedestrians and motorists on the adjacent highway
- (i) the safety and security of buildings and the spaces around them
- (j) accessibility to buildings
- (k) the housing policies of the development plan
- (l) sustainability issues
- (m) the recreational open space policies of the development plan
- (n) the employment policies of the development plan

and having regard to all other matters raised.

Informative(s) :-

- 1 The site lies within an area where archaeological remains have been identified and any archaeological remains therein should be retrieved or recorded before they are damaged or destroyed due to the development hereby permitted.
- 2 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.
- 3 Under the terms of the Water Resources Act 1991, the prior consent of the Environment Agency is currently required for any discharge of sewerage or trade effluent onto or into ground for surface runoff into ground water. Such consent maybe withheld. If there is discharge consent, the applicant should ensure that any increase in volume is permitted under the present conditions.
- 4 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.
- 5 Your attention is drawn to the provisions of Part M of the Building Regulations 2000 in relation to disabled access
- 6 The applicant's attention is drawn to the following technical documents relevant to the assessment of human health risks arising from contaminants in soil (obtainable from the Environment Agency R&D Dissemination Centre, c/o WRc, Frankland Road, Blagrove, Swindon, Wilts SN5 8YF. (Tel 01793 865000; Fax 01793 865001); they can also be ordered on line via www.webookshop.com/ea/rdreport.nsf):-
 - (1) CLEA (Contaminated Land Exposure Assessment) Contaminated Land Reports (CLR's) 7 - 10,
 - (2) the "CLEA 2002" software, available for downloading from <http://www.environment->

Ward: Waddon **PLANNING COMMITTEE**
Lead Officer: Head of Planning Control **30th November 2006**

**Application Number: 06/01864/P; Land at Rectory grove and Sylverdale Road,
Croydon, CRO**

1. SUMMARY

1.1 Outline application for:

- Demolition of existing buildings,
- Erection of 6 two storey two bedroom terraced houses and 2 two bedroom bungalows
- Formation of vehicular access and associated parking.

2. RECOMMENDATION

2.1 Grant Planning permission subject to the conditions and reasons set out in the agenda.

3. BACKGROUND

3.1 Site Description

- Backland site located to the rear of properties in Rectory Grove, Sylverdale Road and Waddon New Road.
- Occupied by a single, two, three storey building partially used as a joinery business and other single storey commercial buildings which appear to have been vacant for a considerable period of time.
- Site Area of 0.183 (0.45 acres).

3.2 Surrounding Area Uses/Form

- To the north the site adjoins the rear gardens of semi detached residential properties most of which have been converted into flats. This is with the exception of 23 Rectory Grove which comprises a 2 storey commercial building.
- To the east the site adjoins the rear gardens of residential properties in Rectory Grove.
- To the east the site adjoins the rear gardens of two storey terraced houses in Waddon New Road.
- To the south the site adjoins two storey terraced properties in Sylverdale Road and shares a boundary with Cranmer Hall.

3.3 Designations

- Archaeological Priority Zone

- Area of High Density
- Rectory Grove and Waddon New Road are Local Distributor Roads
- Adjacent to the Wandle Trail
- Partially located within an Area at High Risk of Flood

3.4 Relevant history

04/0013/P; In January 2004 a full planning application was received for the demolition of existing buildings; erection of a two storey terrace of 3 three bedroom houses with accommodation in roof spaces and a single/two storey block to comprise 16 one bedroom flats; formation of vehicular access onto Sylverdale Road and provision of associated parking spaces. This application was withdrawn in February 2004.

05/2222/P; In June 2005 an outline planning application was received for the demolition of existing buildings; erection of 3 three storey buildings comprising a total of 12 two bedroom and 6 one bedroom flats; formation of access road and provision of associated parking. This application was withdrawn in September 2005.

