

Agenda Item: 6.2

06/02815/P

14/07/2006

Waddon

Application for full planning permission

Applicant:

W R Newland and Sons Ltd
129 Croydon Road
Caterham
Surrey
CR3 6PE

Location: 149 Haling Park Road, South Croydon, CR2 6NN

Description: Erection of three storey building comprising 5 two bedroom and 1 one-bedroom flats; formation of vehicular access onto Warham Road and provision of associated parking including a block of 4 garages, cycle and bin store

Drawing No(s): H06-525-B01A, B02A, B03A, B04A, B05A, B06A, B07A, B08A.

Recommendation: **Grant Permission**

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 those in Section A shall also be retained for so long as the development remains in existence.

Section A

- (1) parking arrangements
- (2) vehicular turning area
- (3) visibility splays

Section B

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

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)

2. The new planting and/or other landscaping treatment specified in the application, plan no H06-525-B08A 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)

3. 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)
4. 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)
5. 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)
6. No window shall be formed in the southern elevation at or above first floor level other than as specified in the application
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
7. The windows in the southern elevation shall be retained in the form specified in the application for so long as the development remains in existence
Reason: To protect the privacy of adjoining occupiers in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)
8. 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:-

- . The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD1-3, UD6-8, UD13-15, SP8, NC4, SP9-10, EP1, SP14, T2, T4, T8, T11, SP18, SP20 and H2.

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) the urban design policies of the development plan

and having regard to all other matters raised.

Informative(s) :-

- 1 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: Waddon

**PLANNING COMMITTEE
19 June 2007**

Lead Officer: Head of Planning Control

APPLICATION NO. 06/2815/P: 149 HALING PARK ROAD, SOUTH CROYDON

1. SUMMARY

- 1.1 This report concerns an application for the erection of a 3-storey building comprising 5 two-bedroom and 1 one-bedroom flats; formation of vehicular access onto Warham Road and provision of associated parking including a block of 4 garages, cycle and bin store.

2. RECOMMENDATIONS

- 2.1 On balance, grant planning permission subject to the conditions, reasons and informative set out in the Agenda.
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3. BACKGROUND

(a) Site and Surrounding Area

- 3.1 The application site was previously occupied by a chalet bungalow with a garage, but this has recently been demolished following fire damage. This a corner site with an area of approximately 0.09ha. The site is bounded by hedging along the southern boundary and by trees along the northern and

western boundaries. There are a number of street trees along the footway to Warham Road which screen the site from the north.

- 3.2 The surrounding area is entirely residential in character comprising a mixture of detached two-storey houses and some bungalows. Opposite the site to the north is a 2-3 storey building containing a nursing home (Oban House) and to the south-east a single-two-three storey building also used as a nursing home (James Terry Court)

(b) Relevant Planning History

- 3.3 88/689/P & 88/1043/P – these were applications to develop the application site and adjoining sites with a 3-storey building comprising 30 flats, 15 garages and 21 parking spaces. They were refused planning permission.
- 3.4 04/410/P- this was an application for a 3-storey building comprising 6 flats with 9 parking spaces and access to Warham Road – it was refused permission in March 2004 on 4 grounds: that it would be an over development of the site and detrimental to the appearance of the street scene; it would not provide satisfactory amenity space; it would be detrimental to the residential amenities of occupiers of adjoining property by reason of visual intrusion, nuisance and general disturbance; and the vehicular access and cycle store would not be safe, convenient or appropriate to the development.
- 3.5 An appeal against this refusal was dismissed in February 2005. The Inspector considered “the density of development proposed would accord with the advice in the PPG3”. In addition, he thought that the height of the building would fit into the street scene, but was concerned about its scale and siting on the plot, making it prominent in the street scene. He considered this was compounded by the design and form of the building, which, in his opinion, was “complex and inelegant”. He was also concerned with the dominant effect on no. 147 Haling Park Road, with some potential for overlooking from balconies, but did not think these occupiers would lose their outlook or daylight. However, there was a risk that an evergreen tree would be removed, reducing the existing screening effect. He did not consider there would be loss of privacy to the occupiers of no. 53 Warham Road, but did consider there would be loss of amenity from noise and disturbance from the coming and going of vehicles to the car park. He did state that the width of the access was inadequate, but that “its location was more satisfactory than the present access onto Haling Park Road”. He went on to state that the overall amenity open space would be “less than adequate”. He concluded that the bicycle store would be desirable, but not one of the main issues in the appeal.
- 3.6 04/2862/P- this was a similar application submitted to deal with the refusal reasons above showing changes to the access and parking arrangements, an increase in amenity space, changes to the design of the roof to show it lower than the adjoining property (no. 147), and removal of two full balconies at the rear and their replacement by Juliet balconies. This application was refused in September 2004 for the following reasons; that it would be an overdevelopment of the site out of keeping with the character of the area and detrimental to the appearance of the street scene; it would put at risk trees on and adjoining the site, and would be detrimental to the residential amenities of occupiers of adjoining property by reason of visual intrusion, nuisance, and general disturbance; and would lack a secure covered cycle store. An appeal against this decision was withdrawn by the applicant in March 2005 (following receipt of the appeal decision on application 04/410/P).

