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PART 6: Planning Applications for Decision

Item 6.2

1 SUMMARY OF APPLICATION DETAILS

Ref: [17/03241/FUL](#) (*Link to associated documents on Planning Register*)
 Location: 60 Outram Road, Croydon, CR0 6XE
 Ward: Addiscombe
 Description: Demolition of existing dwelling: erection of a two storey building with accommodation in roof level and basement comprising 4 two bedroom and 2 one bedroom flats: formation of associated access, 3 parking spaces, integrated cycle storage and refuse store.
 Drawing Nos: Elevations 1/2 (BX06-S3A-105), Elevations 2/2 (BX06-S3A-106), Floor Plans (BX06-S3A-104), Ground Floor Plan (BX06-S3A-103), Section A/A (BX06-S3A-107), Site Landscape Plan (BX06-S3A-109), Site Plan (BX06-S3A-101), Site Setup (BX06-S3A-108) and Tree Protection (BX06-S3A-110)
 Applicant: Mr Rafael Porzycki (Aventier Ltd)
 Agent: N/A
 Case Officer: Matthew Carney

	Studio	1 bed	2 bed	3 bed
Flats	N/A	2 (1b2p)	4 (2b3p)	N/A

Type of floorspace	Amount proposed
Residential	439 Sqm

Number of car parking spaces	Number of cycle parking spaces
3 (including 1 disabled space)	12

1.1 This application is being reported to Planning Committee because the objections above the threshold in the Committee Consideration Criteria have been received.

RECOMMENDATION

1.2 That the Planning Committee resolve to GRANT planning permission subject to:
 A. 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 in accordance with the submitted plans
- 2) Details of external facing materials, including samples
- 3) Construction logistics plan (including a construction environmental management plan)
- 4) Details of hard and soft landscaping (to incorporate SUDs where appropriate) and boundary treatments
- 5) Details of privacy screening to private gardens
- 6) Details of cycle and refuse storage and electronic charging point

- 7) Car parking layout (including disabled bay) to be provided as specified in the application drawings prior to occupation
- 8) 19% reduction in carbon emissions
- 9) Water usage restricted to 110 litres per person per day
- 10) Tree Protection provided as specified
- 11) No additional windows in the flank elevations
- 12) Large scale details of architectural features
- 13) Time limit of 3 years
- 14) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Site notice removal
- 2) Community Infrastructure Levy
- 2) Developer to have regard to Council's Code of Practice 'Control of Pollution and Noise from Demolition and Construction Sites'
- 3) Developer to have regard to the Mayor of London's Best Practice Guidance 'The control of dust and emissions from construction and demolition'.
- 4) Wildlife protection
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

2 PROPOSAL AND LOCATION DETAILS

Proposal

2.1 The proposal involves:

- Demolition of the existing single storey detached dwelling;
- Erection of a three storey building with accommodation at basement level;
- Provision of 2x one bedroom flats and 4x two bedroom flats fronting Outram Road;
- Three off-street parking spaces and storage for refuse and bicycles provided internally accessed to the side of the proposed building;
- The flats would be accessed via the existing vehicular and pedestrian access off Outram Road;
- Soft landscaping would be provided around the frontage of the site and to the rear.

2.2 During the course of the application, a revised set of plans have been submitted amending the proposed scheme by reducing the amount of basement accommodation and the number of windows and rooflights and providing additional emphasis for the main entrance into the building. As the revised scheme increased the footprint of the proposed building, additional consultation with local residents has been undertaken.

Site and Surroundings

2.3 The application site is located on the eastern side of Outram Road within the East India Estate Conservation Area. The site comprises a traditional single storey detached dwelling house. There is an existing vehicle and pedestrian access to the site off Outram Road. The topography of the site is predominately flat.

- 2.4 The surrounding area comprises a mix of residential properties, including traditional two-storey detached and semi-detached dwellings and larger residential blocks comprising flats.