3.5 Proposal

Outline planning permission is sought for:

- Demolition of existing buildings
- Erection of 6 two storey two bedroom houses and 2 two bedroom bungalows.
- Indicative height of bungalows 5.3m and houses 8.3m
- Internal floor areas 66.6m² – 68.3m² bungalows and 72.6m² houses
- Amenity space to the rear/side of units
- Provision of vehicular access to Sylverdale Road and provision of a vehicular turning head.
- 7 parking spaces

3.6 Only Layout and Access are to be determined at this stage with Appearance, Scale, Landscaping reserved for subsequent approval

3.7 The application has been amended during the course of its consideration including;

- Removal of accommodation in the roof space of the terrace houses
- Provision of a turning head and alterations to the car parking layout.
- Reduction of the terrace houses from 3 bedroom to 2 bedroom units
- Alterations to the internal indicative layout of the bungalows

4 PLANNING POLICIES:

- Croydon Replacement Unitary Development Plan (The Croydon Plan) SP1 – SP3, UD1 – UD3, UD6 – UD8, UD12 – UD16, SP8, NC2 – NC4, SP9 – SP10, SP13, EP1 – EP5, EP15 – EP16, SP14, T2, T4, T8, T11, SP15, EM5, SP17 – SP22, H2, H5, H9 – H10, H13 and H14.

5. CONSULTATIONS

5.1 97 adjacent occupiers notified. 7 replies.
Main grounds of objection:

- Loss of privacy/visual intrusion
- Loss of light
- Loss of trees
- Out of character with the existing Victorian properties
- Increase in population of the area
- Increase noise levels
- Exacerbate existing on street parking problems in the area
- Insufficient off street parking
- Objection to the access being provided by Sylverdale Road. It should not be used as a through road.
- Access should be via Rectory Grove.
- The former gardens areas of 25 and 27 Rectory Grove should not be encroached up by buildings or used for parking vehicles.
- Over development of the site.
- Concern regarding the removal of buildings as their walls form the boundary of the site.
- Buildings are located too close to the adjoining properties.
- Concerns regarding sewage system in the area.
- Proposed materials should complement/match those in the surrounding area.
- Loss of right of way over access from Rectory Grove.
- Insufficient amenity space for future occupiers.
- Inadequate provision for storage of refuse
- A possibility of a stag beetle nest on the site.

5.2 English Heritage have commented on the application and originally requested that a pre decision trial trench evaluation be undertaken on site. However, following further discussions with the applicant English Heritage have confirmed that archaeological field work need not be undertaken prior to the determination of the application subject to conditions being attached to any future planning permission.

5.3 The Environment Agency has stated that they have no objection in principle subject to a number of conditions being attached to any future planning permission.

6. CONSIDERATIONS

Principle of Development

6.1 Policy H2 of the Croydon Plan permits housing development within built up areas provided that it does not conflict with the aim of protecting the character of residential areas and there is no loss of protected uses.

6.2 Policy EM5 of the Croydon Plan UDP seeks to retain business, industry and warehousing units on such sites as long as they do not have an adverse effect on residential amenity. Where a site is considered unsuitable for an alternative employment use, housing would be the preferred use. In order for it to be demonstrated that the site is not suitable for an alternative employment use it should be demonstrated that the site has been genuinely marketed for 18 months with no significant interest shown, before alternative uses are considered.

- 6.3 The applicant has submitted marketing information to demonstrate that despite marketing at reasonable rates they have been unable to let the application site. They have therefore satisfied the criteria set out by Policy EM5 and housing is an acceptable use for the site.

Townscape issues

- 6.4 The application proposal constitutes a backland development and therefore it is necessary for the proposal to meet the criteria set out by Policy H5 the Croydon Plan. This policy states that residential development on such sites is only acceptable where it maintains the character and separation between buildings, provides adequate parking provision and access, provides appropriately designed landscaping, taking into account nature conservation, protects open land and has no cumulative impact in terms of similar schemes in the area.
- 6.5 Policy UD2 requires that the detailed design of buildings together with the layout, siting, scale and massing is of a high standard and reinforces local character. The indicated scale of the proposed terrace houses would be similar in scale and massing to the surrounding residential terraces and semi detached properties. The indicative design suggests that they could be designed to complement the surrounding properties. Bungalows are not a feature of the surrounding area but the main views of these units would largely be in the context of the new development. Overall it is considered that subsequent to the approval of the detailed design of the buildings at a later stage the development would be sympathetic to its surroundings and would comply with Development Plan criteria in respect of character.

