

Agenda Item: 6.1

07/03538/P

28/11/2007

Ashburton

Application for outline planning permission

Agent:
Christopher Taylor
17 Tudor Court
Tunbridge Wells
Kent
TN2 5QH

Applicant:
Mr and Mrs M Mankau

Location: 59 Greenview Avenue, Croydon, CR0 7QW

Description: Erection of detached chalet building with garage; formation of access road

Drawing No(s): plans titled Proposed Chalet Bungalow on land adjoining 59 Greenview Avenue, Rev A.

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) layout

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:-

Section A

- (1) parking arrangements
- (2) vehicular turning area

Section B

- (3) refuse collection facilities
- (4) any boundary walls and fences or other means of enclosing the site

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 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 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)
5. The visibility splays shall be provided as shown on the submitted drawing 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)
6. 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 2 metres in height and shall comprise a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting 'Heras' panel fencing or 20mm exterior grade ply or other robust man-made boards (in accordance with British Standard 5837:2005). 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)
7. No structures, vehicles, plant, machinery, equipment, materials or spoil shall be positioned or stored within 5 metres of the trunk of any tree to be retained and no cement, oil or tar, bitumen or other similar material shall be stored within 10 metres thereof 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. 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)
10. Notwithstanding anything contained in Schedule 2 to the Town and Country

Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no enlargement of the dwelling (including the erection or enlargement of a garage or any other building or enclosure within the curtilage of the dwelling) shall be carried out without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

11. Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, or any amendment or replacement thereof, no window shall be inserted or constructed in the southern roof slope of the development without the express permission of the Local Planning Authority

Reason: To protect the amenities of adjoining occupiers and the visual character of the area

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. 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:-

- The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP3, UD2, UD3, UD6, UD7, UD8, UD13, UD14, UD15, NC4, EP1, T8, 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: Ashburton
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
10 January 2008

Application Number: 07/03538/P – 59 Greenview Avenue, Croydon

1. SUMMARY

1.1 Outline application for :

- Erection of detached chalet building with garage; formation of access road.
- Only 'means of access' to the site and 'scale' are to be determined at this stage, the layout, landscaping and appearance of the building have all been reserved for subsequent approval.

2. RECOMMENDATION

- Grant permission subject to the conditions and reasons set out in the Agenda
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3. BACKGROUND

3.1 Site Description

- No.59 Greenview Avenue comprises a bungalow with an attached garage and large garden area.
- It is located on the northern side of Greenview Avenue, to the rear of Nos.27 to 57.
- There are a number of trees on the garden boundary, some of which are the subject of Tree Preservation Order 49.1983.

3.2 Surrounding Area

- The surrounding area is predominately residential in character. To the south of the site are two storey terraced and semi-detached dwelling houses and to the south east a development of two and three storey flat roofed properties.
- Part of the southern boundary of the site is marked by the vehicle access to the rear of Nos. 27 to 49 Greenview Avenue. To the east of the site are two storey dwelling houses fronting Burrell Close; the rear of these houses overlook the application site.
- A public footpath from Burrell Close follows part of the eastern boundary of the site. To the north of the site are the Aylesford Avenue Allotments, which are designated as an area of Local Open Land. To the north of the allotments is the borough boundary with the London Borough of Bromley.
- There are no on street parking restrictions on Greenview Avenue.

3.3 Designations

- With the exception of the TPO there are no land use constraints on this property, however, the site is close to local open land and green corridors.

3.4 RELEVANT PLANNING HISTORY

- 02/03475/P - In March 2003 outline planning permission was refused for the erection of 3 detached chalet buildings with garages and the formation of an access road. The siting, design, external appearance of the buildings and landscaping of the site were reserved for subsequent approval.
- 03/00902/P – In October 2003 outline planning permission was granted for the erection of 2 detached chalet buildings with garages and formation of access road. (This included the demolition of No.59 Greenview Avenue). The siting, design, external appearance of the buildings and landscaping of the site were reserved for subsequent approval. No reserved matters were received and the permission has now lapsed.
- 05/02092/P – In August 2005 planning permission was refused for the erection of four bedroom dwelling at side (in the far western section of the site).

- 06/00586 – In July 2006 planning permission was granted for the construction of roof extension to include dormer extensions in front and rear roof slopes; erection of glazed walkway at rear.
- 07/00623/P – an application for the erection of a detached chalet style building with garage was withdrawn in May.

3.5 PROPOSAL

- Outline planning permission is sought for the erection of a detached chalet building with garage and formation of access road. The means of access to the site and scale are to be determined at this stage, the appearance, landscaping and layout have all been reserved for subsequent approval.
- The indicative plans display a floor area of the dwelling and garage as 160m² and 33m² respectively
- The access would be shared with 59 Greenview Avenue and would have pedestrian visibility splays of 1m x 1.5m and 1m x 2.4m
- This proposal differs from the previous outline approval 03/902/P in that it does not propose the demolition of the existing building on the site and is only for the erection of one dwelling.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP3, UD2, UD3, UD6, UD7, UD8, UD13, UD14, UD15, NC4, EP1, T8, H2 and H5.

