

03/01288/P

14/04/2003

Coulsdon West

Application for full planning permission

Applicant:

Mr S Russell
Linden Homes
Linden House
Guards Avenue
Caterham Surrey
CR3 5ZB

Location: 1-4 Woodfield Close, Coulsdon

Description: Demolition of existing buildings; erection 6 four bedroom and 17 three bedroom houses with detached/integral/attached garages; formation of access road and provision of associated parking

Drawing No(s): Lin/21010/A; Ordnance Survey Location Plan; 03.031/300; 5627/PL001; 5627/PL002; 5627/PL0023; 5627/PL004; 5627/PL005; 5627/PL006;

Recommendation: **Contest Appeal**

Reason(s) to contest :-

1. The proposal would result in an overdevelopment of the site, out of keeping with the character of the locality, detrimental to the visual amenity of the street scene, harmful to views of the hillside and to the Green Belt by reason of its size, prominent siting, layout and intensity and would thereby conflict with Policies SP1, BE1, BE3, BE14, NC3, NC4, SP31, H2, H3 and RO9 of the Unitary Development Plan and Policies UD2, UD7, UD9, UD13, NC3, NC4, H2, H4 and RO8 of the First Deposit Draft Replacement Unitary Development Plan
2. The development would be detrimental to the amenities of the occupiers of adjoining property by reason of loss of privacy, visual intrusion and disturbance and would thereby conflict with Policies BE17 and H2 of the Unitary Development Plan and Policies UD6 and H2 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
3. The development would not provide satisfactory sight lines, visibility splays, cycle facilities, parking provision and traffic calming and would be prejudicial to highway and pedestrian safety contrary to Policies BE10, T23, T27 and T46 of the Unitary Development Plan and Policies UD10, UD12, T30, T31 and T43 of the First Deposit Draft Replacement Unitary Development Plan
4. The development would not incorporate proposals to address the deficiency in local park provision and would thereby be contrary to Policy RO15 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
5. The application is not accompanied by an archaeological investigation and would thereby be contrary to Policies SP6 and AR1 of the Unitary Development Plan and Policies SP4 and UC14 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

6. The development would not include sufficient affordable housing and would thereby be contrary to Policy H18 of the Unitary Development Plan and Supplementary Planning Guidance Note No 6 on Affordable Housing and Policy H13 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

Agenda Item: 6.1

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Drawing No(s):

Recommendation: **Refuse Permission**

Reason(s) for refusal :-

1. The proposal would result in an overdevelopment of the site, out of keeping with the character of the locality, detrimental to the visual amenity of the street scene, harmful to views of the hillside and to the Green Belt by reason of its size, prominent siting, layout and intensity and would thereby conflict with Policies SP1, BE1, BE3, BE14, NC3, NC4, SP31, H2, H3 and RO9 of the Unitary Development Plan and Policies UD2, UD7, UD9, UD13, NC3, NC4, H2, H4 and RO8 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
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Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

5. The application is not accompanied by an archaeological investigation and would thereby be contrary to Policies SP6 and AR1 of the Unitary Development Plan and Policies SP4 and UC14 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
6. The development would not include sufficient affordable housing and would thereby be contrary to Policy H18 of the Unitary Development Plan and Supplementary Planning Guidance Note No 6 on Affordable Housing and Policy H13 of the First Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

Ward: COULSDON WEST DEVELOPMENT CONTROL COMMITTEE
Lead Officer: Acting Heads of Planning Control 4th September 2003

AGENDA ITEM: 6.1

**APPLICATION NOS. 03/1288/P & 03/1289/P – 1, 2, 3 and 4 WOODFIELD CLOSE,
COULSDON**

1. SUMMARY

- 1.1 This report concerns duplicate applications for full planning permission for the demolition of the existing buildings, erection of 5 two storey three bedroom terraced houses, 4 two storey four bedroom houses, 14 three storey three bedroom houses, with detached/integral/attached single and double garages, the formation of an access road and associated parking spaces.
- 1.2 The applicant has appealed to the Secretary of State on the first named (03/1288/P) application on the grounds that the Council failed to determine the application within the prescribed 8 week period.

2. RECOMMENDATIONS

- 2.1 (a) 03/1288/P Contest the appeal for the reasons set out in the Agenda.
 - (b) 03/1289/P Refuse planning permission for the reasons set out in the Agenda.
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3. BACKGROUND

- a. Site Description
- 3.1 Woodfield Close lies to the north of Shenfield Close, to the east of Lavender Close and to the west of Brighton Road. Shenfield Close has access onto Woodfield Close which in turn has access onto Woodfield Hill. The site has an area of 0.714ha (1.26 acres). The current 4 bungalows on the site would be demolished. The main part of the site falls from the north-west towards the south-east by between 6m and 8m and from north to south by approximately 3m. The remainder of the site comprising the road to Woodfield Hill falls from north to

south by around 3m. The ground continues to fall towards the Brighton Road to the east which is at the valley bottom and then rises again further to the east towards Farthing Downs.

