

Agenda Item: 6.10

This is a Major Application for which the 13 week period expires on 20/12/2006.

06/03881/P

20/09/2006

Shirley

Application for outline planning permission

Agent:

Tomei and Mackley Architects

Ivy Mill House

Ivy Mill Lane

Godstone Surrey

RH9 8NR

Applicant:

South East Living Ltd

54-56 Mottingham Road

London

SE9 4QR

Location: 114 Orchard Way, Croydon, CR0 7NN

Description: Demolition of existing building; erection of two/three storey building comprising 7 two bedroom and 5 one bedroom flats; alterations to vehicular access and provision of associated parking

Drawing No(s): 2720-01 Rev A, 11 Rev D, 12 Rev D, 13

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The development would result in an overdevelopment of the site and would be out of character with the area and detrimental to the visual amenities of the street due to its size and forward siting and would thereby conflict with Policies SP3, UD1, UD2 and H2 of the Croydon Replacement Unitary Development Plan (the Croydon Plan).
2. The development would result in undue noise and disturbance to adjoining occupiers and would thereby conflict with Policy SP3 and UD13 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 light, visual intrusion and potential for overlooking and would thereby conflict with Policies UD2, UD8 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
4. The development would result in sub-standard accommodation by reason inadequate outlook for some flats and would thereby conflict with Policy UD2 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
5. The development would result in an unsatisfactory residential environment being

provided for the occupiers of the proposed dwellings by reason of the inadequate private amenity space and would thereby conflict with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

Ward: Shirley
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
14th November 2006

06/03881/P – 114 Orchard Way, Shirley

1. SUMMARY

- 1.1 This report concerns an application for outline planning permission for the demolition of existing building; erection of two/three storey building comprising 7 two bedroom and 5 one bedroom flats; alterations to vehicular access and provision of associated parking

2. RECOMMENDATION

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

3.1 Site Description

- The application site is located on the corner of Orchard Way and Radnor Walk and is occupied by a detached bungalow.
- No. 114 has a flat roofed detached garage on the northern edge of the plot, with an access onto Orchard Way. There is low hedging along the frontage as well as several trees and shrubs on the site, although none are specimen trees and none are protected by Tree Preservation Orders.
- The site measures 0.1 hectares (0.25 acres).

3.2 Surrounding Area

- Immediately to the north there is a public house within a two storey flat roofed building adjoining a 3 storey terrace with shops on the ground floor. Apart from this parade, the surrounding area is wholly residential in character.
- The neighbouring property to the south is a detached bungalow and has a similar appearance to the building to be demolished.
- Adjoining properties on Radnor Walk are two storey flat roofed 1960s houses comprising mainly brick and white cladding. There are a number of properties in the area, further to the north that have a similar appearance and are collectively known as the Lawdon Estate.

- There is a variety of house types and styles within the area and on the eastern side of the road there is no consistent building line.
- 3.3 Designations
- Orchard Way has been designated as a Local Distributor Road.
- 3.4 Planning History
- 06/0904/P - Outline planning permission was refused at Planning Committee on 28/07/06 for Demolition of existing building; erection of two/three storey building comprising 6 two bedroom and 7 one bedroom flats; alterations to vehicular access and provision of associated parking. The application was refused for the following reasons:-
 1. The development would result in an overdevelopment of the site and would be out of character with the area and detrimental to the visual amenities of the street due to its size and forward siting and would thereby conflict with Policies SP3, UD1, UD2 and H2 of the Replacement Croydon Unitary Development Plan (the Croydon Plan)
 2. The development would result in undue noise and disturbance to adjoining occupiers and would thereby conflict with Policy SP3 and UD13 of the Replacement Unitary Development Plan (the Croydon Plan)
- 3.5 Proposal
- Outline permission is sought for:*
- Demolition of existing building; erection of two/three storey building comprising 7 two bedroom and 5 one bedroom flats; alterations to vehicular access and provision of associated parking.
 - The matters to be determined with this application are access, layout and scale.
 - The two/three storey building would measure approximately 28m wide and 13.5m deep. The footprint of the ground and first floor would be similar with the second floor set back 7.5m from the southern elevation.
 - There would be 4 flats located on the ground floor, 5 on the first and 3 on the second.
 - The building would be sited between 8m and 13m from the footway on Orchard Way, and between 1m and 2m from the footpath on Radnor Walk. It would be 21m from No. 2 Radnor Walk, the nearest property backing onto the site.
 - The access to a rear car parking area for 8 spaces would be from Radnor Walk, and an access to a front car parking area for 4 spaces would be from Orchard Way.
 - Bin stores and cycle stores are shown provided to the rear of the building.

4. PLANNING POLICIES

- 4.1 The policies of the Croydon Replacement Unitary Development Plan which are of relevance to this application are SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD13, UD15, SP4, RO12, EP1, EP16, T2, T3, T4, T8, T11, SP18, EM5 and H2.

