

Agenda Item: 6.13

This is a Major Application for which the 13 week period expires on 12/01/2007.

06/04272/P

13/10/2006

Fairfield

Application for full planning permission

Agent:

Kirk Saunders Associates
Priory Buildings
West Wing, Church Hill
Orpington Kent
BR6 OHH

Applicant:

Joe Hutchinson
Addington House
Boundary Way
Croydon Surrey
CR0 5AU

Location: Danecroft, 5 Radcliffe Road, Croydon, CR0 5QG

Description: Demolition of existing buildings; erection of a terrace of 3 two storey four bedroom houses with accommodation in roofspace and integral garages; erection of two storey building comprising 4 two bedroom and 4 one bedroom flats; formation of vehicular accesses and provision of associated parking

Drawing No(s): 3537-001 Rev C, 3537-002 Rev B, 3537-003 A

Recommendation: Grant Permission, subject to the prior written conclusion of a Section 106 Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Head of Planning Control

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 shall be retained for so long as the development remains in existence:-

- (1) parking arrangements
- (2) vehicular turning area
- (3) visibility splays
- (4) vehicular access and egress
- (5) gardens and communal areas
- (6) vehicular access and drive

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

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

- (1) security lighting
- (2) roads, footpaths and access routes within the site including levels and gradients
- (3) refuse collection facilities
- (4) cycle storage facilities

- (4) any boundary walls and fences or other means of enclosing the site
 - (5) finished floor levels of the building(s) in relation to existing and proposed site levels
 - (6) 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)

3. 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 shall 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)

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 Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

5. 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)

6. 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)

7. Prior to the commencement of works on site, a scheme shall be submitted for approval to the Local Authority specifying the construction method for the hard surface adjacent to the ash trees on the boundary of the site. Unless otherwise

agreed in writing with the Local Planning Authority, the construction method shall be in accordance with BS5837, Trees in Relation to Construction, 2005, Sections 11.8.1 and 11.8.2.

Reason: To ensure the survival of the existing trees that contribute to the visual amenity of the area, in accordance with policy SP8 of the Croydon Replacement Unitary Plan (The Croydon Plan).

8. 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)

9. 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

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. 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

12. No development shall take place until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes 2006 report that achieves 'Excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.

Reason: To accord with Policies UD1-3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

13. No development shall take place until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 10% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained for so long as the development remains in existence.

Reason: To comply with Policy EP16 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

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 The Croydon Replacement Unitary Development Plan (the Croydon Plan) SP1 – SP3, UD1 – UD8, UD10 – UD16, SP4, UC9, UC11 – UC13, SP5, RO11 – RO12, SP9 – SP10, SP13, EP1 – EP4, EP16, SP14, T2, T4, T8, T11, SP15, EM5, SP17 – SP22, H2 – H4, H9 – H10, H13 – H14, SP23, SH1 – SH2 and SP27.

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

and having regard to all other matters raised.

Informative(s) :-

- 1 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-agency.gov.uk/subjects/landquality/113813/274663/281779/?version=1&lang=_e and
 - (3) the Soil Guideline Values for individual substances (SGV)
- 2 That this permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

Ward: Fairfield
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
14th December 2006

Application Number: 06/04272/P; Danecroft, 5 Radcliffe Road, Croydon.

1. SUMMARY

1.1 Full application for :

- Demolition of the existing building
- Erection of a terrace of 3 four bedroom, two storey dwellings with accommodation in the roof space.
- Erection of a two storey building comprising 4 one bedroom and 4 two bedroom flats
- Formation of vehicular access and associated parking.

2. RECOMMENDATION

2.1 Grant: subject to the conditions and reasons set out in the agenda and the prior conclusion of legal agreement to secure:

- Financial contributions towards the improvement of public open space in the area, health facilities, education facilities and sustainable transport.