3.7 05/1491/P- this was a similar application to that above submitted for 6 flats, 4 garages and 2 parking spaces to try and overcome the Inspector's criticisms of the earlier 2004 application. The floor area was given as 670sq.m. The building was re-designed with a "tower" feature in the corner to reflect the design of other nearby buildings, with a reduction in roof height and provision of Juliet balconies at the rear. There were also changes proposed to reduce the visual impact of the building on occupiers at no. 147. In addition, a covered car parking facility for 4 cars was shown with 2 open parking spaces (a reduction in parking from 9 spaces on the appeal scheme to 6 spaces). Permission was refused in April 2006 only on grounds of design and layout and detriment to the visual amenity of the street scene by reason of siting, design and appearance.

(c) Proposal

- 3.8 This is a full application for the erection of a three-storey building of 6 flats, with 4 garages and 2 parking spaces. It has been submitted to try and overcome the design concerns of the previous 2006 refusal and the Appeal Inspector's criticisms of the earlier 2004 application. The floor area of the building is given as 651sq.m.
- 3.9 There would be 2 flats per floor, with the 1 bedroom flat on the second floor. The floor areas of the 2 bedroom flats would be within the range of 69.7sqm-76.1sqm, and the 1 bedroom flat would have a floor area of 77.3sqm. The building would have half-timbered gables and a mixture of brickwork and tile hanging to both street elevations and a hipped roof over the projecting corner feature. At the rear, there would be a single-storey element projecting 1.2m from the main rear elevation. The forward projection of the building relative to no. 147 Haling Park Road is shown reduced from 5.8m on the 2004 appeal scheme to 3.6m. The front access would be closed and replaced by a vehicular entrance onto the Haling Park Road frontage. There would be a turning area and 2 parking spaces (one of which would be for disabled persons) in front of a new garage block for 4 cars.
- 3.10 The building would be constructed yellow multi stock brickwork with stone lintels and cills and Keymer antique red clay tile hanging. The roof would have Redland "Cambrian" slates. The drive and parking areas would be laid with burnt red concrete brick pavers. 'Secured by Design' principles would be maintained during construction. The garage building would have a pitched roof with matching external materials to that of the main flats building.
- 3.11 A sound survey has been submitted which concludes that noise levels from car movements in relation to no. 53 Warham Road would be low. A tree survey and impact assessment report was also submitted, which concludes that 4 of the 28 trees which are on or surround the site would be removed. New tree and shrub planting is proposed to complement the existing planting on and around the site.
- 3.12 There would be a sitting-out amenity space with a depth of 8m to the rear parking area. Additional space is shown fronting Haling Park Road. The cycle storage and refuse/recycling building is shown adjoining the northern boundary, next to the parking area. There would be space for 4 bicycles.
- 3.13 The design approach of the building has been amended during consideration of the application following negotiation between Officers and the applicant. This provided a reduction in the ridge height of the roof of 1.55m and a corresponding eaves height reduction of 0.6m (with the effect that the ridge line of the building is

now level with no. 147 Haling Park Road). In addition, the “tower” feature shown in the 2005 refusal is now removed from the north-east corner and the roof pitch reduced from 37.5 degrees to 35 degrees. The internal layout of the second floor has also been revised to show 1 one-bedroom and 1 two-bedroom flats to reduce the bulk of the building relative to no. 147. Additional clay tile hanging and render panels are shown and an additional gable feature and windows are introduced to the Warham Road elevation to mirror the front elevation.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Croydon Replacement UDP (the Croydon Plan) are SP1-3, UD1-3, UD6-8, UD13-15, SP8, NC4, SP9-10, EP1, SP14, T2, T4, T8, T11, SP18, SP20 and H2.

5. CONSULTATIONS

- 5.1 Thirteen occupiers of adjoining and nearby property have been notified. Letters have been received from 4 occupiers objecting to the application on the following grounds:-

- (a) increase in noise and disturbance;
- (b) too near to adjoining property leading to overshadowing and loss of daylight and privacy;
- (c) there would be an increased security risk;
- (d) new access onto Warham Road would result in increased traffic congestion and dangers for existing highway users;
- (e) proposed building would be out of character with style of other buildings in area;
- (f) bin store would cause a nasty smell during summer months, being close to the pavement;

- 5.2 The same occupiers were notified of the amendments to the application. One letter was received from one of these occupiers re-iterating the above objections to the scheme.