3.2 The current public footways return into the site at the junction between Woodfield Close and Woodfield Hill, but for the majority of Woodfield Close there are no footways. There are some 88 trees on the site and many shrubs and hedges. The main trees on the site are situated in the rear gardens adjacent to the north-western boundary with Lavender Close. A substantial hedge forms the south-eastern site boundary between the site and Brighton Road.

3.3 The locality is predominantly residential in character comprising detached houses and bungalows set in spacious well treed grounds with some infill and tandem development and pockets of new development served by new estate roads. The site lies within an Archaeology Priority Zone as defined in the Unitary Development Plan and the First Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan). The Brighton Road (A23) is a Strategic Road and is on a bus route.

b. Relevant History

3.4 03/2898/P – In August 2003 it was resolved that an Environmental Impact Statement would not be necessary for this development.

c. Proposal

3.5 This report concerns duplicate applications for full planning permission for the demolition of the existing buildings, erection of 5 two storey three bedroom terraced houses, 4 two storey four bedroom houses, 14 three storey three bedroom houses, with detached/integral/attached single and double garages, the formation of an access road and associated parking spaces.

3.6 There would be a terrace of five two storey houses to the north of Shenfield Close and 10 Woodfield Hill, and eleven three storey detached and semi-detached houses to the east of Lavender Close and 17 Starrock Road. A further 3 three storey detached and semi-detached houses would be positioned to the south of 13 Starrock Road and to the west of Brighton Road. A terrace of 4 two storey houses would also be to the west of Brighton Road. All the houses would front onto the proposed new estate road. The access road would extend from the current adopted section of Woodfield Close, which is to the east of 5 Shenfield Close, into the heart of the site. It would contain a double bend such that Plots 1-16 would be to the west side of the new road and Plots 17-20 would be to the east side of the new road.

3.7 In recognition of the site area (which exceeds 0.5 hectares) the scheme includes 9 affordable housing units which the applicant states would represent 40% of the total number of units and 39% of the habitable rooms.

3.8 The changes in levels would result in the need for retaining walls to the rear of some of the proposed houses resulting in some parts of the rear gardens being higher than the houses and in other cases parts of the rear gardens being lower than the houses. Although there is some information about drainage, materials, the form of windows, fencing, levels, landscaping and measures for safety and security, these details are not complete.

3.9 The application is accompanied by a planning design statement, a traffic assessment, a supporting statement and an arboricultural report.

3.10 The applicant's supporting information concludes:

"The site lies within the urban area of Coulsdon where both the adopted and the emerging Unitary Plans express a preference for new residential development to take place within the Borough. This report has demonstrated that the proposed development is not only fully consistent with adopted policies and supplementary planning guidance but that there are also a range of benefits which include:

- i) The redevelopment of a "previously developed" site with a density currently well in excess of that which exists. The proposal achieves a balance of making the best use of "previously developed" land whilst seeking to retain the mature trees along the western boundary.
- ii) Assisting to meet the Borough's housing requirements; which are more onerous in terms of the amount required in the next Plan period.
- iii) Providing for 9 affordable housing units at a ratio of 40% of the total number of units and 39% of habitable rooms
- iv) There are no transportation reasons why the development should not proceed.
- v) The development provides sufficient parking in line with the advice in PPG3.
- vi) The design and layout is wholly appropriate and meets all the requisite standards for a development of this type.

In view of the above, the proposed development offers a positive planning, environmental and sustainable enhancement of the site in Coulsdon and should be supported. The proposal utilises an otherwise under used previously developed site and it is therefore requested that planning permission should be granted."

4. POLICIES

4.1 The relevant policies of the Unitary Development Plan are SP1-2, BE1, BE3-18, RO9, SP6, AR1-5, SP10-11, NC2-4, SP30-31, H2-3, H8, H11, H18, SP18-25, T4, T6, T23, T27-28, T32 and T44-T46.

4.2 The relevant policies of the First Deposit Draft Replacement Unitary Development Plan (referred to as the Croydon Plan) are SP1-3, UD1-2, UD4-7, UD9-11, UD13, UD15, SP4, UC15-18, SP6, RO8, RO15, SP9-10, NC2-4, SP16, T2, T4, T6-7, T9, T30-31, T42-43, SP19-24, H2, H4, H8 and H13.