3. BACKGROUND

3.1 Site Description

- Occupied by a two storey detached house with accommodation in the roof space which is served by a dormer window in the front elevation.
- Site lies on the north eastern side of Radcliffe Road and is almost rectangular.

- There are a number of trees located towards the rear of the site. None of which are subject of a Tree Preservation Order (TPO).
- Site area is 0.22ha (0.53 acres)

3.2 Surrounding Area Uses/Form -

- To the north west the site adjoins 3 Radcliffe Road, this property comprises a large detached building with amenity space to the rear. There are a number of trees within this property which are subject to a TPO.
- To the north the site adjoins a 3 storey flatted development at Lynden Hyrst and the single storey garages which serve this development.
- To the south east the site adjoins 7 Radcliffe Road which comprises a two storey semi detached property with a large garden.
- Further to the south east along Radcliffe Road the pattern of development is more varied and comprises a variety of modern semi detached and detached properties, and terraces of modern three storey town houses.
- To the west of the site on the opposite side of the Radcliffe Road (10 Radcliffe Road) is a large two storey detached house which has been converted into 5 flats.

3.3 Designations

- No UDP designations.

3.4 Relevant history

Adjoining properties

05/02419/P: In August 2005 planning permission was refused for the demolition of the existing building; erection of a terrace of 4 three storey three bedroom town houses with garages and a pair of two storey four bedroom semi detached houses with attached garages; formation of access road and provision of associated parking. The reasons for refusal were the adverse effect on the street scene, overdevelopment, the standard of accommodation for future occupiers and adverse effect on trees. 3 Radcliffe Road.

A subsequent appeal to the Planning Inspectorate was dismissed in November 2006. However, in dismissing the appeal the Inspector only upheld the refusal of planning permission on the loss of trees that are subject to a Tree Preservation Order and that make a significant and valuable contribution to the character of the area in all other respects he found the proposal acceptable.

Application Site.

03/3852/P; In January 2004 an application was withdrawn for demolition of existing buildings; erection of a terrace of 4 two storey three bedroom houses with accommodation in roofspace and integral garages; erection of two storey building with accommodation in roofspace comprising 10 two bedroom flats; formation of vehicular accesses and provision of associated parking

04/0976/P; In March 2004 the Council received an application for the demolition of the existing buildings; erection of a terrace of 3 two storey four bedroom houses with accommodation in the roofspace and integral garages and the erection of a two

storey building with accommodation in the roofspace comprising 9 two bedroom flats; formation of vehicular access and provision of associated parking. An appeal was received against the Council's failure to determine the application and in August 2004 the Council resolved to contest the appeal.

In dismissing the appeal in July 2005 the Inspector concluded that "the proposed houses could be accommodated without harm, due to the limited separation from the boundary with no. 7 and the reliance on high level windows to prevent any unacceptable overlooking. I consider that the proposed block of flats would appear as an overdevelopment of the site." Para15.

3.5 Proposal

Full permission is sought for:

- Demolition of the existing building
- Erection of a terrace of 3 four bedroom two storey houses with accommodation in the roof space.
- Erection of a two storey building comprising 4 one bedroom and 4 two bedroom flats.
- Maximum height of terrace houses 9.1m and flats 7m
- Facing materials of brick and render and concrete tiles.
- Private amenity space for the houses and communal amenity space for the flats.
- Unit size: 45.1m² one bedroom flats, 71.2m² two bedroom flats and 140.39m² - 148.46m² four bedroom houses
- 14 off street parking spaces.
- Applicant agrees to the following contributions:
 - £7, 500 contribution Public Open Space
 - £8, 600 contribution to Sustainable Public Transport
 - £3, 490 contribution towards Education Provision
 - £6, 600 contribution towards Health Care

4 PLANNING POLICIES:

- Croydon Replacement Unitary Development Plan (The Croydon Plan) SP1 - SP3, UD1 – UD3, UD6 – UD8, UD12 – UD16, SP4, SP7, RO12SP8, SP9 – SP10, SP13, EP2 – EP4, SP14, T2, T6, T8, SP17 – SP22, H1 – H2, H5, H9 – H10, H13 – H14 and SP27.
- Planning Policy Guidance Note 1 on Planning Obligations.