5. CONSULTATIONS

- 5.1 Forty five adjoining and nearby occupiers were consulted. 10 responses were received, from six households, objecting as follows;
- Disruption to wildlife
 - Overlooking leading to a loss of privacy
 - Loss of trees
 - Additional traffic from hazardous crossover
 - Culverts/pipelines are safeguarded
 - Area already overdeveloped
 - Noise from access
 - Loss of open space
 - Out of character
 - Safety issues with access
 - Lack of light to garden

- 5.2 Cllr Avril Slipper has referred the application on the grounds of the proposal being an unsuitable development of the site.

6. CONSIDERATIONS

Principle of the development

- 6.1 The proposed development would involve the continuation of the residential use of the site and is therefore in accordance with Policy H2 of the Croydon Plan subject to the effect on the character of the area. Policy H5 of the Croydon Plan permits back land housing development within built up areas provided that it does not conflict with the aims of protecting the character of residential areas, neighbouring amenity and there is no loss of other protected uses. With no other protected uses on this site there is no objection in principle to new residential development in urban areas including this location, providing the objectives of other policies are satisfied.

Character issues

- 6.2 The existing bungalow would be retained. The submitted site plan shows an indicative layout for the proposed new chalet building and garage. In this position it would be possible to locate a new dwelling, with adequate amenity space and off street parking provision.
- 6.3 Views of the development from outside the site would be restricted to the allotments to the north, the rear of Nos.12 to 15 Burrell Close and the rear of Nos.27 - 49 Greenview Avenue. The latter are separated by the vehicle access to the rear of these houses. It is considered that the proposed development would not have any adverse effect on the character and visual amenity of the area.
- 6.4 Whilst No.59 Greenview Avenue is a bungalow (although does have planning permission for a roof extension), the other surrounding buildings are all 2 storeys in height, as such the scale of this chalet style dwelling (6.6m in overall height) would not be out of keeping within the wider area and suitable within this expansive plot. The appearance of this building is reserved for future consideration.

Amenity of adjoining and future occupiers

- 6.5 The indicative site layout shows adequate separation between the proposed dwelling and the site boundary and although the trees to the southern boundary of the site may be lost because at present the siting is unknown, the proposed building is shown as being well removed from the rear elevation of the properties fronting Greenview Avenue and the host property, some 22.5m and 10m respectively.
- 6.6 Whilst the appearance and layout of the development are reserved for future consideration, indicative drawings show that habitable room windows in the roof

would be located to the rear roof slope, avoiding any potential overlooking. If this were the case then there would be no adverse effect on the amenities of the adjoining occupiers, in terms of loss of privacy, outlook or visual intrusion, sufficient to warrant a refusal of planning permission. Moreover, it is recommended that conditions are imposed on any planning permission to safeguard the amenity of surrounding occupiers.

- 6.7 The proposed development would increase the intensity of the use of the vehicle access to the site. However, it is considered that the potential increase in traffic entering or leaving the site would not cause sufficient harm to the amenities of the adjoining occupiers to the site, by reason of increased noise and disturbance, to warrant a refusal of planning permission.
- 6.8 The living environment for the future occupiers of the dwelling would be acceptable with plenty of amenity space.

Highways and Parking

- 6.9 The indicative site layout suggests that the dwelling would be provided with a double garage. In any event adequate off street parking could be provided on the site for the new development and future occupiers would be able to enter and leave the site in forward gear. The indicated visibility splays are under the required standards, however, they are greatly improved compared to the existing situation which has been in use for a number of years. As the application is for one additional unit there is no objection to the proposal regarding highway matters. Moreover, there have been no changes to the access and driveway from when a similar proposal was approved under the planning application reference 03/00902/P.
- 6.10 The indicative site layout includes the provision of a refuse storage area within an acceptable distance and therefore collection would continue as at present, with the refuse lorries waiting on Greenview Avenue.

Trees

- 6.11 A number of trees on the site are the subject of Tree Preservation Order 49 1983. The indicative siting of the proposed building is similar as that previously approved under reference 0300902/P which allows for adequate separation from these trees both during and after the construction phase. Given that this is an outline application and that the only issues to be determined are the access and scale, there are no arboricultural objections. However, the existing trees between the proposed dwelling and houses fronting Greenview Avenue may be lost as the siting is unknown, although these are not part of the TPO. A tree protection condition and survey is recommended as a condition nonetheless.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposal would result in the provision of a detached chalet building on existing housing land without any significant impact on the local environment.

8. EQUALITIES CONSIDERATIONS

- 8.1 Proposals are expected to be designed with ease of access for all users, including level or ramped access provision and a disabled parking space. Such provision could be secured at the reserved matters stage.

Case Officer: James White

Background Documents: 10 letters of objection.
Referral to committee by Cllr Avril Slipper

Contact Officer: Mr P Mills Tel: 020 8760 5419