

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 20/05575/FUL  
Location: 16 Smitham Downs Road, Purley CR8 4NB  
Ward: Purley and Woodcote  
Description: Demolition of existing dwelling, erection of 1 no. 3/4 storey corner block with basement parking, cycle stores and refuse consisting of 9 units  
Drawings Nos: 0813 EX01; 02B; 03; 04; 05; 06; 07; 08; PR01; 02B; 03B; 04A; 05A; 06B; 07A; 08B; 09B; 10B; 11B; 12B; 13B; 14A; 15A; 16A; 17; 18; 19; 20; 21, 22, Landscape Design Rev B  
Applicant: Atollo Limited  
Agent: Charles Browne-Cole, Context Architecture  
Case Officer: Yvette Ralston

1.1 This application was originally presented to Planning Committee on 15<sup>th</sup> July 2021. The original committee report is included at Appendix 1.

1.2 The Planning Committee deferred making a decision on the application so the applicant could address the following points:

- Amend the materials and design so that they are more in keeping with the character of the area
- Provide improved security to the play space and improved usability of the front amenity space (by revisiting the gradient)
- Address the relationship with neighbouring buildings in greater detail

1.3 This application was originally reported to Planning Committee in accordance with the following Committee consideration criteria:

- Objections above the threshold in the Committee Consideration Criteria

1.4 Amended plans were provided on 29/07/21 (uploaded to the website on 30/07/21).

**2 RECOMMENDATION**

2.1 That the Planning Committee resolve to GRANT planning permission subject to:

- Completion of a legal agreement to secure a financial contribution of £13,500 for sustainable transport improvements and enhancements.

- 2.1 That the Director of Planning and Strategic Transport has delegated authority to negotiate detailed terms of the legal agreement, securing additional/amended obligations if necessary.
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. Commencement time limit of 3 years
2. Development to be carried out in accordance with the approved drawings and reports

#### Pre-commencement conditions

3. Submission of Construction Management Plan and Construction Logistics Plan
4. Materials / details to be submitted
5. Submission of SUDS details

#### Pre-Occupation Conditions

6. Submission of management plan for the hard and soft landscaping, child play and communal amenity space (details in accordance with plans)
7. Foul water drainage (Thames Water condition)
8. Surface water drainage (Thames Water condition)

#### Compliance Conditions

9. Implementation of cycle storage and refuse storage as shown on plans prior to occupation
10. Implementation of car parking as shown on plans with no boundary treatments above 0.6m in the sightlines
11. Implementation of EVCPs as shown on plans
12. Development in accordance with accessible homes requirements
13. Obscure glazing on windows at first floor and above on north and west elevations
14. Compliance with energy and water efficiency requirements
15. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

### INFORMATIVES

1. Granted subject to a Section 106 Agreement
2. Community Infrastructure Levy
3. Code of practice for Construction Sites
4. Highways informative in relation to s278 and s38 works required
5. Compliance with Building/Fire Regulations
6. Construction Logistics Informative (in relation to condition 3)
7. Refuse and cycle storage Informative (in relation to condition 11)
8. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

### **3 LOCAL REPRESENTATION**

- 3.1 Re-consultation has not taken place because the amendments are not material in nature.
- 3.2 141 objections have been received to the proposal and one letter in support. This represents two more objections than previous received which raise no new issues.

### **4 MATERIAL PLANNING CONSIDERATIONS**

- 4.1 The main planning issues detailed additionally since Planning Committee deferral are set out below:

- Design
- Communal amenity space and play space
- Impacts on neighbouring amenity

#### **Design**

- 4.2 When originally presented to Planning Committee on 15<sup>th</sup> July, the proposed scheme was a building in red stock brick with dark grey roof tiles:



*Proposed CGI (previous)*

- 4.3 Members raised concerns about the appropriateness of the bricks in the context of the area which predominantly comprises buildings in white render. The bricks have now been revised to be yellow/buff bricks with dark grey roof tiles:



*Proposed CGI (revised)*

- 4.4 The revised bricks are considered to be a more appropriate contextual approach which responds positively to the character of the area, in accordance with Local Plan policies SP4 and DM10.1.
- 4.5 The detailing on the brickwork has also been refined to include thinner banding (lighter toned bricks) around the ground and first floor windows which appears more subtle than the previous banding, whilst still providing some contrast to break up the massing.
- 4.6 Brick details/colours have been identified in the revised elevation drawings (PR10B, 11B, 12B, 13B) and are acceptable. Final details would be approved by condition (as previously).