5. CONSULTATIONS

5.1 Advertised: press notice (major application)

5.2 100 adjacent occupiers notified. 5 replies.

Main grounds of objection:

- The scheme is similar to 2 earlier applications both of which were refused.
- The reduction of the 4 to 3 houses and flats from ten to nine does not overcome our previous objections.
- Out of keeping with the surroundings
- Overdevelopment
- Provision of 11 homes on one plot.

- Loss of existing house
- Poor access arrangements
- Visual intrusion to properties with Lynden Hurst.
- The building is 3 storeys high not 2 storeys as suggested.
- Increase in population.
- Radcliffe Road is already heavily parked.
- Insufficient car parking
- Noise and disturbance to adjoining occupiers
- Increase traffic pollution.
- Proposal is only 5m from the boundary with adjoining property.
- Construction noise.
- Effect on trees

5.3 Croydon Police Crime Prevention Design Advisor has commented as follows;

- Secured by Design principles should be incorporated.
- Lighting should be provided.
- Defensible space should be provided.
- Public access should be restricted by electronic gates and the provision of change inroad material/rumble strip give the impression of a private space.
- Site perimeter should be secure with a 2m robust fence or wall without footholds for climbing.
- Landscaping should not impede on natural surveillance.
- Appropriate lighting should be designed to reduce potential risks
- Where more than four households are using a common entrance way either an access control system with an electronic lock release and entry phone linked to the flats.
- Ground floor doors and windows at ground floor level should be of a high standard. Doors should comply with BSI PAS 24-1 1999 and windows should conform to BS7950.
- Bicycle and bin stores areas should be designed so that they can not be easily climbed or sat upon.
- Parking area needs to display clear demarcations so there is no conflict between residents and visitor use
- The proposed garages should be managed by an electronically operated system.
- The main front doors should be flush and parallel to the building so that any offenders will stand out.
- Spiral staircases make the first floor of the premises vulnerable.
- Balconies should be designed to prevent handholds to eliminate the opportunity for climbing
- The rear gardens should be fenced off clearly displaying private space.

6. CONSIDERATIONS

Principle of Development

6.1 The existing building is neither statutorily nor locally listed and therefore there is no objection in principle to its demolition. The redevelopment of the site for residential purposes is acceptable. The development would have a density of 158.3hrh which would be just below the required density range of 160 – 375hrh as specified by Policy H9 of the Croydon Plan. However, the size of the application site falls below

the size criteria set out by Policy H9 and therefore the acceptability of the density of development on this site should be determined by its ability to meet other policy requirements of the Development Plan.

- 6.2 Because of its size the development would generate a need for public open space that cannot be provided on site. The applicants offered contribution to the improvement to existing areas of public open space or the provision of new open space in the locality, is acceptable. It would be in accordance with Planning Guidance Note No 1
- 6.3 The development would generate a need for additional Education, Health and Sustainable Transport services. The applicants offered contributions of £3 490, £6 600 and £8,600 respectively would be acceptable and in accordance with Planning Guidance Note No 1.

Townscape issues

- 6.4 The proposed terraced houses would have a greater massing and footprint than the existing dwelling on site. The terraced houses are of a similar design, siting and size to those which were proposed as part of planning application 04/00976/P. In dismissing the appeal relating to that application the Inspector stated "I consider that the frontage dwellings would not appear as an overdevelopment with private amenity space comparable to the more compact curtilages nearby. I consider that the proposed terrace houses would not be detrimental to, but rather relate well to the character and appearance of the wider area." Para 6.
- 6.5 The Inspector considered the flatted building proposed towards the rear of the site would have resulted in an overdevelopment due to its size, height and proximity to the boundary with adjoining properties. However, in relation to this element he concluded that "Substantial rear gardens are uncharacteristic of the neighbouring properties but, in my opinion a suitably designed building could be accommodated in the rear curtilage to the appeal property without harm to the character of the area." Para 7.
- 6.6 The flatted building proposed to the rear of the site as part of the current application is significantly smaller in footprint and height than that proposed as part of the earlier appeal proposal. It is now considered that this element would not have an adverse effect on the amenities of the townscape.

