

Agenda Item: 6.2

07/04435/P

09/11/2007

Shirley

Application for full planning permission

Agent:

Andrew King & Associates

Wisteria Cottage

Crafton

Mentmore Beds

LU7 OQL

Applicant:

Simon Patience (New Homes) Ltd

Roseacre

Station Road

Woldingham Surrey

CR3 7DE

Location: 79 Orchard Avenue, Croydon, CR0 7NF

Description: Demolition of existing building; erection of 1 two storey four bedroom detached house with accommodation in roofspace and attached hgarage and a pair of two storey two bedroom houses with accommodation in roofspace and attached garages; formation of vehicular accesses and provision of associated parking

Drawing No(s): G52 07, WH102A, WH103A & WH104A

Recommendation: **Grant Permission**

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) security lighting

(2) roads, footpaths and access routes within the site including levels and gradients

(2) boundary fences

(3) bicycle parking facilities

(4) refuse collection facilities

(5) visibility splays

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 01 shall be provided before any part of the development is occupied and shall 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. Prior to the commencement of the development, a landscaping scheme to include existing and proposed planting shall be submitted to and approved by the Local Planning Authority; the approved planting 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 enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established in accordance with Policy UD14 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. 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)

6. 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 SP2, SP3, UD2, UD3, UD6, UD7, UD8, UD13, UD14, UD15, T2, T8, SP18, SP20, H2, H5, EP3.

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 safety of pedestrians and motorists on the adjacent highway
- (i) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised.

Ward: Shirley

Lead Officer: Head of Planning Control

PLANNING COMMITTEE

10 January 2007

07/04435/P - 79 Orchard Avenue, Croydon.

1. SUMMARY

Full planning application for :

- Demolition of existing building;
- Erection of 1 detached and a pair of semi detached houses with accommodation in roof space
- Formation of vehicular access onto High Trees; widening of vehicular access onto Orchard Avenue and provision of associated parking

2. RECOMMENDATION

- Grant: subject to the conditions and reasons set out in the Agenda.

3. BACKGROUND

3.1 Site Description

- The subject site is located on the western side of Orchard Avenue at the junction with High Trees, Shirley.
- The site is a irregular shaped level plot fronting the west side of Orchard Avenue.
- The overall site area is 0.107ha.
- A site visit revealed that the two-storey dwelling house on site has already been demolished as granted under outline planning permission 06/05070/P.
- Existing access to the site is from Orchard Avenue.

3.2 Surrounding Area

- The surrounding area is residential and is characterised by a mix of detached and semi-detached one and two-storey dwelling houses.
- Two houses adjoining the north of the site have been recently demolished leaving a large vacant area of land, construction works for five new dwellings is currently in operation.
- A chalet bungalow adjoins to the west and forms part of the High Trees development.
- A small amenity area at the junction of Orchard Avenue with Orchard Way lies immediately opposite the site together with a landscaped road island.
- This part of Orchard Avenue is not subject to any waiting restrictions. High Trees is an unclassified road also without waiting restrictions.

3.3 Designations

- Orchard Avenue is identified on the Unitary Development Plan (UDP) Proposals Map as a Local Distributor Road.
- A mature Beech tree to the front of the site is subject to a Tree Preservation Order (No.7, 2002.)

3.4 RELEVANT PLANNING HISTORY

History relating only to subject site:

02/1200/P – Outline planning application Refused for: 4 semi-detached town houses and 1 bungalow on the site of No 79 Orchard Avenue following demolition of No 79.

02/1201/P – Outline planning application Refused for: 2 detached houses and 1 bungalow on the site of No 79 Orchard Avenue following demolition of No 79, formation of access onto High Trees.

05/5496/P - Outline planning application Refused on 14/02/06 for; Demolition of existing buildings; erection of 1 detached two storey four bedroom house with

accommodation in roofspace and 4 two storey four bedroom semi-detached houses with accommodation in roofspace; formation of vehicular access onto High Trees and provision of associated parking, following demolition of 79 Orchard Avenue

06/1880/P – Outline planning application Refused on 03/07/06 for; Demolition of existing building; erection of 1 detached three bedroom house, 1 detached five bedroom house and a pair of two storey four bedroom semi detached houses with accommodation in roofspace ; formation of vehicular access onto High Trees and provision of associated parking, following demolition of 79, Orchard Avenue.