#### **Communal amenity space and play space**

- 4.7 Concerns were raised at committee about the gradient and usability of the communal amenity space at the front of the site, and the security of the play space at the rear.

- 4.8 In the revised plans, an area of the communal amenity space at the front has been plateaued adjacent to the building and the walkway on the south side from the rear garden to the front garden is on a gentle gradient of 1:12. This provides additional usable amenity space. As this is set above the existing level and the road level, this terminates approximately 2.5m from the front elevation to allow a return to the natural ground level. Railings are proposed to this area to minimise the impact on the streetscene and a sense of enclosure at the front. Defensible planting to prevent overlooking of adjacent bedroom windows can be incorporated into the detailed design of the landscaping. This space is fully accessible and inclusive and offers good privacy for users in accordance with Local Plan policy DM10.5 and London Plan policy D5.
- 4.9 A security gate has been introduced to the walkway to ensure that access cannot be gained to the playspace or the rear amenity space from outside the side. This space is adequately secure and is overlooked by residents in accordance with London Plan policy S4.



*Proposed section of west elevation*

### **Impacts on neighbouring amenity**

- 4.10 Concerns were raised at committee about the impact of the development on neighbouring amenity. The closest neighbouring properties are 18 Smitham Downs Road to the west and the new property under construction to the north (rear of 16 Smitham Downs Road). Impacts on neighbouring amenity were considered acceptable by officers at the previous committee for the following reasons:

### 18 Smitham Downs Road

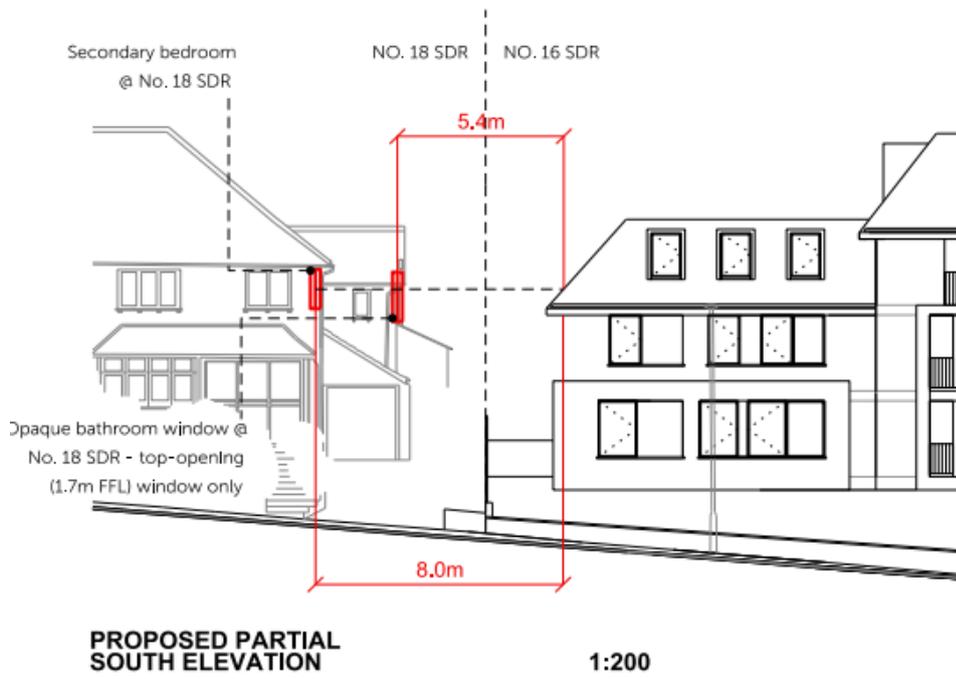
- No breach of 45 degree line in plan or elevation
- The site is at a lower land level than number 18 and the part of the building closest to number 18 is kept low at 2 storeys plus roof with an eaves and ridge height which is lower than number 18. It is not materially different to the existing situation and is not overbearing.
- Windows facing the site from number 18 include an obscure bathroom window (not habitable) and a secondary bedroom window. The secondary bedroom window is separated from the site by 8m and given the aforementioned land levels and modest 2 storey height of the proposed building, impacts would be negligible; plus the bedroom has its main window on the front of the property which would not be affected. [Note: the committee report previously stated that the separation distance was 4m – that is the separation distance at ground level from the side of the building to the garage of number 18, not the separation distance to the window which is 8m).
- All windows on the flank elevation of the proposed building are secondary windows which would be obscured so there would be no overlooking.
- The balcony to flat 5 has a privacy screen on the side to prevent overlooking to the garden of number 18 and the balcony to flat 7 is fully inset within the roof so sideways overlooking is not possible.
- The raised amenity space at the front would be adequately screened to the side boundary to prevent overlooking.