5. CONSULTATIONS

5.1 The applications have been advertised in the press as a "major application" in accordance with the provisions of the Town and Country Planning (General Development Procedure) Order 1995.

5.2 Thirty occupiers of adjoining and nearby property in Woodfield Hill, Woodfield Close, Shenfield Close, Lavender Close, Starrock Road and Petworth Close have been notified of the application. Replies have been received from or on behalf of fifty-seven households objecting on the following grounds. Of these objections 25 were standard letters:-

- (a) the development would be out of keeping with the character of the area due to the number, form and design of the houses, the spacing between buildings and the building line;
- (b) the loss of the existing buildings;
- (c) loss of trees and other vegetation at the site and the absence of a comprehensive landscape scheme;
- (d) increase in noise, disturbance and pollution during demolition and construction and afterwards following occupation;
- (e) the development would give rise to an increase in the amount of traffic adding to congestion and the risk of accidents. Part of the access road is narrow, does not allow for passing, there are no footways, inadequate lighting and the development would not make provision for suitable access for emergency vehicles;
- (f) excessive density and overdevelopment;
- (g) harm to wildlife on and off the site;
- (h) additional pressure on the Schools, drainage system and local surgeries;
- (i) loss of privacy, light pollution and visual intrusion;
- (j) inadequate parking facilities and no disabled facilities;
- (k) precedent;
- (l) devaluation of property;
- (m) harm to views from Woodplace Lane and Farthing Downs;
- (n) harm to safety and security;
- (o) the development would be unsustainable due to travelling distances;
- (p) inadequate amenity space, cycle and bin store provision;
- (q) the development would breach Human Rights;

5.3 The Council for the Protection of Rural England advise that they are particularly concerned about views from Green Belt land at Farthing Downs and Woodplace Lane, point out that there will be light pollution and that the proposal could set a precedent.

- 5.4 The East Surrey Badger Protection Society comment that they were not able to get access to the site to carry out a thorough survey, however, on the balance of probability they consider that it is unlikely that a sett would be found .
- 5.5 The English Heritage, Archaeology Officer has indicated that an assessment of the archaeological implications of the scheme should be carried out by the developer prior to a decision being made.
- 5.6 Network Rail have requested that a list of comments provided by them should be taken into account by the Council and the applicant.
- 5.7 The Coulsdon West Residents' Association object on the grounds of the density of the development, its incongruity with the current residential development, the impact on the amenity of current residents, the impact on traffic especially given the minimal access to public transport and the distance to local facilities such as shops.
- 5.8 Councillor Andrew Pelling has referred the applications so that "consideration can be given by Members as to whether the amenity of nearby residents is too adversely impacted by such a significant change in the number of dwellings on this Close."

6. CONSIDERATIONS

- 6.1 The main issues to be considered are:
- (a) the density of the development;
 - (b) the effect of the development on:
 - (i) the character of the area and the appearance of the street scene;
 - (ii) views of the hillside and from the Green Belt;
 - (iii) trees, other vegetation and wildlife;
 - (iv) the amenities of the occupiers of adjoining property
 - (c) the access, parking and turning arrangements;
 - (d) affordable housing;
 - (e) Local Open Land provision;
 - (f) archaeology;
- 6.2 Having regard to the size of the site, the fact that it can reasonably be categorised as 'brownfield' and the current extent of buildings, the site has development potential consistent with the objectives of PPG3, the UDP and The Croydon Plan. The density for family housing schemes, as defined in the Unitary Development Plan, is between 125-210 habitable rooms to the hectare (hrh) and in the Croydon Plan is between 150-250 habitable rooms to the hectare (hrh). The applicant claims that there would be 121 habitable rooms. However, the Officers calculate that there would be 138 habitable rooms giving a density of 193 hrh. It should be noted that a significant area of the site comprises the existing

drive that links 1-4 Woodfield Close with Woodfield Hill and as such if this land were to be excluded the density would be higher. In any case the density would be within the recommended density ranges. Overall, the consideration of this issue is subject to the overriding requirements of other policies of the UDP and replacement UDP.

