

Agenda Item: 6.2

06/03652/P

01/09/2006

Sanderstead

Application for outline planning permission

Agent:
MHK Architects
The Pavilions
35a Brighton Road
South Croydon Surrey
CR2 6EB

Applicant:
South East Living
54-56 Mottingham Road
London
SE9 4QR

Location: 4-6 Briton Close, South Croydon, CR2

Description: Demolition of no 5 and two garages at nos 4 & 6 ; erection of 4 four bedroom detached houses with garages and 1 five bedroom detached house with garage; erection of replacement garages for nos 4 and 6; formation of vehicular access and provision of associated parking

Drawing No(s): SO5/1546/01; 2443-020 Rev.A, 008A.

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) appearance
 - (2) landscaping
 - (3) scale, within the upper and lower limit for the height, width and length of each building stated in the application for planning permission.Reason: These matters were not submitted for consideration as part of the application.
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) refuse collection facilities,
 - (2) any boundary walls and fences or other means of enclosing the site,
 - (3) finished floor levels of the buildings in relation to existing and proposed site levels, and,
 - (4) footpaths.Reason: To ensure an acceptable standard of development having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
3. 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

4. Unless otherwise agreed by the Local Planning Authority, application for approval of the details referred to in Condition 2 shall be made to the Local Planning Authority at the same time as the first application for approval of the reserved matters referred to in Condition 1
Reason: To ensure that the details of the development are considered in relation to each other
5. 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.
Reason: To ensure than an acceptable standard of development is provided having regard to the policies of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
6. 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)
7. Prior to the commencement of works on site including those for drainage and foundations, a scheme shall be submitted for approval to the local Planning authority specifying the means by which those trees to be retained shall be protected during the works. The approved scheme shall be implemented on site prior to commencement and retained for the duration of the works.
Reason: To ensure the survival of the existing trees that contribute to the visual amenity of the area, in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
8. 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)
9. Prior to the commencement of the works to establish hard surfacing, retaining walls and fencing within the Tree Protection Zones around trees shown as retained and as referred to in Condition 6, a method statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include:
 - (i) the method of construction (i.e. if any excavation will be required)
 - (ii) the depth of any excavation and the method of excavation (i.e. by hand or light plant machinery)
 - (iii) details of the mitigation measures to be put in place (i.e. geo-web cellular confinement system using non-fines aggregates)

(iv) a timetable showing each stage of the process

Once approved the works shall be implemented as specified in the method statement.

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)

10. A scheme of protective fencing to be erected around each tree or group of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the commencement of any demolition, site clearance or development works. The fencing shall be erected around each tree or group of trees at a distance to be specified in the scheme and in accordance with British Standard 5837:2005. The fencing shall be not less than 1.2 metres in height and shall comprise a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either cleft chestnut pale fencing (in accordance with British Standard 1722: Part 4) or chain link fencing (in accordance with British Standard 1722: Part 1). The fencing shall be kept in position at all times unless otherwise agreed in writing with the Local Planning Authority until the completion of the development

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)

11. 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)

12. The visibility splays shall be provided as specified in the application before the access is brought into use and shall be retained for so long as the development remains in existence:-

Reason: To ensure an acceptable level of highway safety in accordance with Policy T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

13. 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 (referred to as the Croydon Plan) are SP2-3, UD1, UD2, UD3, UD6, UD7, UD8, UD12, UD13, UD14, UD15, NC3-4, T8, T11, SP18, H2 and H5.

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.

Ward: Sanderstead
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
11th January 2007

APPLICATION NO: 06/3652/P – 4-6 Briton Close, South Croydon

1 SUMMARY

- 1.1 This report concerns an application for outline planning permission for the demolition of 5 Briton Close and two garages at numbers. 4 & 6, the erection of 4 four bedroom detached houses with garages and 1 five bedroom detached house with garage, the erection of replacement garages for numbers 4 and 6, the formation of vehicular access and provision of associated parking.

2 RECOMMENDATION

- 2.1 Grant planning permission for the reasons set out in the Agenda.
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3 BACKGROUND

a. Site Description

- 3.1 The application relates to the end of a residential close of nine properties, comprised of four pairs of semi-detached properties, in two pairs on either side of the close, leading up to a single detached property, no. 5, in a central position at the head of the close. The close is arranged around a central oval space which forms a roundabout in the middle of the close and gives the close an open suburban character.