06/05070/P – Outline planning permission granted on 15/02/2007 at Planning Committee for the demolition of the existing building; erection of 1 detached and a pair of semi detached houses; formation of vehicular access onto High Trees, widening of vehicular access onto Orchard Avenue and provision of associated parking. Means of access into the site and siting of the development were to be assessed, the matters of external appearance, landscaping and design were reserved for future approval.

07/03934/RES – An application was received to deal with the reserved matters from the outline planning application. On receipt of this application, the Council found that the siting of the dwellings had moved slightly to the west and the access way off High Trees has been altered from that approved under 06/05070/P. It was the Councils opinion that these changes could not be approved under the reserved matters application, and that either a new outline permission would need to be applied for, or a full planning application would need to be submitted. This application was withdrawn by the applicant.

07/01232/P – Enforcement file opened following a complaint received that work had started on the site without the approval of planning permission. Work has now ceased on site.

History relating to subject site and adjoining sites:

03/0990/P – Appeal dismissed for: 9 detached houses and 1 detached chalet bungalow on the site of 79 – 85 Orchard Avenue, following demolition of 79 – 85 Orchard Avenue.

04/01433/P - Outline planning application Approved for: 2 detached two-storey houses and 6 semi-detached two-storey houses with accommodation in roofspace and 2 detached bungalows all with attached or integral or detached garages; formation of vehicular accesses onto Orchard Avenue and High Trees and provision of associated parking; erection of attached garage to existing house at 2 High Trees, following demolition of 79 – 85 Orchard Avenue.

History for adjoining sites only:

05/4582/P - Demolition of 81 and 83 Orchard Avenue; Erection of 4 two storey four bedroom houses with accommodation in roofspace and 1 detached two bedroom bungalow; formation of vehicular accesses and provision of associated parking. Approved by the Development Control Committee on 9 February 2006.

3.5 PROPOSAL

Full planning permission is sought for:

- The erection of one detached dwelling and a pair of semi detached houses with the formation of vehicular access onto High Trees and provision of associated parking.
- Drawings provided show that the dwellings would have accommodation over three floors.
- The semi-detached dwelling would front Orchard Avenue, due to the angle of this road this building would be set back from the road by approximately 14m.
- The detached building would front High Trees and would be set back from the road by approximately 2 metres in the southern corner of the site
- The maximum height of the semi-detached building would be 9.5m, the maximum height of the detached building will be 9m
- Semi detached houses would have vehicular access from Orchard Avenue, whereas the detached house would have pedestrian and vehicular access from High Trees
- All the houses would have garages.
- The major differences between this scheme and the previous refused scheme 06/01880/P is the reduction in the number of units from 4 down to 3, with a dwelling removed from the west side of the site. There has also been a significant reduction in hard standing and the footprints of the dwellings fronting Orchard Avenue have changed.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP1, SP2, SP3, SP9, SP14, SP17, SP18, SP20, UD2, UD3, UD6, UD8, UD13, UD14, UD15, EP1, T11, H2 and H14.
- 4.2 PPS3 requires full and efficient use of urban land, through the redevelopment of previously developed land to achieve densities of 30-50 dwellings per hectare. This should be achieved, whilst respecting the local character of the area, through the good design and layout of new development, improving the quality and attractiveness of residential areas.

5. CONSULTATIONS

- 5.1 57 adjacent occupiers were notified. 5 letters of objection have been received (two of these are from 'Serendipity Cottage' located on the corner of High Trees and Woodland Way). One petition with 11 signatures on it has been received from the residents of the surrounding area.

Main grounds of objection/concern are:

- Loss of privacy
 - Detrimental to visual amenity of street scene
 - Increase in density
 - Out of character
 - Overdevelopment of the site
 - Safety from addition High Trees crossover
 - Insufficient car parking.
 - Impact of construction on neighbouring properties
- 5.2 One letter of objection has been received from the Monks Orchard Residents Association raising concerns regarding the increase in density of the site, the development would be detrimental to visual amenity of street scene of High Trees, loss of privacy to the cottage 'Serendipity', loss of vegetation on site,
- 5.3 A referral has been received from Cllr Richard Chatterjee