- 6.3 Policy BE1 of the UDP states that "The Council will seek a high standard of design and layout in all development, which should respect the visual character of the area in which it is located in terms of elements such as scale, proportions, materials, detailing and roof form" and Policy BE3 states that "The siting and massing of development should respect or improve the existing pattern of buildings and the spaces between them and maximise opportunities for creating an attractive and interesting environment". Policy UD2 of The Croydon Plan similarly identifies the need for "a high standard of design in all new proposals for new development" and sets out the "layout and siting", the "scale, massing and height" and the "detailed design" criteria for new development proposals.
- 6.4 Policy H3 of the UDP states that residential development on back gardens and backland sites will only be permitted where it maintains the character and protects the amenity of adjoining residential areas. The Policy continues with five criteria to be evaluated, namely: parking and access arrangements; form, layout, siting and site area respecting existing character; appropriate design and landscaping; nature conservation implications and, protection of open spaces. Policy H4 of The Croydon Plan lists similar criteria and adds the cumulative impact of different schemes to the list to be taken into account. The degree to which the development might conflict with these criteria is considered in paragraphs 6.5 to 6.13.
- 6.5 The character of the area can reasonably be described as comprising detached houses and bungalows set in spacious well treed grounds. In contrast, the proposed layout would introduce mostly terraced and semi-detached houses with some detached houses, of which some 64% would be three storey, and on plots having generally smaller gardens and limitations on the potential for landscaping. Planning Policy Guidance 3 (PPG3) reminds us that Local Planning Authorities should "plan to meet the housing requirements of the whole community" and should "provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seek to create mixed communities". Given the requirements of PPG3, the recommended density ranges and the expectation that generally the density of development will increase on 'brownfield' sites a more intense development at this site is to be expected. However, the currently proposed layout would introduce relationships between buildings, to roads and to trees and other vegetation that would give rise to significant harm to the character of the area. In the circumstances, the development cannot be said to be of a "high standard of design and layout" that "respects the visual character of the area in which it is located" nor "respect or improve the existing pattern of buildings and the spaces between them and maximise opportunities for creating an attractive and interesting environment".
- 6.6 It is estimated that there are around 68 trees on the site. In addition there are numerous shrubs and boundary hedges. Collectively they contribute to the verdant appearance of the site and the well treed character of the area. It is anticipated that 14 trees would be removed and a further 19 would be at risk as a result of the proposals. In addition to the trees that would be removed it is estimated that a hedge on the south-eastern boundary, between the development and Brighton Road would be at risk due to the proximity of the buildings and other

works. Having regard to the Policies BE14, NC3, NC4, H2 and H3 of the UDP and Policies UD13, NC3, NC4, H2 and H4 of the Croydon Plan these losses would be unacceptable. The removal of vegetation and the intensity of the development would also give rise to losses to wildlife and wildlife habitat.

- 6.7 The tree, shrub and hedge losses would expose the development to long range views of the site. Policy RO9 of the UDP and RO8 of The Croydon Plan requires the Council to "...ensure that proposals for development within, or visible from, the Metropolitan Green Belt do not harm visual amenity." Policy UD7 of the The Croydon Plan has been specifically introduced to help protect the appearance of wooded hillsides and ridges. It states:

"The Council will seek to protect the special character of wooded hillsides and ridges. Development that would adversely affect the character of the area or lead to the loss of tree cover, either as a result of construction or as a likely consequence of the everyday use of the development, will be refused."

In making these judgements Policy UD7 states that the Council should take account of gradient, length of garden, proportion of the site covered by tree canopy and whether the site is within a valley setting.

Therefore, the development would also appear conspicuous from the Green Belt land to the east. The intensity of the development and overall losses to the tree canopy at the site would harm views and result in a development that would appear unduly conspicuous when viewed from Farthing Downs which is Metropolitan Green Belt and listed in the Croydon Plan as important for its Local Views and Croydon Panorama.

- 6.8 The most affected adjoining occupiers would be those at 4 and 5 Shenfield Close, 10 Woodfield Hill, 1, 2, 3 and 4 Lavender Close and 13, 15 and 17 Starrock Road. In the case of 4 and 5 Shenfield Close the harm caused would arise mainly from overlooking and the overbearing effect of the proposed building at Plots 1-5. In the case of 13 Starrock Road the positions of the houses at Plots 16 and 17 would be visually intrusive and give rise to undue overlooking. In general terms, having regard to the distances between existing and proposed buildings, the changes in levels, the position, number and form of windows and the screening in between, the new buildings of the size and in the position shown would have a harmful effect on neighbouring occupiers. Furthermore, the position, likely design and activity generated by the car parking area would give rise to nuisance to the detriment of neighbouring occupiers. The development would be contrary to Policies BE17, H2 and H3 of the UDP and Policies UD6, H2 and H4 of the Croydon Plan.
- 6.9 The UDP requires the provision of 56 parking spaces and so the provision of 41 car parking spaces and garages by the applicant would be deficient in UDP terms. In that the site is more than a mile from the nearest railway station and the nearby Brighton Road only has one bus route with a half-hourly service, public transport accessibility is regarded as low. In the circumstances the 41 proposed car parking spaces and garages would also be unacceptable under the Croydon Plan maximum standards. Furthermore, there are no parking spaces for disabled people shown.
- 6.10 Whilst the development would give rise to additional traffic movements near to the junction between Woodfield Hill and Brighton Road, these would not be significant in the context of the amount of traffic presently using the road, and

would not provide grounds for refusing planning permission. Similarly, notwithstanding the increased access difficulties for residents of Shenfield Close these do not provide reasons to refuse planning permission.