- 3.2 The close is surrounded by residential streets containing similar residential properties. To the rear of the site is a single dwelling on a backland site between the application site and properties fronting Purley Downs Road and Downsway.
- 3.3 The site has a maximum length from southeast to northwest of 74m and a maximum depth of 48m from northeast to southwest, through number 5 Briton Close. The site has an approximate area of 0.25 hectares.
- 3.4 The application site is sloping with the low point being towards the north-western part of the site along the boundary of number 6 with the properties fronting Downsway, and the highest being to the south of the site along the boundary of number 4 and the properties fronting Purley Downs Road.
- 3.5 The site is well treed particularly towards the west of the site in the garden area of number 6. Two pine trees in this garden benefit from a Tree Preservation Order.

b. Relevant Planning History

- 3.6 Outline planning permission was refused on 5 July 2006 for the demolition of 5 Briton Close and two garages at numbers 4 & 6; the erection of 4 four bedroom semi detached houses with garages and 2 five bedroom detached houses with garages, the erection of replacement garages for numbers 4 and 6, the formation of vehicular access and provision of associated parking.
- 3.7 During the consideration of the refused application, above, concerns were expressed by local residents regarding the impact of the proposal on the trees on the site. As the site was clearly well treed the Council imposed a blanket Tree Preservation Order across the site as a holding measure. At a later date, following a closer site inspection, it was considered that the only trees worthy of particular preservation were two pine trees (marked as numbers 75 and 76 on the submitted site survey). The blanket Order was therefore rescinded and a specific Tree Preservation Order placed on these two specimens.

c. Proposal

- 3.8 The proposal involves the demolition of 5 Briton Close and two garages at numbers 4 & 6, the erection of 4 four bedroom detached houses with garages and 1 five bedroom detached house with garage, the erection of replacement garages for numbers 4 and 6, the formation of vehicular access and provision of associated parking.
- 3.9 The application is an outline application with only layout and access to be considered at this stage. However the applicant has submitted indicative floor plans and floor areas which indicate five detached two storey dwellings, four with four bedrooms and one with five bedrooms. One of the four bedroomed houses would have an attached garage, and the others would have integral garages. According to the stated floor areas the four bedroom houses would have internal floor areas measuring between 138m² and 140 m². The five bedroomed house would have a floor area measuring 145m².

- 3.10 The proposal would be accessed by way of a purpose built turning circle in front of the proposed dwellings accessed off the end of the existing Briton Close vehicular highway. A separate pedestrian access route would run alongside the vehicular access into the site from Briton Close. The proposal would allow for an additional parking space in front of each garage.
- 3.11 Many of the existing trees within the site would be removed as part of the proposal. However the trees, the subject of the Tree Preservation Order (see 3.7, above), and many of those on the boundary would be retained.

4 POLICIES

- 4.1 The relevant policies of the Croydon Replacement Unitary Development Plan (referred to as the Croydon Plan) are SP2-3, UD1, UD2, UD3, UD6, UD7, UD8, UD12, UD13, UD14, UD15, NC3-4, T8, T11, SP18, H2 and H5.

5 CONSULTATIONS

- 5.1 The proposal has been advertised by way of 40 individual letters of notification sent to the occupiers/owners of neighbouring and nearby properties in Downsway, Purley Downs Road, Briton Close and Briton Crescent.
- 5.2 29 representations have been received by letter or e-mail from the occupiers of different adjacent and nearby properties and a petition, with 54 signatures, raising concerns with regard to the proposal. The main grounds of objection are summarised as follows:-
- (a) loss of privacy,
 - (b) effect on neighbouring outlook,
 - (c) overcrowding and overdevelopment of the site,
 - (d) inadequate accommodation proposed,
 - (e) loss of security,
 - (f) inadequate vehicular access to the close, particularly for dustcart and emergency vehicles,
 - (g) danger to children from increased numbers of vehicles,
 - (h) pressure on on-street parking provision,
 - (i) pressure on water supply,
 - (j) residential amenity arising from the open character of the close,
 - (k) loss of trees and disruption to wildlife,
 - (l) light pollution, and,

(m) increased noise and disturbance.

5.3 Councillor Yvette Hopley has raised concerns regarding:

- (a) cramped development out of character with original properties,
- (b) intensification of existing narrow access,
- (c) inadequate access for service vehicles in emergency,
- (d) loss of trees, and,
- (e) loss of privacy.

5.4 Councillor Lynne Hale has referred the application on grounds that the proposed development would be:

- (a) cramped and overcrowded,
- (b) out of character with adjoining properties, and
- (c) detrimental to the amenities of neighbouring occupiers.

6 CONSIDERATIONS

6.1 The principal issues are the impact of the proposal on:

- 1) the appearance and character of the area,
- 2) the amenity of existing residential occupiers,
- 3) the safety of users of the highway, and,
- 4) the loss of trees.

6.2 The appearance and character of the area.

Government guidance requires that Council's look favourably on development which involves the redevelopment of brownfield sites, which is preferable to extensions of the urban area into the Greenbelt. However all such guidance is caveated that development should respect its context and have regard to the development plan for the area. The proposal which was refused in July 2006 was seeking permission for six dwellings and it was considered that this would have resulted in a cramped development out of keeping with the character of the locality.

Further the close as currently laid out provides two pairs of semi-detached properties to either side of the close with a single detached property at the head of the close. This single detached property forms a single built feature that closes off the close at this point. The original proposal would have involved six

units, and the replacement of this feature with a pair of detached houses which would have allowed the space to 'leak out' of the close at this focal point.

