

PART 7: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning Committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan July 2011 (with 2013 Alterations)
 - the Croydon Local Plan: Strategic Policies April 2013
 - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
 - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 **ROLE OF THE COMMITTEE MEMBERS**

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. **THE ROLE OF THE CHAIR**

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

6. FURTHER INFORMATION

- 6.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

7. PUBLIC SPEAKING

- 7.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

8. BACKGROUND DOCUMENTS

- 8.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

9. RECOMMENDATION

- 9.1 The Committee to take any decisions recommended in the attached reports.



PART 7: Planning Applications for Decision

Item 7.1

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 16/05434/FUL
 Location: 236 Selsdon road, South Croydon, Cr2 6PL
 Ward: Croham
 Description: Demolition of existing buildings; erection of three storey building comprising 2 studio, 5 one bedroom and 2 three bedroom flats. Formation of associated access and provision of parking.
 Drawing Nos: 100022432, 6385-P03 Rev F, 6385-P04 Rev G, 6385-05 Rev B
 Applicant: Robert Turner of Turnbull Land Ltd
 Agent: N/A
 Case Officer: Georgina Betts

	studio	1 bed	2 bed	3 bed	4 bed
Flats	2	5	0	2	0

All units are proposed for private sale

Number of car parking spaces	Number of cycle parking spaces
4 (incl. 1x disabled space)	11

1.1 This application is being reported to Planning Committee because the Ward Councillor (Cllr Maria Gatland) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2.0 RECOMMENDATION

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

The prior completing of a legal agreement to secure the following planning obligation

a) Public Art

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement.

2.3 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. Development to be carried out in accordance with the approved drawings and reports except where specified by conditions
2. No demolition to take place until all pre-commencement conditions have been secured and a signed and completed contract for carrying out the works of redevelopment has been entered into
3. Construction Logistics Plan to be submitted

4. Materials to be submitted
5. Submission of details for lighting, visibility splays, fencing, finished floor levels and refuse and cycle storage
6. Hard and soft landscaping to be submitted to incorporate SuDS
7. Noise mitigation measures
8. 19% Carbon reduction and water usage
9. Wheelchair accessible unit specified to comply with Category 3 'wheelchair user dwellings' M4(3)
10. Time limit of 3 years
11. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Removal of site notices
- 2) Community Infrastructure Levy
- 3) Code of practise for Construction Sites
- 4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2.4 That, if by 4th August 2017 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

3.0 PROPOSAL AND LOCATION DETAILS

3.1 The proposal is for:

- Demolition of existing building
- Erection of a three storey building comprising 2x studio, 5x one bedroom and 2x three bedroom flats facing onto Selsdon Road
- Formation of access road from Carlton Road
- Provision of associated refuse/cycle stores

3.2 During the course of the application amended plans have been received depicting alterations to the elevational treatment of the building. The amendments are detailed further in section 8.7 of this report.

Site and Surroundings

3.3 The application site lies on the southern side of Selsdon Road and is currently occupied by a two storey detached 19th Century dwelling which is included within the list of locally listed buildings. The surrounding area is predominately residential in character with industrial units to the north and south-west of the application site; the railway line runs to the west of the site.

3.4 The street scene comprises a mix of semi-detached, detached and terrace late 19th century and early 20th century properties with later inter-war properties further south and east. There is no regular development pattern while the application site sits in an isolated position at the junction of Carlton Road and Selsdon Road.

- 3.5 The site is located on two bus routes (No's 403 and 412) and is within reasonable walking distance to Sanderstead and South Croydon Train Stations providing links from the South Coast into London.
- 3.6 The application site lies within an area at risk of surface water flooding as identified by the Croydon Plan while Selsdon Road is classed as a local distributor Road.

Planning History

The most relevant history is as follows:

