

**Agenda Item: 6.5**

07/01220/P

28/03/2007

Kenley

Application for full planning permission

**Agent:**

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GU2 4DU

**Applicant:**

Berkshire Developments  
The Spinney  
Heath Park  
Sandhurst Berks  
GU47 OYL

Location: 94 Higher Drive, Purley, CR8

Description: Demolition of some existing buildings; erection of part two and part three storey building comprising 7 two bedroom flats; formation of vehicular accesses onto Higher Drive and provision of associated parking

Drawing No(s): 06.60.102, 06.60.103, 06.60.101, 06.60.100, DMS 170904RD74

**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. No works on site shall commence until the following details 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. Those in Section A shall also be retained for so long as the development remains in existence.
 

Section A

  - (1) vehicular access and egress
  - (2) security lighting
  - (3) cycle parking and storage
  - (4) refuse storage

Section B

  - (5) roads, footpaths and access routes within the site including levels and gradients
  - (6) any boundary walls and fences or other means of enclosing the site
  - (7) finished floor levels of the buildings in relation to existing and proposed site levels

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 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
4. The visibility splays and sight lines 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)
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 ten 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 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)
7. Unless otherwise agreed by the Local Planning Authority, no window shall be provided south western and north eastern in the elevations  
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) and the Supplementary Planning Document No 2 on Residential Extensions and Alterations
8. 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)
9. 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)

10. 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

11. 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 (the Croydon Plan) are SP1, SP2, SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD13, UD14, UD15, SP6, RO8, SP8, NC1, SP14, T4, T8, T11, SP18, SP20, H2, H4 and H14.

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.

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**Ward:** Kenley **PLANNING CONTROL COMMITTEE**  
**Lead Officer:** Head of Planning Control **7<sup>th</sup> June 2007**

**07/01220/P- 94 Higher Drive, Purley**

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**1. SUMMARY**

- 1.1 This report concerns an application for outline planning permission for the demolition of some existing buildings; the erection of part two and part three storey building comprising 7 two bedroom flats; formation of vehicular accesses onto Higher Drive and provision of associated parking
- 1.2 This application appears on the agenda due to the number of representations and because it has been referred by a Council Member.

**2. RECOMMENDATIONS**

- 2.1 That planning permission be granted subject to the conditions and reasons set out in the agenda.
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**3. BACKGROUND**

(a) Site Description

- 3.1 The application site is located on the south western side of Higher Drive on the corner with Highland Road. To the north east, opposite the site is Foxley Wood which is a site of Nature Conservation Importance and a Local Nature Reserve and Higher Drive Recreation Ground which is also Local Open Land. The boundaries of the Recreation Ground are lined with mature trees.
- 3.2 The site is occupied by a substantial, two storey dwellinghouse. There is also a garage to the side and a swimming pool to the rear. The main house is set approximately 16m from the frontage of Higher Drive. The site has an rectangular shape with a main frontage of 37m on Higher Drive and 45m onto Highland Road.
- 3.3 Vehicular and pedestrian access is from Higher Drive. The Higher Drive and Highland Road frontage has dense hedgerows. The land falls steeply from east to west. The property is on lower ground to Higher Drive.
- 3.4 The surrounding area is primarily residential in character with large detached houses. The property to the north east of the site at 92 Higher Drive is a large

detached house being used a residential care home for the elderly. 96 Higher Drive has been recently been redeveloped in the form of three detached houses. The bungalow at 26 Highland Road is on a significantly lower level to 94 Higher Drive. There is a variety of style amongst the other properties in the nearby roads.

