

Agenda Item: 6.6

This is a Major Application for which the 13 week period expires on 26/02/2007.

06/04886/P 27/11/2006 Croham

Application for full planning permission

<p>Agent: Tomei and Mackley Architects Ivy Mill House Ivy Mill Lane Godstone Surrey RH9 8NR</p>	<p>Applicant: Greenacre Homes Ltd Mansfield House 139 Shirley Road Croydon Surrey CRO 7LR</p>
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Location: 1 West Hill, South Croydon, CR2 0SB

Description: Erection of three storey building comprising of 15 two bedroom and 3 three bedroom flats; provision of associated parking.

Drawing No(s):

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. Prior to the commencement of the development the approval of the Local Planning Authority shall be obtained with respect to the following matters:-
 - (1) visibility splays
 - (2) security lighting
 - (3) refuse collection facilities
 - (4) any boundary walls and fences or other means of enclosing the site

Section B [for provision]

 - (5) roads, footpaths and access routes within the site including levels and gradients
 - (6) finished floor levels of the building(s) in relation to existing and proposed site levels
 - (7) 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)

2. Unless otherwise previously agreed by the Local Planning Authority in writing the matters approved in compliance with Condition 1 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)

3. 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 access/egress
 - (3) garden and communal areasReason: To ensure an acceptable standard of development 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 new planting and/or other landscaping treatment specified in the application, plan no GRE16007-10 (March 2007) and management plans 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 ensure that the new planting becomes established and thereby enhances the appearance of the development and contributes to the visual amenity of the locality in accordance with Policy UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
6. 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)
7. No service trench or pipeline shall be located within 5 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)
8. Fencing for the protection of the preserved and non preserved trees on this site shall be erected in accordance with Plan No. GRE160007-03 before any materials, equipment or machinery are brought onto the site for the purposes of development, including demolition. The fencing shall be retained in position until the development is complete and nothing shall be placed within the fencing, nor shall any ground levels within be altered, nor shall any excavation within be made without the prior written consent 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. 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)

10. 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)

11. 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. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply 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)

12. 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)

13. No development including excavations for drainage and foundation work shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only be carried out in accordance with the agreed programme

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)

14. 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

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 – UD8, UD11 – UD16, SP4, UC11 – UC13, SP7, RO12, SP8, NC4, SP9 –SP10, SP13, EP1 – EP5, EP15, SP14, T2 T4, T8, SP17 – SP22, H1 – H3, H5, H9 – H10, H13, H14 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 That this permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 2 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)
- 3 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.

Ward: Croham
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
24th May 2007

Application Number: 06/04886/P; 1 West Hill, South Croydon.

1. SUMMARY

1.1 Full application for :

- Demolition of the existing building
- Erection of a three storey building comprising 15 two bedroom and 3 three 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 affordable accommodation on site and financial contributions towards:

- £12,300 Local Open Space,
 - £13,500 Sustainable Transport,
 - £35,400 Education,
 - £17,200 Health,
 - £30,000 Affordable Housing
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3. BACKGROUND

3.1 Site Description

- Site lies on the northern site of West Hill on the junction of Sanderstead Road and Beechwood Road.
- Occupied by a 2 storey dwelling with accommodation in the roof space. The property is currently vacant.
- The site is located approximately 3m above the pavement level of West Hill and is irregular in shape. Land levels also drop across the site from the north east to south west by approximately 2.5m
- There are a number of trees on site which are mainly located along the north eastern, north western and southern boundary. A beech tree on the southern elevation is the subject of a Tree Preservation Order (TPO).
- Site area is 0.24ha (0.59 acres)

3.2 Surrounding Area

Uses/Form -.

- West Hill climbs significantly to the North East from Sanderstead Road and largely comprises two storey detached dwelling houses varying in style and age.
- To the north east the site adjoins 1a West Hill a two storey detached dwelling house.
- To the south east on the opposite side of West Hill is No. 2 a two storey detached dwelling house.
- To the west on the opposite side of Sanderstead Road are 3 storey flatted properties fronting Montana Close. Due to the change in land levels these properties are set significantly below Sanderstead Road.
- To the north west is Old Fox Path and beyond that properties in Beechwood Road. On the corner of Beechwood Road and Sanderstead Road is Wisley Court a 3 storey flat roof purpose built block of flats.