Amenities of adjoining and nearby occupiers

- 6.7 There would be a distance of 28m between first floor windows of the flats and the first floor windows of the adjoining frontage properties on Radcliffe Road. The Council would normally expect there to be a distance of 20m between habitable room windows at first floor level. The separation of the properties is therefore in excess of normal requirements. Furthermore, the separation is only slightly below the distance proposed by the appeal scheme. In relation to that scheme the Inspector concluded that the separation between the proposed flats and the properties in Radcliffe Road was sufficient to prevent unacceptable levels of overlooking or loss of privacy.
- 6.8 In relation to the effect on 7 Radcliffe Road the Inspector raised concerns regarding mass of the building and the proximity of the flats to the boundary with this property. In the appeal proposal the flatted building would have been located only 1m from

the boundary. In this case the height of the flats would be 1.5m lower than the appeal scheme and located 4.5m from the boundary with No. 7. It is therefore considered that the reduced height of the building and the increased separation from the boundary would allow for additional planting and thereby reduce the impact of the building when viewed from adjoining occupiers to an acceptable level.

- 6.9 The inspector also raised concerns regarding the impact of the proposed flatted building on the existing flats at Lynden Hyrst. The earlier appeal scheme proposed that main living room windows within the appeal scheme would be positioned directly opposite and separated by 15m – 19m from habitable room windows within Lynden Hyrst. Whilst at its closest point the proposed flatted building would be located within 6m of the boundary (13m from the building) with Lynden Hyrst the building has been designed to ensure that no windows would directly face this building. It is considered that the reduced mass of the proposed building and the siting of the windows would ensure that the flatted element would not have an adverse effect on the amenities of the adjoining occupiers in terms of daylight, overlooking or outlook.

Amenities of future occupiers

- 6.10 All of the houses and flats floor areas are of an acceptable size and would have satisfactory circulation space, levels of natural lighting and outlook. Each of the proposed terrace houses would be served by a rear private 10m deep amenity space. The proposed flats would be provided with a communal amenity space of a sufficient size which would not be overlooked from a public space.

Highways and parking

- 6.11 The application site has a PTAL rating of 4/5 (on a scale of 1a – 6b, where 6b is the most accessible). Therefore the site is in an area of moderate accessibility; the surrounding roads are designated as a Controlled Parking Zone. The application proposes that a total of 8 car parking spaces would be provided for the flats and that a 3 off street car parking bays plus 3 garages would be provided for the 3 bedroom houses. The level of off street car parking is considered to be acceptable.

Trees

- 6.12 A number of trees would be felled to accommodate the development, the majority of which are located within the existing rear amenity space to the site. It is not considered that the trees have a significant amenity value. The applicant proposes that a row of Evergreen Cypress trees would be retained along the rear boundary of the site. This could be achieved by way of a condition. Trees to replace others lost and planting during the development process and planting could be secured as part of a landscaping scheme secured by a condition.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal would attain:

- Eco Homes “Excellent” rating, which is acceptable.
- Would provide 10% of the predicted carbon emissions would off set by renewable energy sources which is acceptable and could be secured by a condition.

8. EQUALITIES CONSIDERATIONS

- 8.1 Level access would be provided and off street car parking would be provided for disabled drivers. (2 for the flats and each of the houses would have sufficient space for parking by disabled drivers).

Case Officer:	Nicola Townsend
Background Documents:	5 letters from adjoining occupiers 1 letter from the Crime Prevention Design Advisor
Contact Officer:	Mr. P. Mills 020 8760 5419