5. CONSULTATIONS

- 5.1 The application was advertised as a Major Application with a press notice.
- 5.2 The occupiers of 43 adjoining and nearby properties have been notified of the application. Fifteen letters of objection have been received from adjoining occupiers and an additional letter has been received from Monks Orchard Residents' Association. The letters draw attention to the following issues:-
- New proposal has not fully addressed previous reasons for refusal
 - Overdevelopment of the site
 - Detrimental to visual amenities of the streetscene
 - Increased noise and disturbance
 - Out of character with the density and scale of the area
 - The building would not meet the established building line in Orchard Way
 - Building would overlook the rear of adjoining properties
 - Proposal would not meet Council's parking requirements
 - Inadequate amenity space
 - Sustainability information should be submitted with an outline application
 - Potential loss of light for adjoining properties
 - Loss of trees on the site
 - Increased congestion in local area
 - Increased demand on local services
 - Creation of new vehicular access will endanger pedestrians
- 5.3 Monks Orchard Residents' Association have objected to the application for the same reasons as noted above.
- 5.4 The original letters of notification were issued with an incorrect description. The error related to the number of flats proposed, incorrectly reporting 11 instead of 12 flats. Amended notification letters were sent, and 22 additional letters have been received detailing the same objections as noted above.

6. CONSIDERATIONS

- 6.1 The principal considerations are:
- a) The principle of residential development;
 - b) The effect of the siting and scale of the proposal on the locality and whether it will be detrimental to the appearance of the streetscene;
 - c) The effect of the proposal on the residential amenities of the nearby occupiers;
 - d) The impact on parking and highways conditions;
 - e) The living conditions for future occupiers;

- 6.2 Policy H2 of the Croydon Replacement Unitary Development Plan (CRUDP) states 'the Council will permit housing development within the existing built up area provided this does not conflict with its aim of respecting the character of residential areas and there is no loss of other protected uses'. The principle of a residential building is therefore acceptable.
- 6.3 The footprint of the proposed building would be roughly rectangular in shape, with the length of the building located along a north to south axis. The building would not run parallel with Orchard Way and there is no established building line along this section of the road. However the three storey building would be extremely prominent in Orchard Way due to its siting and massing, and would represent development totally out of character with the area. The proposal would be detrimental to the streetscene.
- 6.4 The siting of the proposed building has been moved approximately 3m further away from the back edge of the pavement than that proposed in the previous application. The number of flats has also been reduced by one, with a portion of the second floor removed. These changes have attempted to address the previous reason for refusal relating to the size of the building and its forward siting. However these concerns remain and it is considered the proposal would still be an overdevelopment of the site.
- 6.5 As a result of moving the building further away from Orchard Way, it has moved closer to the rear of properties fronting Radnor Walk. The proposed building would be 3 storeys in height within 20m of the rear of adjoining properties, and within 12m of the shared boundary. The proposed building would be visually intrusive for the occupiers of these properties to the east, and give rise to some loss of light to their rear gardens.
- 6.6 It is proposed that windows in the first floor rear elevation of the building would serve habitable rooms. The location of these windows would have a clear overlooking view of the rear garden of No. 6 Radnor Walk, and angled views of No. 4. The proposal would be detrimental to amenities of adjoining occupiers. A combination of these amenity impacts further confirms that the building would be too large for this location and represents an overdevelopment.
- 6.7 The applicant has also made an attempt to address the second reason for refusal from the previous application, which related to noise and disturbance caused by parking areas located against the boundary shared with adjoining properties. The level of noise and disturbance is still an issue despite the parking area being split into two with 8 parking spaces to the rear of the building, and 4 to the front. This involves the creation of an additional crossover to the front of the building. The size of the parking areas, level of parking provision and crossovers meet the required standards set out in the CRUDP.

- 6.8 The level of parking provision proposed is one space per unit, which in this location is acceptable. The proposed accesses also incorporate the required visibility splays and would not result in a hazard for pedestrians or other road users.
- 6.9 The proposed flats are of an acceptable size for a new building, and the stacking arrangements would also be satisfactory. However a number of the flats located in the rear half of the building would have high level, and balcony windows serving habitable rooms. These would not provide a satisfactory level of light or outlook.
- 6.10 The CRUDP aims to provide adequate amenity space as part of any new residential building. As a result of the building being moved further away from the Orchard Way, and parking being located to the front, it is considered that the area of amenity space is not sufficient for 12 flats.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 Issues relating to sustainability (Eco-Homes excellent rating and to incorporate renewable energy equipment to off-set 10% of predicted carbon emissions) would be dealt with at the reserved matters stage.

8. EQUALITIES CONSIDERATIONS

- 8.1 Three of the proposed 12 parking spaces have been designed for disable use. Provision of level access would be dealt with at reserved matters stage.

Background Documents: Thirty Seven letters of objection from local residents
One objection from Monks Orchard Residents' Association

Case Officer: Michael O'Brien
Contact Officer: Mr P Mills Tel: 020 8760 5419