3.3 Designations

- Archaeological Priority Zone
- London Distributor Road
- Tree Preservation Order 40/2006

3.4 Relevant history

- 03/01745/P; In January 2004 a planning application was withdrawn for the demolition of existing buildings; erection of 2/3 storey building to provide 10 two bedroom and 4 three bedroom flats; formation of vehicular access and provision of 14 parking spaces.
- 05/01824/P; In July 2005 planning permission was refused for the erection of a three/ four storey building comprising of 12 two bed flats and one three bed flat and erection of three storey building comprising 6 one bed flats and provision of associated parking. The main reasons for refusal were;
 1. Detrimental to the character of the area,

2. The design of the access and parking arrangements,
 3. Insufficient affordable housing,
 4. Adverse effect on the amenities of adjoining occupiers
 5. Loss of trees
 6. Lack of visibility splays
 7. Unsatisfactory measures to ensure the site is accessible to people with disabilities.
- 06/03075/P; In October 2006 a planning application was withdrawn for the erection of three storey building comprising of 18 two bedroom and 3 one bedroom flats; provision of associated parking.

3.5 Proposal

Full permission is sought for:

- Three storey flatted building
- Maximum height of 11.2m
- Includes communal green space, landscaping and balconies.
- Facing materials include brick, reconstituted stone bands, timber balconies and roofing tiles.
- 18 flats – 15 two bedroom units and 3 three bedroom units
- Provision of affordable housing
- 18 parking spaces

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

- Resiting of the building
- Reduction in the number of habitable windows facing 1a West Hill
- Amendment to the design and materials of the building
- Alterations to the design and size of fenestration.
- Amendment to the car parking layout
- Relocation of the refuse and cycle stores
- Removal of 1 vehicular access
- Amendment to the affordable housing proposal.
- Applicant agrees to the following contributions:

£12, 300 contribution towards Local Open Space

£13, 500 contribution towards Sustainable Transport

£ 5, 400 contribution towards Education.

£17, 200 contribution towards Health

£ 30,000 contribution towards Affordable Housing

4 PLANNING POLICIES:

- Croydon Replacement Unitary Development Plan (The Croydon Plan)
SP1 – SP3, UD1-UD3, UD6 – UD8, UD11 – UD16, SP4, UC11 – UC13,
SP7, RO12, SP8, NC4, SP9 –SP10, SP13, EP1 – EP5, EP15, SP14, T2
T4, T8, SP17 – SP22, H1 – H3, H5, H9 – H10, H13, H14 and SP27.
- Planning Policy Guidance Note 1 on Planning Obligations.

5. CONSULTATIONS

- 5.1 Advertised: press as a major application.
- 5.2 103 adjacent occupiers notified. 11 replies.

Main grounds of objection:

- a. Overdevelopment
 - b. Unacceptable design.
 - c. Inappropriate in terms of massing and unsympathetic design
 - d. The area is characterised by detached dwelling houses not flats.
 - e. Building would appear too prominent
 - f. Loss of light
 - g. Loss of trees
 - h. Loss of open space
 - i. Loss of privacy
 - j. Affect on highway safety and the junction of West Hill and Sanderstead Road.
 - k. Increase in traffic will severely affect highway safety. The junction of Sanderstead Hill and West Hill is an accident black spot.
 - l. Increase demand on on-street parking.
 - m. Inadequate parking.
 - n. Proposal will conflict with an 1892 covenant which states there shall only be one dwelling per plot.
 - o. Increase in noise and traffic pollution.
- 5.3 Croydon Police Crime Prevention Design Advisor has commented as follows;
- a. Secured by Design principles should be incorporated.
 - b. Lighting should be provided.
 - c. No supporting statement regarding safety and security has been submitted with this application.
 - d. The site is adjacent to a footpath which makes it more vulnerable to burglary. The perimeter fencing here should be at least 2 metres high.
 - e. The rear garden should be enclosed to restrict casual access from the parking area and increase defensible space for the ground floor dwelling with patio doors.
 - f. Main access doors should be controlled by video access. A tradesman switch is not acceptable.
 - g. There is no natural surveillance on the rear entrance, this must be addressed.
 - h. The secure cycle area should be robust, well lit and in a prominent position.
 - i. The car parking and cycle parking facilities should be well lit and have good natural surveillance.
- 5.4 Thames Water have commented on the application and stated;
- a. There are public sewers crossing this site, therefore no building will be permitted within 3 meters of the sewers without Thames Waters' approval.
- 5.5 English Heritage have commented on the application and stated;

- a. Archaeological field work need not be undertaken prior to the determination of the application. However, they have required that a condition and informative be attached to any planning permission.