- 3.7 05/01391/P – Planning permission was refused on 6th June 2005 for the demolition of existing buildings; erection of three storey building comprising 5 two bedroom and 1 one bedroom flats; formation of vehicular access onto Carlton Road and provision of associated parking spaces for the following reasons:
- 1) Overdevelopment of the site and out of keeping with the character of the area
 - 2) Failure to provide any disabled parking spaces on site
- 3.8 A subsequent appeal was dismissed on the 10th November 2005 due to the harmful effect upon the character and appearance of the surrounding area.
- 3.9 15/01454/P – Planning permission was refused on the 10th June 2015 for the demolition of the existing building; erection of three/four storey building comprising 5 two bedroom and 4 one bedroom flats; formation of vehicular access onto Carlton Road and provision of associated parking for the following reasons:
- 1) The development would not protect or conserve the particular interest that led to the designation of this building on the Local List of buildings of special architectural or historic interest
 - 2) The proposal would result in an overdevelopment of the site out of keeping with the character of the area and detrimental to the appearance of the street scene
 - 3) The design and layout of the parking area and access would not be safe, secure, efficient and well designed.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the development is acceptable given the residential character of the surrounding area.
- The loss of a building of low significance on the local list having regard to para 135 of the NPPF is on balance acceptable
- The design and appearance of the development is appropriate given the context of the site
- The living conditions of adjoining occupiers would be protected from undue harm
- The living standards of future occupiers are satisfactory and meet the National Housing Space Standards
- The impact upon highway safety and efficiency is considered acceptable
- Sustainability aspects can be controlled by condition

5.0 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 1 Objecting: 1

6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

- Impact on highway safety and/or flow
- Harm to the amenities of future occupiers

6.3 Councillor Maria Gatland has made the following representations:

- Overdevelopment
- Lack of parking
- Loss of Locally Listed Building causing harm to the character of the area

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential

- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Woodlands and trees

7.4 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP4.11, SP4.12, SP4.13 & SP4.14 regarding character, conservation and heritage
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 and SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

7.5 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UC9 Buildings on the Local List
- UD13 Parking design and layout
- UD14 Landscape design
- UD15 Refuse and recycling storage
- RO6 Protecting the setting of the Metropolitan Green Belt and Metropolitan Open Land
- NC4 Woodlands, trees and hedgerows
- T2 Traffic generation from development

- T4 Cycling
- T8 parking
- H2 Supply of new housing
- H5 Back garden development

7.6 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.7 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. Policies which have not been objected to can be given some weight in the decision making process. However at this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development
2. Loss of a locally listed building
3. Townscape and visual impact
4. Housing quality for future occupiers
5. Residential amenity for neighbours
6. Access and parking
7. Sustainability and environment
8. Trees and landscaping

Principle of development

8.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. Given that the site is located within a residential area, the principle of the flatted development can be accepted providing that the loss of a locally listed building can be justified, that the proposal respects the character and appearance of the surrounding area and there are no other impact issues.

Loss of a locally listed building

8.3 Para 135 of the NPPF concludes, a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset. Policy SP4.13 seeks to strengthen the protection of and promote improvements to heritage assets and their settings. Policy SP4.14 specially requires the Council to maintain a regularly updated schedule of Croydon's locally listed heritage assets. It has been concluded that such a review is unlikely to include this building on the local list due to the significant level of alterations which have taken place to it.

8.4 The building is a 19th century detached cottage, with associations firstly with brick manufacture and later with the railways. Its historical links with these industries reveal much about the history and development of the area. Built for the brickworks operator

which is evidenced through its detached nature, footprint and design. The building has been significantly altered throughout the years with the loss of constituent parts such as its windows and alterations to its eaves, the erection of various extensions, formation of light wells and the use of render. The overall authenticity of the design remains however its significance to the wider townscape is limited.

- 8.6 The building is included on the local list, which was adopted following public consultation in 2006. The submitted Heritage Statement and additional Townscape Assessment seeks to assess the buildings contribution to the townscape. The assessments demonstrate that that the building has a low significance and provides minimal contribution to the wider townscape; this conclusion is accepted.
- 8.7 In terms of the NPPF, a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset. Given the significance of this non-designated heritage asset is low the loss of this building is accepted, subject to a high quality building it.

Townscape and visual Impact

- 8.8 The proposal results in the total demolition of the existing building and the erection of a three storey building comprising of 2x studio units, 5x one bedroom and 2x three bedroom flats. The design of the building has been amended during the course of the application and has a traditional symmetrical appearance with an adequate balance between brick and glazing with appropriate roof proportions. The provision of 4 front gable features with recessed elements and varying eaves heights breaks the mass of the building and help integrate the development into the wider townscape. As a result of its design and siting the replacement building has a similar feel and character to the original cottage.
- 8.9 Due to the location at the junction of Carlton Road and Selsdon Road the building would have two front facing elevations. The applicant has chosen to approach this by having a reduced mass to the rear, sympathetic to the wider Victorian character of the area. While the mass at the rear is lower than that to the frontage the fenestration is broken down with vertical glazing elements with upward projecting gable masses. This is successful in ensuring consistency in the buildings articulation.
- 8.10 The layout of the development respects the pattern and rhythm of neighbouring development while the proposal would result in a high quality design.
- 8.11 Sectional details and samples of the external facing materials would be required via condition to ensure that a quality scheme is delivered.
- 8.12 To offset the loss of the building the applicant has agreed to fund and provide public art which incorporates a lighting scheme under the railway bridge. It is envisioned that any artwork makes reference to the railway/brickfields providing a historical connection to the application site. Such details would be secured through a Section 106 Legal Agreement. If consent is not forthcoming from Network Rail in this regard the LPA would seek to secure this on site and any S106 would need to take account of any consents from third parties.
- 8.13 Having considered all of the above, against the backdrop of housing need, officers are of the opinion that the proposed development would comply with the objectives of the above policies in terms of respecting local character.