- 5.3 Councillor Simon Hoar has referred the application on the following grounds...”Despite the small size of the development at six flats, the nature of the site at the axis of two major roads, both with busy traffic levels and a roundabout junction, mean that such a multiple occupancy development would still be an overdevelopment of the site. In addition, the nature of the site means that access for multiple occupancy is potentially dangerous considering the traffic levels and the parking provision of four garages to six flats is inadequate, especially for a site that will have no on-street parking nearby.”

- 5.4 The Environmental Health Officer has agreed on a previous application that the results of the applicant’s sound survey would mean that no harm is caused to the amenity of adjoining occupiers from vehicle movements.

6. CONSIDERATIONS

- 6.1 The principal issues are:-

- (a) whether the principle of the development is acceptable and the effect on the character of the area;

- (b) the effect of the development on the visual amenity of the street scene;
 - (c) the effect on the amenity and privacy of occupiers of adjoining property, and whether there is adequate amenity space for future occupiers;
 - (d) the effect on existing trees;
 - (e) whether the access and parking arrangements are satisfactory.
- 6.2 The erection of flats on this corner site would not in itself be out of keeping with the general character of the area, given its location opposite three-storey nursing home buildings at Oban House and James Terry Court. Although the site is under 0.25ha for density calculations under Policy H9 of the UDP, it would have a residential density calculated at 129 habitable rooms per hectare (hrh). This would be below the lower threshold figure of 150hrh. The Appeal Inspector when dismissing the 2004 application stated that "...having regard to the location of the site and ready availability of frequent bus services on a number of routes, I consider the density of development proposed would accord with the advice in the PPG3 (now PPS3)". Given that the same number of units is proposed, it would not be appropriate to refuse permission solely on grounds of overdevelopment of the site.
- 6.3 The Appeal Inspector agreed that the height of a 3-storey building "would fit quite well into the street scene..." However, he was critical of the form and design and the fact the building would be prominent and conspicuous. It is considered that the revised scheme, now submitted, following on from the 2 subsequent refusals in 2004 and 2006, would have an improved and simplified design. The building would have a lower roof profile with no prominent "tower" feature, and the introduction of half-timbered gables and tile hanging would add interest to the elevations. It is now considered, on balance, that the proposed building would respect its surroundings and be acceptable in visual terms. Furthermore, given the changes made to the siting and design of the building since the 2005 appeal decision, it would be difficult now to sustain a refusal reason on these grounds alone, and it is unlikely that this would be further supported on appeal.
- 6.4 The amendments made to the building in terms of the reduction in bulk and changes to the roof profile in relation to no. 147 Haling Park Road, would result in there now being no significant effect on the amenity of the occupiers of this property from visual intrusion. There would be no principal windows on the south facing side elevation and all windows at or above first floor would be obscure glazed. The evergreen tree mentioned by the Appeal Inspector would be removed; however there would be only one balcony at first floor level set in from the flank boundary, and it is considered there would be no significant loss of privacy from overlooking. The siting of the flank wall of the new garage block close to the boundary with 53 Warham Road would also be acceptable and would not cause significant visual harm to those occupiers. There should also be no serious effect from the noise and disturbance of vehicle movements, given the results of the sound levels survey. The amenity space for the future occupiers of the building has increased in area from the previous Appeal scheme, by a reduction in size of the parking area. The total area to the front and rear is now considered to be satisfactory for future occupiers of the building, and not conflict with Policy UD8 of the UDP.
- 6.5 None of the existing trees are of quality or worthy of Tree Preservation Orders.

There is no objection to the four trees identified to be removed, as they have limited visual merit. The new tree and shrub planting should enhance the appearance of the site.

- 6.6 The width of the vehicle access to the parking area would be acceptable and the scheme has been amended to show the security gates set further back into the site, to comply with highway standards. The number of parking spaces (6 in total) would be acceptable and comply with the maximum standards in the UDP. Four cycle spaces can be accommodated in the designated store and there would be additional space within the garage block. The siting of the new access would be acceptable this position onto Warham Road and not give rise to any highway safety concerns.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal makes the best use of an already developed site.

8. EQUALITIES CONSIDERATIONS

- 8.1 There would be level threshold access to the building and a disabled person's parking space provided.

Case Officer:	John Lawson
Background Documents:	5 letters from occupiers of adjoining property Referral from Councillor Simon Hoar
Contact Officer:	Mr P. Mills, Tel 0208 686 4433 x65419