Amenities of future occupiers

- 6.6 All of the dwellings floor areas are of an acceptable size and have satisfactory internal layout levels of natural lighting and outlook. Each unit would be provided with private amenity space. The proposed units would provide a satisfactory standard of accommodation for future occupiers.

Amenities of adjoining and nearby occupiers

- 6.7 Policy UD8 of the Croydon Plan seeks to ensure that new development does not have an adverse effect on the amenities of the adjoining occupiers. The terraced houses proposed at the western end of the site would be sited to respect the building line of the existing properties in Sylverdale Road. It is not therefore considered that this element of the proposal would have an adverse effect on the amenities of the adjoining occupiers of these properties. In order to prevent unacceptable levels of overlooking the Council has previously sought to ensure that there is a distance of 20m between opposing habitable room windows at first floor level. In this instance there would be a distance of approximately 17m between the proposed terrace houses and the rear of properties in Waddon New Road. This would be below the Council's normal requirements. However, it is considered that in this circumstance, given the overall acceptability of the scheme and the use of appropriate conditions to prevent overlooking, that material harm to neighbours could be minimised. Overall it is felt that the removal of the existing unattractive buildings would significantly benefit adjoining occupiers.

- 6.8 The terraced houses proposed at the southern end of the site would be positioned 6m from the boundary with properties in Sylverdale Road, between 5 and 10m from the boundary with Cranmer Hall and 1m from the boundary from the rear garden boundary with 19 Rectory Grove. The terraced houses would have a smaller mass than the existing building and are sited at an oblique angle to the adjoining occupiers in order to ensure acceptable levels of overlooking to adjoining occupiers.
- 6.9 The proposed bungalows would be located to the north of the application site and would be located between 1m and 2.5m from the rear boundary of properties in Rectory Grove. This is a relatively small separation from the boundary and the bungalows would be visible from properties in Rectory Grove. But these dwellings would only be single storey and would not result in unacceptable levels of overlooking or loss of sunlight and daylight to the adjoining properties in Rectory Grove.

Highways and parking

- 6.10 The application site has a PTAL rating of 4 (on a scale of 1a – 6b, where 6b is the most accessible). The application proposes 8 off street car parking spaces be provided. This equates to 66% provision of the maximum standard set out by the Croydon Plan. Given the accessibility level of this site it is considered it would be appropriate to accept this provision. The level of off street car parking proposed is therefore considered to be acceptable.
- 6.11 The application plans include two turning heads within the site to ensure that vehicles are able to enter and leave the site in the forward gear. The first turning area is sited close to the entrance to the site and Sylverdale Road. It is considered that the provision of such an area will improve the turning facilities for the existing road which currently does not benefit from such a facility.

Trees and Wildlife

- 6.12 Whilst there is shrubbery on the site there are no trees which are worthy of retention or a Tree Preservation Order. However, it is recommended that a condition requiring the provision of landscaping be attached to any planning permission if the Committee are minded to grant planning permission.
- 6.13 An adjoining occupier had suggested that there is a stag beetle nest on the site. Stag Beetles are a protected species under the Countryside and Right of Way Act 2000. The applicant has consequently commissioned a survey to assess the possibility of Stag Beetles being present on the site. The survey results state that the application site is of a low ecological value and that there is no evidence of Stag Beetles or any other protected species.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The scale of the development is such that the Council's requirements for Eco Homes Assessments are not necessary.

8. EQUALITIES CONSIDERATIONS

8.1 Level access would be secured by the detailed reserved matters application.

Case Officer: Nicola Townsend

Background Documents: 7 letters from adjoining occupiers
Letter from English Heritage
1 Letter from the Environment Agency

Contact Officer: Mr. P. Mills 020 8760 5419