Housing quality for future occupiers

- 8.14 All of the units as shown would comply with internal dimensions required by the Nationally Described Space Standards.
- 8.15 Each unit would be dual aspect with adequate outlook. A good mix of unit size is provided including 2x three bedroom units contributing to Borough's housing needs.
- 8.16 The ground floor unit is capable of being wheelchair accessible with level access and a disabled parking space nearby. It is expected that this unit is designed to be Category 3 'wheelchair user dwellings' M4(3) and this can be secured by condition.
- 8.17 With regard to amenity space, all units would be provided with private amenity space through balconies/terrace while a small communal garden would be provided to the rear. It is considered that the amenity space provided is acceptable.
- 8.18 Noise mitigation measures in respect of the residential adjacency to the railway line would be secured through condition.

Residential amenity for neighbours

- 8.19 The site sits in an isolated position and as such no other residential properties adjoin the application site. Given the separation distance of approximately 23 metres to 238 Selsdon Road and the properties further south in Carlton Road the development is not considered to appear visually intrusive or result in a loss of privacy.
- 8.20 The treatment of the screening to the balcony/terrace areas would be secured through condition. This would be secured in relation to the amenities of future occupiers as opposed to adjoining occupiers due to generous separation distances.

Access and parking

- 8.21 The application site is located within an area with a PTAL rating of 2 which indicates a poor level of accessibility to public transport links but adjoins an area with a PTAL of 3 having moderate access. The development would provide a reconfigured access onto Carlton Road and would provide 4 parking spaces including one disabled space.
- 8.22 The existing access is sited at the southern corner and is enclosed by a manually operated gate while there is off road parking for 2-3 cars. Vehicular access to 238 Selsdon Road is provided opposite via Carlton Road. It is therefore acknowledged that the existing arrangements would have an impact on the free flow and efficiency of the highway network.
- 8.23 The reconfigured access is further north than the existing crossover and would allow for better visibility due to the curvature of Carlton Road, at this particular section. Adequate turning areas are provided meaning vehicles can exit the site in a forward gear while visibility splays are achievable. Given the historic access to the site such an arrangement would not be alien to the area while activity levels would be moderate due to the number of car parking spaces provided. The access arrangements are therefore acceptable.
- 8.24 While 4 parking spaces are provided for a total of 9 units this is considered acceptable given the sites physical connection to bus and rail routes. The provision would also comply with the revised maximum standards set out in the London Plan

8.25 The provision of landscaping helps to integrate the development into its surroundings without compromising its safety. Given the low level increase in vehicle movements and the as a result of the development it is not considered that this would harm the safety and efficiency of the highway network.

Environment and sustainability

8.26 The site lies within a surface water flood risk area and slopes to the north and west. Given that the scheme incorporates landscaping proposals there are opportunities for SuDS to be located within the communal areas. Officers are satisfied that these issues can be dealt with by condition.

8.27 Conditions would be secured in relation to a 19% carbon dioxide emission and a water use target of 110L per head per day.

Trees and landscaping

8.28 The trees on site are not subject to a formal tree preservation order. The applicant has indicated that the trees on the railway embankment would be retained as part of this development, regardless these are located within land owned by network rail

8.29 There is a Cedar tree along the front boundary which provides a prominent feature along Selsdon road. It is therefore suggested that a replacement tree be planted along the front boundary to mitigate the loss of the cedar tree. It is suggested that this is secured via condition as part of the hard and soft landscaping proposals.

Conclusions

8.30 The proposal would result in the redevelopment of the site which would provide 8 additional homes. The loss of the locally listed building has been justified while historic reference would be maintained through public art. The proposed buildings would be in keeping with the character of the area and would not have a significant impact on the amenities of adjoining occupiers. Landscaping, parking, energy systems and sustainable drainage are all acceptable and can be controlled by condition.

8.31 All other relevant policies and considerations, including equalities, have been taken into account.