6. CONSIDERATIONS

Principle of the development

- 6.1 This proposal follows from Application Ref: 04/1433/P which was approved on 1st July 2004, and subsequent refusals 05/5496/P and 06/1880/P. The approved scheme comprises the demolition of Nos. 79, 81, 83, 85 Orchard Avenue and the erection of 2 detached houses, 6 semi-detached houses with accommodation in the roofspace and 2 detached chalet bungalows (total 10 dwellinghouses) within a site of 0.34 hectares. Three houses would be accessed from Orchard Avenue and 7 houses from High Trees. It should be noted that 1 detached house, 2 semi detached houses and part of a bungalow (approximately half) were approved under application 04/1433/P in the area that now forms the site for this application. This consent establishes the principle of residential redevelopment in this location, incorporating one and two storey detached housing and 3 storey semi-detached housing at a density of 29 dwellings per hectare (dha) with access from Orchard Avenue and High Trees.
- 6.2 It is noted that following this consent a scheme for 4 two storey houses with accommodation in the roofspace and one detached bungalow was approved in 2006 under reference 05/4582/P. However, this only involved the demolition of houses 81 and 83 Orchard Avenue and did not include the application site in the proposal. Currently the dwellings have been demolished and works have substantially progressed.

- 6.3 Outline planning permission was approved in February 2007 under reference 06/05070/P for the erection of 1 detached house and a pair of semi detached houses; formation of vehicular access onto High Trees, widening of vehicular access onto Orchard Avenue and provision of associated parking. This application involved the development of a smaller site of 0.107ha within the curtilage of that approved Ref: 04/1433/P.
- 6.4 In September 2007, an application for reserved matters was received (ref: 07/03943/P) following the approved outline permission. On receipt of this application, the Council found that the siting of the dwellings had moved slightly to the west and the access way off High Trees has been altered from that approved under 06/05070/P. It was the Council's opinion that these changes could not be approved under the reserved matters application, and that either a new outline permission would need to be applied for, or a full planning application would need to be submitted
- 6.5 The current scheme is a full planning application and proposed 1 detached and 2 semi-detached houses at a density of 28dph. Although slightly below the national indicative minimum of 30 dph (advocated in PPS3) it is considered that the principle of redevelopment to the density proposed is acceptable, particularly considering the previous approvals.

Character issues

- 6.6 Policy H2 of the Croydon Plan states that the Council will permit housing development within the existing built-up areas provided this does not conflict with its aim of respecting the character of residential areas and there is no loss of other protected uses. The alignment of the proposed semi-detached dwelling fronting Orchard Avenue would respect the building lines to the north of the site (10-14m footprint setback), frontage widths (5.4m and 6m) and depth of the proposed dwellings that have been recently approved to the north of the site, where construction is currently underway. The separation between the houses is also considered sufficient and would reflect that prevailing in the locality. It is noted that a previous reason for refusal was based on the form and prominent siting of the dwellings, however, with the houses now pulled back in alignment the form and siting in relation to Orchard Avenue is considered acceptable.
- 6.7 The detached dwelling has now been shown facing onto High Trees, with the rear garden fronting Orchard Avenue. Elevation drawings have been received showing a 2 storey house with accommodation in the roof. Whilst the existing surrounding buildings are predominately bungalows or two storey in height, the scheme immediately to the north of the site approved similar designs, notably dwellings with accommodation within the roof space. Whilst the proposed detached dwelling will be facing High Trees it is considered that the dwelling will not be seen in conjunction with the existing dwellings located along High Trees given the location of the plot on the corner and the separation distance between the proposed dwelling and 2 High Trees.

- 6.8 It is noted that planning permission was refused under planning application number 06/01880/P as the erection of a two storey detached building fronting High Trees would not be sympathetic to that of the area and other properties in High Trees. It is important to note that this reason for refusal was based on a building located in the south-western corner of the site where it would have been set forward of the established building line of High Trees.
- 6.9 It is not considered that the detached dwelling would appear as a dominant or obtrusive feature in the High Trees streetscene.