### R/O 16 Smitham Downs Road

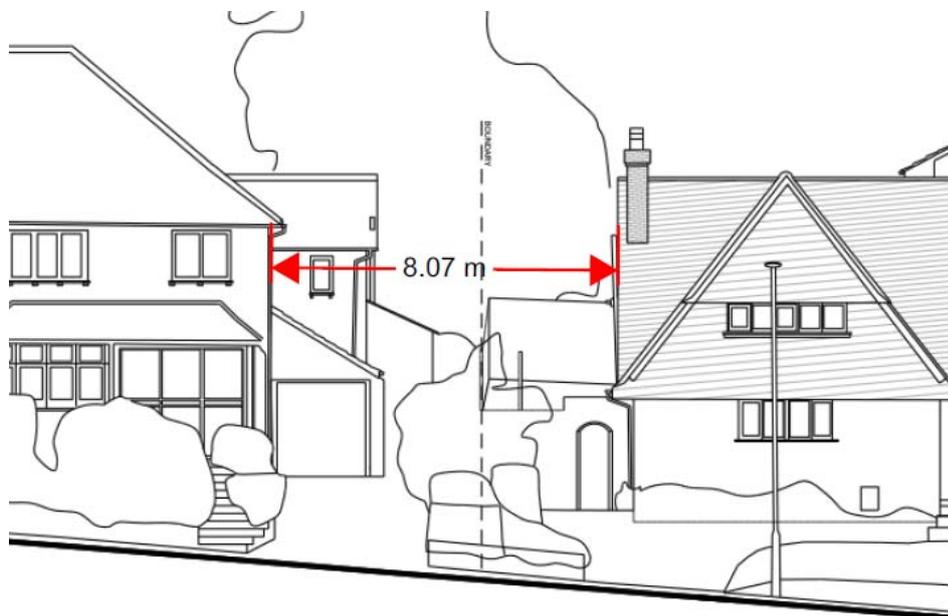
- This property has one window facing the site at first floor level which is a secondary window to a bedroom and is obscured.
- The part of the proposed building closest to the property at the rear is 2 storeys plus roof and is 4m from the property. (Note: the patio space shown on the site plan in proximity to this property is external space which is connected to the building by a sliding door).
- The proposed north facing windows at first and second floor level are obscured to avoid overlooking
- The balcony of flat 5 would have a view towards the garden of this property at a distance of 9.5m. This separation distance is considered acceptable.

### Minor amendments/further information

- 4.11 Given the above, it was not deemed necessary to make any amendments to the mass or positioning of the building. The following clarifications are provided with regards to the separation distances:



*Proposed separation distance between windows of 16 and 18 Smitham Downs Road*



*Existing separation distance between windows of 16 and 18 Smitham Downs Road*

4.12 The following minor changes have also been made:

- Repositioning of window at first floor level (flat 5) so that it is not in proximity to the bedroom window of number 18, plus it is obscured (as previously) but also now openable only above 1.7m.
- The obscure roof level windows on the west elevation are now smaller velux style windows
- The west facing en-suite bathroom windows of the third floor (roof level) of the taller element have been obscured – this is for occupier’s privacy rather than overlooking concerns.

### **Conclusion**

- 4.13 Following deferral of this item at committee on 14<sup>th</sup> July for reasons related to design, communal space and amenity impacts, these issues have now been resolved by amendments including a revised choice of materials, improvements to the front amenity space and play space, and minor tweaks/clarifications regarding impacts on neighbouring amenity. It is considered that Members’ concerns have now been addressed.
- 4.14 It should be noted that the addendum to committee on the 14<sup>th</sup> July considered the cumulative parking impacts of this proposal with the scheme proposed at 5 Smitham Downs Road (20/05370/FUL). That scheme was refused by Committee and so these considerations are no longer required.
- 4.15 The benefits of the scheme include provision of new housing with an appropriate housing mix in a well-designed scheme which has a high quality appearance and enhances the character of the area. A good standard of accommodation is provided and accessibility and security have been well considered. Provision of underground car parking means that ample landscaping can be provided on this corner site, which results in an improvement to the streetscene. The living conditions of adjoining occupiers are protected from undue harm.
- 4.16 All other relevant policies and considerations, including equalities, have been taken into account.
- 4.17 It is recommended that planning permission is granted in line with the officer recommendation for the reasons summarised in this report and the original report.

**Appendix 1: Committee report from 14th July**