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 203hrh which would be within the required density range of 160 – 300hrh as specified by Policy H9 of the Croydon 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 £5,400, £17, 200 and £13,500 respectively would be acceptable and in accordance with Planning Guidance Note No 1.
- 6.5 Policy H13 of the replacement UDP states for developments of between 15 – 29 units that 40% of the habitable rooms should be provided as affordable housing with 25% of habitable rooms to be provided for social rent and 15% as subsidised market housing (shared ownership or intermediate rent).
- 6.6 If affordable housing was provided in accordance with Policy H13 on this site it would require seven of the units to be designated as Affordable Housing. This would result in six units being located on one floor and one unit on another floor. The Director of Housing has advised that such an arrangement could result in management difficulties. The applicants have therefore agreed to provide six affordable housing units (3 two bedroom flats and 1 three bedroom flat for social rent and 2 two bedroom flats for shared ownership) on one floor and a commuted sum payment of £30,000. This equates to 33.5% of the homes being made available as affordable housing; 23% for social rent and 10.5% shared ownership. Due to the management difficulties which could arise by providing 7 units the Director of Housing has advised that a contribution of £30,000 is acceptable in this instance.

Townscape issues

- 6.7 Policy UD2 requires that the detailed design of buildings together with their layout, siting, scale and massing is of a high standard and reinforces local character. West Hill is characterised by detached dwelling houses of varying size, age and design. The section of Sanderstead Road immediately adjacent to the junction of West Hill is however, characterised by purpose built flatted developments. The application site would therefore be viewed in the context of both characters.

- 6.8 The application proposal pays reference to the two different styles which surround the site. It comprises a three storey flatted building which takes advantage of the drop in land levels in West Hill. The development has a staggered building line which helps to articulate the building.
- 6.9 The appearance of the building incorporates brick and tile hung vertical sections, gables and timber balconies which reduce the scale of building and pay reference to the different building styles in the locality of the application site. On balance it is considered that the development would be of an acceptable design and layout given the characters of the locality.

Trees

- 6.10 There are a number of trees on site. These are mainly located along the north eastern, northern western and southern boundaries. Whilst the trees along the north western and north eastern boundaries provide visual amenity many are of poor form and have been heavily pruned in the past. The applicants have stated that it is their intention to remove a number of these which is considered to be acceptable. They have submitted a landscaping scheme and management strategy which proposes to remove and replant a number of trees over a specified period in order to maintain the existing appearance and avoid dramatic change.
- 6.11 A beech tree on the southern boundary of the site has been made the subject of a Tree Preservation Order. The applicants have submitted details of tree protection measures which are acceptable. These protection measures will be secured through a condition.

Amenities of adjoining and nearby occupiers

- 6.12 The adjoining property at 1a West Hill is the nearest residential property to the application site. This building comprises a two storey 1970's detached dwelling house. Due to the change in land levels it is located approximately 3m above the application site. The proposed building would be located between 14.2 and 16.6m from the boundary. Furthermore, the application has been amended to minimise the number of habitable room windows facing this property. The proposal would not therefore appear dominant or result in unacceptable levels of overlooking to this property.
- 6.13 The application property would be visible from other residential properties in the area. It would be located a minimum of 27.8m from the dwelling at 2 West Hill, at least 30m from Wisley Court and a minimum of 50m from the properties in Montana Close. The proposal would not therefore have an adverse effect on the amenities of these adjoining occupiers.

Amenities of future occupiers

- 6.14 All of the flats floor areas are of an acceptable size and have satisfactory circulation space, levels of natural lighting and outlook. A communal garden is provided surrounding the property together with a communal roof terrace. All of the ground floor units will be provided with patio areas whilst the majority of the upper floor units will have access to a balcony.

Highways and parking

- 6.15 The application site has a PTAL rating of 1a (on a scale of 1a – 6b, where 6b is the most accessible). Therefore the site is in an area of low accessibility. The application proposes that a total of 18 car parking spaces (1space per unit) would be provided. The level of off street car parking therefore meets the maximum standards as set out by the Croydon Plan and is acceptable.
- 6.16 Concern has been raised by adjoining occupiers regarding highway safety within the vicinity of the application site. The accidents statistics show that 4 accidents have been report since 2001 close to the junction of Sanderstead Road and West Hill the majority of which were relatively minor. The application proposes a reduction the number of vehicular access to the site and there are existing speed tables in West Hill. It is not therefore considered that the proposal would have an adverse effect on pedestrian and highway safety.

Covenants

- 6.17 A number of adjoining occupiers have stated in their representations that development in West Hill is governed by covenants which state that each plot shall only be occupied by one dwelling. Covenants are not a planning consideration and do not have any weight in the consideration of planning applications.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal would attain:

- Eco Homes “Excellent” rating, which is acceptable.
- Would ensure that 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 to the building and 2 off street car parking would be provided for disabled drivers.

Case Officer:	Nicola Townsend
Background Documents:	11 letters from adjoining occupiers 1 letter from the Crime Prevention Design Advisor 1 letter from Thames Water 1 letter from English Heritage
Contact Officer:	Mr. P. Mills 020 8760 5419