- 6.11 With regard to the layout the scheme would be inadequate in terms of sight lines across the S-bend mid-way through the site, there are no visibility splays shown, additional traffic calming measures would be required, pedestrian visibility is deficient and there are no cycle facilities shown for those dwellings without garages.
- 6.12 Policy H18 of the UDP and Policy H13 of the Croydon Plan refer to affordable housing. They state that the Council will seek to ensure the provision of an adequate supply of housing within the reach of low-income households. The revised Supplementary Planning Guidance adopted in January 2003 sets out the threshold requirements. The Council will negotiate such provision on all appropriate sites of more than 0.5ha or where the number of dwellings would be 15 or more, but, in determining the extent of such provision, the Council will take into account other planning policies, market considerations and site conditions. In that the site exceeds 0.5ha and more than 15 dwellings have been proposed there is a requirement that 40% of the total number of habitable rooms should be affordable housing. The applicant has proposed 9 affordable housing units which amounts to some 39% of the total number of units and would represent 34% of the overall number of habitable rooms. It should also be noted that the applicant has not specified the category of affordable housing. Notwithstanding that the site is well treed, is steeply sloping, the area has a low density and high land values, the applicant has not presented a case for a reduced provision, contrary to policy, and therefore the proposal would not comply with Policies H18 (UDP), H13 (The Croydon Plan) or SPG Note No 6.
- 6.13 The scheme proposes 23 dwellings on a site which is in an area deficient in local parks, being approximately 1.2 kms walking distance from the nearest local park at Rickman Hill Recreation Ground. Policy RO15 of the Croydon Plan – Local Open Land in residential scheme - is relevant in that the proposal would involve between 10 and 30 new dwellings. The applicant is expected to make a commuted payment for the appropriate enhancement of a nearby open space, or purchase of land to create public open space, equal to the cost of creating an area of on-site open space. Where there is no opportunity for enhancement of open space within 440 metres of the development, the Council will seek a reduced contribution for enhancement of open space further away. The applicant has not addressed this requirement as part of the proposal.
- 6.14 There are no details of measures for safety and the security of residents and visitors and as such the scheme would not comply with the requirements set out in Policy BE18 and Circular 5/94 "Planning out Crime". However, it is anticipated that adequate provisions could be incorporated in the scheme to satisfy most of the normal requirements, and in the event of a planning permission being granted, a condition could be attached to secure their provision and retention. Special attention would be necessary in respect of the car parking area and 'alley' access to the rear of some of the properties.
- 6.15 The site lies within an Archaeology Priority Zone as identified on the proposals maps for the UDP and The Croydon Plan. Policies SP6 and AR1 of the UDP point to the Council's intention to "protect and enhance Croydon's archaeological heritage" and identify the need for "an archaeological site evaluation report for development proposals which involve significant

ground disturbance in the Archaeology priority Zones". Policies SP4 and UC14 of the Croydon Plan set down similar requirements. The applications are not accompanied by such a report. In view of the comments from the English Heritage, Archaeology Officer the proposal would be unacceptable at this point in time.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 In line with the objectives of PPG3, the UDP and The Croydon Plan the development would make more efficient use of an existing 'brownfield' site. However, there would be significant losses of trees and other vegetation together with the habitat that they provide. There would be harm caused to the character of the area, the Green Belt and to views of the site from Farthing Downs.

8. EQUALITIES CONSIDERATIONS

- 8.1 The scheme does not incorporate disabled parking provision nor details of level access or suitable levels for movement around the site. There are no other equal opportunity implications arising from the proposal.

Case Officer: Andrew Day

Background Documents: Letters from or on behalf of fifty-seven adjoining or nearby households.
Letters from the Coulsdon West Residents' Association, East Surrey Badger Protection Society, Transport for London, Council for the Protection of Rural England, Network Rail and English Heritage
Referral from Councillor Andrew Pelling

Contact Officer: Mr P Mills, Tel: 020 8760 5419