(b) Relevant Planning History

- 3.5 04/04506/P- Planning permission was refused for the demolition of some existing buildings; erection of part two and part three storey building comprising 8 two bedroom flats; formation of vehicular accesses onto Higher Drive and Highland Road and provision of associated parking. The scheme was refused for the following reasons:
1. The development would have a cramped and overcrowded layout out of keeping with the character of the locality and detrimental to the visual amenity of the street scene by reason of its size, prominent siting and infringement of the established building line and would thereby conflict with Policies SP1, BE1, BE3, BE4, SP31 and H2 of the Unitary Development Plan and Policies UD2 and H2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
  2. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of visual intrusion and loss of outlook and would thereby conflict with Policy BE17 of the Unitary Development Plan and Policy UD6 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
  3. The development would create a hazard to pedestrians and vehicular traffic using the highway by reason of inadequate visibility splays and would thereby conflict with Policies SP1, BE1, BE10, SP25 and T46 of the Unitary Development Plan and Policies UD10, UD11 and T43 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

This application was dismissed at appeal.

- 3.6 07/00212/P- An application was withdrawn for the demolition of some existing buildings; erection of part two and part three storey building comprising 7 two bedroom flats; formation of vehicular accesses onto Higher Drive and provision of associated parking.

(c) Proposal

- 3.7 An application for outline planning permission has been received for the demolition of some existing buildings; erection of a part two and part three storey building comprising 7 two bedroom flats; formation of vehicular accesses onto Higher Drive and provision of associated parking. Access and layout are to be determined at this stage.
- 3.8 The proposed building would have a maximum width of 24m and maximum depth of 13m. The indicative elevations show that the proposed building would be two storey in height with accommodation in the roofspace.
- 3.9 The building would provide 7 two bedroom flats. The indicative plans show each

flat would comprise a kitchen/living room, two bedrooms with one en suite and a bathroom.

3.10 The application proposes to create a new vehicular access onto the site from Higher Drive. It is proposed that 10 car parking spaces including two disabled persons spaces would be provided.

3.11 It is proposed that the boundary trees and hedges would be retained.

#### **4. PLANNING POLICIES**

4.1 The policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1, SP2, SP3, UD1, UD2, UD3, UD6, UD7, UD8, UD13, UD14, UD15, SP6, RO8, SP8, NC1, SP14, T4, T8, T11, SP18, SP20, H2, H4 and H14.

#### **5. CONSULTATIONS**

5.1 The occupiers of 35 adjoining and nearby properties have been notified of the application. 11 letters of objection have been received. The following concerns have been raised:

- 1) The new development does not represent a significant change and previous refusal reason still stand
- 2) There are no blocks of flats anywhere near the site and would destroy character of area
- 3) The proposed building would be absolutely enormous in comparison with all the buildings around it
- 4) Developer points to permission granted at 1 Cullesden Road- this is different site conditions
- 5) No amenities or public transport are in easy walking distance of the site. There will therefore be increased car usage and not sufficient car spaces
- 6) The development would directly look over 26 Highland Road and other houses in the near vicinity and would tower over nearby properties.
- 7) The junction between Highland Road and Higher Drive is already dangerous and will become worse with the development and extra cars.
- 8) Trees will be felled on the site
- 9) Development will infringe on building line
- 10) Extra noise and disturbance

1 letter of support has been received. The following comments have been made:

- 1) The development is well designed
- 2) The development would not significantly overlook other properties
- 3) The development provided much needed homes

5.2 Councillor Stephen O'Connell has referred the application on the following grounds:

- 1) Detrimental to amenity of neighbouring property
- 2) Out of character
- 3) Increase in traffic causing vehicular hazard and detrimental to safety

pedestrians

## 6. CONSIDERATIONS

6.1 The principal considerations relating to this application are;

- 1) The acceptability of a residential redevelopment on this site
- 2) The effect of the proposed development on:
  - a) The character of the area and the visual amenities of the street scene
  - b) The amenities and the privacy of the occupiers of the adjoining residential properties and future occupiers
  - c) Traffic and highway conditions in the locality
  - d) Trees, vegetation and wildlife issues

### Principle of Residential Development

6.2 There is not an objection, in principle, to a flatted development on the site. The site occupies a large corner location and a flatted scheme would maximise the development opportunity of this previously developed land. Policy H2 of the Croydon Plan permits housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. New residential development should only be permitted where it maintains the character of the area and protects the amenity of adjoining properties.