Amenity of adjoining and nearby occupiers

- 6.10 Policy UD8 of the Croydon Plan states that new residential development should protect the privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy. Policy UD8 also states that new development should take account of and maintain sunlight or daylight amenities for occupiers of adjacent properties.
- 6.11 All three proposed properties are to be sited further towards Orchard Avenue than the existing dwelling. The bungalow named 'Serendipity' is located to the south-west of the site across High trees. A distance of approximately 25m will separate the proposed detached dwelling from this property. Number 69a Orchard Avenue is located to the south, 32m will separate the proposed detached dwelling from number 69a. A distance of 20m will separate the proposed dwellings from number 2 High Trees, to the west.
- 6.12 Given the large separation distances between the proposed dwellings it is not considered that there will be any adverse impacts on any of the adjoining properties in terms of overlooking, loss of privacy or overbearing as a result of the proposed development. It is not considered that the erection of the dwellings will have such a detrimental impact on the sunlight access /shading to the adjoining properties to warrant a refusal.
- 6.13 To the north of the site are residential dwellings currently being constructed under planning application number 05/04582/P. Plans show that no habitable room windows are proposed for the southern elevation of the closest dwelling. Given the above, it considered that the proposed semi-detached dwellings would not harm the amenities of these adjoining properties to the north.

Amenities of future occupiers

- 6.14 With the smallest back garden some 12m in length and 5.5m wide the dwellings are considered to provide a satisfactory amount of amenity space for the future occupiers.
- 6.15 One of the reasons for refusal on the previous application was the extent of hard surfacing on the site, however, with the removal of the bungalow and re-

- working of the drives, there is now limited hardstanding and this would not now warrant a reason for refusal.
- 6.16 With no buildings behind the proposed dwellings for some 25m and a good separation between the dwellings, there would be no harmful overlooking (subject to design), loss of light or loss of outlook.
 - 6.17 All flats would be of adequate size and layout. There would be adequate outlook, sun and daylight to all habitable rooms.
 - 6.18 The UDP requires that new development should provide adequate outdoor amenity area which is not overlooked from the street or other public areas. Private amenity space is proposed for each individual unit, with an approximate depth of 12m. There is also an area of shared amenity space to be provided in the southern corner of the site. This is considered to be sufficient amenity space for this number of properties.

Highways and Parking

- 6.19 The subject site is shown to be in an area with a PTAL accessibility rating 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. Orchard Avenue is deemed a Local Distributor Road.
- 6.20 The car parking standards described in Appendix 2 of the replacement Croydon Plan require a maximum of 2 spaces to be provided per detached and semi detached dwelling, equating to a total of 6 spaces for the 3 dwellings. Sufficient parking is provided on-site. The proposed parking spaces conform to design guidance set out in Chapter 3.90 of Design Bulletin 32: Residential Roads and Footpaths, by having sufficient parking bay dimensions of 2.4m wide x 4.8m long. The proposed garages are also considered to be set-back the required 5.5m – 6m from the carriageway.
- 6.21 Two access points are proposed to serve the proposed properties, one off High Trees and one off Orchard Avenue. Sufficient manoeuvring space is proposed in order to allow vehicles to turn on site so as to enter Orchard Avenue in a forward gear. Taking into account the surrounding properties' access arrangements onto Orchard Avenue as well as the Classification of Orchard Avenue, it is considered that the proposed access arrangements would not have a detrimental effect on the safety and operation of Orchard Avenue.
- 6.22 The proposed crossover widths are considered acceptable and in accordance with Design Bulletin 32 – Residential Roads and Footpaths. In addition, there is sufficient room for cars to enter and exit the site in a forward gear.
- 6.23 It has not been demonstrated that the necessary pedestrian visibility splays measuring 1.5m x 1.5m are achievable at the proposed accesses. These could

be secured by condition and should be maintained behind the back of the footway on both sides of the vehicular accesses, with no obstruction above the height of 0.6m.

- 6.24 Any existing redundant accesses should be reinstated to a raised kerb before the new accesses are made operational.

Impact on protected trees

- 6.25 The tree officer is of the opinion that there are a number of prominent trees on this site, although they are all precluded from inclusion in a new TPO by virtue of their poor form. It is even considered that the removal of the protected Beech (TPO 7, 2002) to the front of the plot may be acceptable in the future.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 The proposed development would make satisfactory use of a 'brownfield' site in accordance with Government Guidance.

8. EQUALITIES CONSIDERATIONS

- 8.1 No disabled parking spaces have been proposed, however, no objections have been received from the transportation officer.

Case Officer: Ellen Whitehead

Background Documents: 5 letters of objection from adjoining occupiers
1 letter of objection from the Monks Orchard Residents Association
1 petition from surrounding residents
Referral from Cllr Chatterjee

Contact Officer: Mr P Mills Tel: 020 8760 5419