

Agenda Item: 6.2

07/00547/P

09/02/2007

Sanderstead

Application for outline planning permission

Agent:
MHK Architects
The Pavillions
35A Brighton Road
South Croydon Surrey
CR2 6EB

Applicant:
James Caldwell
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 semi 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): 2443/031, 032; S05/1546/01

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The development would be detrimental to the residential amenities of the occupiers of the adjoining property by reason of visual intrusion and loss of outlook and would thereby conflict with Policies UD2 and UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
2. The development would have a cramped and overcrowded layout resulting in harm to the attractive balance and symmetry of the cul-de-sac and the loss of trees, and would thereby conflict with Policies SP3, UD2, UD14, NC4 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).
3. The parking and service arrangements would be detrimental to the visual amenities of adjoining and nearby occupiers and would thereby conflict with Policy UD13 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

Ward: **Sanderstead**
Lead Officer: **Head of Planning Control**

PLANNING COMMITTEE
24th May 2007

APPLICATION NO: 07/0547/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 semi 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 Refuse 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, 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, 123 Purley Downs Road, 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 lowest point towards the north-western part of the site along the boundary of number 6 with the properties fronting Downsway, and the highest point 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 06/1837/P - 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. The reason for refusal of this application was that the development would have a cramped and overcrowded layout detrimental to the streetscene, trees and the amenity of neighbours. This decision was the subject of an appeal which was dismissed on 11 April 2007.

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.

3.8 06/3652/P - Outline planning permission was refused on 15 January 2007 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. This application was refused for the following reason:

The proposal would result in an overdevelopment of the site with a cramped and overcrowded layout that would be out of keeping with the character of the area and detrimental to the appearance of the street scene and would thereby conflict with Policies SP3, UD2, UD3, H2 and H5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan).

c. Proposal

3.9 The proposal involves 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 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.

3.10 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. There would be four semi detached, four bed roomed and one detached, five bed roomed two storey dwellings. All of the properties would have integral garages, but three of the garages would project forward substantially of the property's main front elevation. According to the stated floor areas the four bedroom houses would have internal floor areas measuring 120m² or 123 m². The five bed roomed house would have a floor area measuring 145m².

3.11 The proposal would be accessed by way of a purpose built turning circle in front of the proposed dwellings at 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. A bin store would be sited next to this pedestrian access. The proposal would allow for an additional parking space in front of each garage.

- 3.12 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 SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD12, UD13, UD14, UD15, NC4, SP18, H2 and H5.

5 CONSULTATIONS

- 5.1 The proposal has been advertised by 44 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 26 representations have been received by letter or e-mail from the occupiers of different adjacent and nearby properties and a petition, with 71 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 living room accommodation for the number of bedrooms 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) loss of trees and disruption to wildlife,

- (k) light pollution, and,
 - (l) increased noise and disturbance.
- 5.3 Councillor Yvette Hopley has referred the application to committee on grounds that:
- (a) the development would be a cramped and unsatisfactory form of backland development out of keeping with the character of the surrounding area by reason of the size of the plot and unsatisfactory access arrangements,
 - (b) there would be potential damage to trees and established shrubs, and,
 - (c) there would be a loss of privacy to neighbours.
- 5.4 Councillor Lynne Hale has also raised concerns that the proposed development would be an overdevelopment of the site, the waste collection issue remains a problem, and the access and parking arrangements are cramped.
- 5.5 Richard Ottaway MP objects to the proposal on the grounds that it would result in an overdevelopment of the site which would be out of keeping with the area.

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.

The appearance and character of the area.

- 6.2 Government guidance requires that Councils 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 character with the suburban character of the area.
- 6.3 Furthermore the close, as currently laid out, provides two pairs of semi-detached properties to either side with a single detached property at

the head of the close. This property forms a single built feature, a focal point at the end of the close. 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.

- 6.4 The applicant has now reduced the number of units to five and 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.
- 6.5 The proposal refused in January 2007 involved five detached dwellings. This was refused because it was considered that the spaces between the buildings were insufficient to reflect the spacious character of the existing close. This has been altered in the current proposal to four semi detached dwellings and one detached property allowing greater scope for space between buildings.
- 6.6 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 development would incorporate 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 close, with dwellings grouped around a central area. However in dismissing the appeal on 06/1837/P the inspector noted that 'space to the front of the proposed units would be largely taken up with hard surfaces and a cluttered arrangement of individual accesses which would appear untidily fragmented in relation to the formal nature of the existing layout'. The current proposal is similar to the dismissed appeal in this regard.

The amenity of existing residential occupiers.

- 6.7 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.
- 6.8 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 a minimum of 4.2m from the boundary. However the inspector in determining the appeal considered that the development 'would be unacceptably overbearing on the outlook from no. 123 and its garden and would be out of keeping, having regard to the generally spacious

context of the area'. The current proposal would have a similar relationship with this property to that considered by the inspector.

The safety of users of the highway.

- 6.9 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 TfL. The site is therefore considered poorly accessible to public transport links.
- 6.10 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 garages 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 turning on-site.
- 6.11 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.
- 6.12 A plan indicating that the refuse collection point would be adjacent to the pedestrian access has been submitted as part of the application. 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. If approved further details of the collection point could be provided by a condition.

The loss of trees.

- 6.13 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, the subject of the appeal, was refused with reference to the harm that the intensive use of the site would put upon the existing trees. This view was supported by the inspector, who noted that it would be 'likely that there would be future pressure to remove or reduce at least some of the remaining trees' and 'the potential impact on the existing trees on the site adds weight to my views,...that the proposal would have an adverse impact on the character and appearance of the area'.
- 6.14 With regard to the current proposal the potential impact of the proposed dwellings on trees to be retained is not dissimilar to that considered by the inspector. Plot 3 would be slightly further away from the two TPO'd

trees, but the flank elevation of plot 4 would be nearer. Much of the other planting which gives the area its green character would either have to be removed or, if scheduled to be retained would come under pressure for removal from occupiers following the more intensive use of the site.

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. However the increased pressure on the existing trees that would occur from the intensive use of the site would inevitably harm the treed nature of the area in the long term.

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:	26 letters or e-mails from neighbouring residents One petition Referral from Councillor Yvette Hopley Letter from Councillor Lynne Hale Letter from Richard Ottaway MP
Contact Officer:	Mr. P Mills Tel: 020 8760 5419