### Impact on the Streetscene and the Character of the Area

6.3 The illustrative proposed building would be two storey with accommodation in the roofspace with associated parking. The current building is 23.4m in width and has a depth of 10.4m. The proposed building would be 24.2m in width and would have a depth of 14m. The proposed layout would not be significantly different from the existing house and therefore it would result in a form of development that would relate well to its surroundings.

6.4 The Inspector determining the previous scheme, 04/04506/P, had concerns about the mass of the buildings.

*'As a result of its increased mass, it would significantly reduce the openness of the surrounding area, both when viewed from Higher Drive and more especially from the south west. The rear two storey block would also be prominent when seen from this direction and would appear to loom over the adjoining bungalow'*  
He goes on to say *'As a result of their siting relative to the boundaries and their greater mass, the proposed flats would significantly diminish the open character of the area'*

6.5 In that the current scheme would remove the "rear two storey block" and result in more separation, now 4m, from the south east boundary and with its height having been lowered by 1m, the current proposal would no longer "loom over the adjoining bungalow" nor "diminish the open character of the area".

### Impact on Amenities of Adjoining Occupiers and Future Occupiers

6.6 It is considered that the proposed development would not have a significant adverse effect on the amenities of the adjoining occupiers. The Inspector

determining previous application had concerns with regards to the amenities of adjoining occupiers and stated:

*'The proposed block [the two storey rear element] would still loom above the adjoining dwelling, its gable wall dominating outlook from the front garden of the bungalow. It would also be prominent in views from the garden of 92 Higher Drive'*

6.7 The rear element has been removed from the scheme and the proposed building would be sited in line with the rear of 92 Higher Drive.

6.8 The amenity space around the building would now be acceptable and the indications are that from the illustrative layout the flats would be a satisfactory size.

#### Parking and Highway Implications

6.9 It is considered that the parking and highway issues have been addressed. The inspector on the previous application stated:

*'Given its location, I consider it likely that the level of car ownership within the proposed development would be higher than one car per flat. Such a level of car ownership would result in a significant shortfall of on-site parking and thus lead to regular on-street parking by both residents and visitors.'*

6.10 The Inspector goes on to state that the increase in on-street parking could lead to a reduction in visibility for drivers leaving Highland Road and could lead to general congestion in the near vicinity.

6.11 The development would be situated within an area having a very low PTAL Index Level (1a). Whereas the previously refused scheme had 8 spaces for 6 two bed flats there are currently, 10 car parking spaces have been provided for 7 flats. This would be above the 1:1 maximum car parking standards in UDP but considered necessary given the Inspector's comments and the need to accommodate more than one car per flat. It is thought, the 10 car parking spaces has adequately addressed these concerns by the Inspector.

6.12 The applicant has demonstrated adequate sight lines and visibility splays.

#### Trees and Vegetation

6.13 The applicant has indicated that the trees and hedgerows are to be retained. It is thought the proposed scheme would be satisfactory in terms of trees and landscaping, although a full landscaping would be submitted as part of the reserved matters application.

## **7. ENVIRONMENTAL CONSIDERATIONS**

7.1 The proposal would result in the redevelopment of an existing developed site.

## **8. EQUALITIES CONSIDERATIONS**

- 8.1 The Planning and Design Statement sets out a summary of the key features of the scheme. The flats would comply with the requirements of Building Regulations Part M and the flats would be designed to Lifetime Homes standards. Two disable persons parking spaces are proposed.
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Case Officer: Laura Millar

Background Documents: 12 adjoining occupier letters  
Referral from Councillor Stephen O'Connell

Contact Officer: Mr. P. Mills 020 8760 5419