The applicant has now reduced the number of units to five with a view to resolving the issue of the cramped nature of the development, and, by designing around an odd number of units, has allowed for the possibility of restoring a single built form to be the central feature at the head of the close again. The reduction in the number of units to five therefore provides for a central dwelling at the head of the close, restoring this as a central feature, and reducing the cramped nature of the proposal.

Policy H5 states that residential development on back gardens will only be permitted where it respects the character and protects the amenity of adjoining residential occupiers. In the case of the current proposal, whilst the proposal would involve development of a back gardens, it would involve the removal of the existing dwelling, and the visual extension of the existing close, preserving the residential, enclosed nature of the existing close, with residential dwellings grouped around the central area of the close.

6.3 The amenity of existing residential occupiers.

There are currently nine existing properties in the close which contributes to its quiet suburban character. Increasing the number to thirteen would inevitably lead to an increase in noise and disruption for the exiting occupiers. This impact would have been particularly exacerbated by the cramped nature of the development as proposed in the previously refused application. However the reduction in the number of units to five means that this impact would be reduced to a level which would not warrant refusal of the application.

To the rear of the application site there is a building on a backland site at 123 Purley Downs Road. This building is raked at a 45° angle to its boundary with the application site. The nearest corner of this property is 9.4m from this boundary. The proposed dwelling at this point would be parallel to this boundary. The corner of 123 Purley Downs Road would be 13.8m from the nearest part of the proposed dwelling which would be a minimum of 4.2m from the boundary. The applicant has confirmed that this dwelling would not have habitable windows at first floor on the south-western elevation facing No 123.

The other dwellings proposed would be further away from the site boundaries with properties in Downsway and Purley Downs Road. Whilst due to the size and siting of the proposed buildings there would be some effect on the occupiers of 4 and 6 Briton Close, these properties lie partly within the application site.

6.4 The safety of users of the highway.

The application entails the construction of 5 detached houses (4 four-bed and 1 five-bed) with attached garages, the erection of replacement garages for 4 and 6 Briton Close and the formation of a vehicular access. The property concerned is located at the end of Briton Close, which is deemed a Local Access Road. The application site is in an area with a PTAL accessibility index of 1a (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by

Transport for London. The site is therefore considered poorly accessible to public transport links.

The car parking standards described in Appendix 2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) require a maximum of 2 spaces to be provided per house, equating to a total of 10 spaces. The applicant proposes 5 garaged spaces with sufficient forecourts to allow a vehicle in front of each garage. The quantity of parking provision is therefore considered adequate and in accordance with policy requirements. The proposed parking spaces also conform to design guidance set out in Chapter 3.90 of *Design Bulletin 32: Residential Roads and Footpaths*, by having sufficient parking bay dimensions and forecourt depths to allow sufficient turning on-site.

The proposed access crossover and driveway is considered acceptable and is considered a sufficient width for two cars to pass each other in the opposite direction in accordance with *Design Bulletin 32 – Residential Roads and Footpaths*. It has also been demonstrated that the necessary pedestrian visibility splays measuring 1.5m x 1.5m behind the back of the footway on both sides of the vehicular access, with no obstruction above a height of 0.6m, are achievable. A condition is proposed ensuring their provision and maintenance.

Details of refuse collection and refuse storage have not been provided. However, the proximity of the proposed units to Briton Close is considered acceptable to allow a refuse vehicle to stop within Briton Close in order to collect refuse from the site. It is proposed to require further details in this regard by way of condition.

6.5 The loss of trees.

The issue of the trees at the site has been the subject of considerable negotiation during the consideration of both the refused application and the current application. Initially the site did not benefit from the protection of a Tree Preservation Order. However the Council sought to protect all the trees at the site, by way of a blanket Order as a 'holding' measure to ensure that trees were not removed.

Following a site inspection it was apparent that the only trees worthy of the special protection that an Order affords were two pine trees within the site. These trees therefore became the subject of a specific Order and the blanket Order rescinded.

The proposal involves the removal of many of the smaller trees within the site but the larger trees on the boundary of the site are identified as being retained, as are the two pine trees the subject of the Preservation Order. The application also offers the opportunity to impose a landscaping condition. The loss of some of the smaller trees, needs to be balanced by the retention of other larger specimens, particularly on the boundary but also including the two pines, considered the most important specimens, the opportunity afforded by the imposition of a landscaping condition and the better use of urban land weighed against developments on greenbelt land.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal involves the more intensive redevelopment of an existing brownfield site. The scheme would involve the loss of a number of trees, but would not adversely affect those protected by a Tree Preservation Order. The balance of tree removal on the one hand and tree retention together with the opportunity to provide new planting is considered acceptable.

8 EQUALITIES CONSIDERATIONS

- 8.1 The application is an outline only, but offers the opportunity to develop properties with level access.

Case Officer:	Billy Tipping
Background Documents:	29 letters or e-mails from neighbouring residents One petition Referral from Councillor Hopley Referral from Councillor Hale
Contact Officer:	Mr. P Mills Tel: 020 8760 5419