Planning History

- 2.5 The site has been the subject of a number of previous planning applications of most relevance to this proposal are:

16/05740/FUL Demolition of existing building, erection of three storey building comprising 5 x two bedroom and 2 x three bedroom flats – Permission Refused for the following reasons;

1. Development would not preserve or enhance the character of appearance of the East India Estate Conservation Area by reason of unacceptable design
2. The development would result in in sub-standard accommodation for future occupiers of the seven flats

00/00539/P Erection of three storey building comprising 4 x two bedroom flats and 1 x three bedroom flats – Permission Granted

00/00540/P Erection of three storey building comprising 7 one bedroom flats – Permission Granted

91/02848/P Erection of three storey building comprising 7 one bedroom flats – Permission Granted

3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 3.1 The redevelopment of the site for residential flats is acceptable in principle as the existing property is not protected by any policy designations which would prohibit the loss of the family house. Planning policy also seeks to optimise development of a site for residential use.
- 3.2 The siting, scale and layout of the building would respect the character of the area and make efficient use of the land. It would sit well within the street scene and would respect the proportions of the neighbouring buildings and surrounding patterns of development. The appearance would be simple respecting the existing surrounding built form, but visually interesting and would use high quality materials.
- 3.3 The design, scale and massing would not harm the living conditions of the neighbouring residents. The layout of the proposed building would ensure that suitable separation distances have been provided and would protect the privacy and amenity of neighbours.
- 3.4 The proposed flats would provide high quality living accommodation for future occupiers in accordance with London Plan standards.
- 3.5 The level of off street parking spaces would be suitable for number of flats proposed and the provision of a disabled space and electric charging point would meet the London Plan standards.

4 CONSULTATION RESPONSE / LOCAL REPRESENTATION

4.1 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: 26 Objecting: 25 Supporting: 1

4.2 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:

Summary of objections	Response
<i>Scale and massing</i>	
Overdevelopment of the site	Officers are satisfied that the density is acceptable and the development would not be overdevelopment. Refer to paragraph 6.10.
Harm to street scene, development will harm the character of the Conservation Area	It is considered that the standard of design would preserve and enhance the setting of the East India Estate Conservation Area. Refer to paragraphs 6.4-6.12 of this report
The development accentuates the unacceptable design of the adjoining properties.	
<i>Residential amenity of neighbours</i>	
The development would result in increased overlooking and intrusion of privacy for adjoining occupiers.	Officers are satisfied that the development would not harm the privacy of neighbours. Refer to paragraph 6.13 – 6.17
Increased noise and disturbance and nuisance for neighbours. Impact upon peaceful enjoyment of neighbouring properties	Officers are satisfied that the development would not harm living conditions of neighbours through noise and disturbance. Refer to paragraph 6.17 and 6.33
<i>Residential amenity of future residents</i>	
Basement accommodation is unacceptable	The area of living accommodation at basement level has been reduced and the depth of the area remaining is considered acceptable to provide a high quality living environment. Refer to paragraph 6.19
<i>Highways and Transport</i>	
Insufficient parking in the area, development would impact upon parking in the area.	Officers are satisfied that a suitable level of off street car parking has been provided for the development. Refer to paragraphs 6.23-6.27

Concerns raised about construction congestion and parking	A Construction Logistics Plan would be secured by condition to ensure that congestion and parking of construction traffic would be controlled.
<i>Other</i>	
The development would result in the loss of a bungalow	Officers are satisfied that the development is acceptable in principle and provides high quality residential accommodation.
The site has a covenant restricting the proposed development.	Covenants are private legal matters and are not material considerations in the determination of applications for planning permission. This matter can therefore not be taken into account.

5 RELEVANT PLANNING POLICIES AND GUIDANCE

- 5.1 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.
- 5.2 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:
- Section 1: Achieving sustainable development
 - Section 4: Promoting sustainable transport
 - Section 6: Delivering a wide choice of quality homes
 - Section 7: Requiring good design
 - Section 9: Promoting sustainable transport
 - Section 10: Meeting the challenge of climate change, flooding and coastal change
- 5.3 The main policy considerations raised by the application that the Committee are required to consider are:
- 5.4 Consolidated London Plan 2015 (LP):
- 3.3 Increasing housing supply

- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing Choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

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

- SP2 Homes
- SP2.3 Choice of homes
- SP2.5 Mix of homes
- SP2.6 Quality and standards
- SP4 Urban Design and Local character
- SP4.1 High quality development
- SP6 Environment and climate change
- SP6.1 Environment and climate change
- SP6.2 Energy and carbon dioxide reduction
- SP6.6 Sustainable design and construction
- SP8.3 Making full use of public transport
- SP8.13 Electric charging infrastructure
- SP8.15 Parking

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

- UD1 High quality and sustainable design
- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscaping
- UD15 Refuse and recycling storage
- EP1 – EP3 Pollution
- EP5 - EP7 Water – Flooding, Drainage and Conservation
- T2 Traffic Generation from Development
- T4 Cycling
- T8 & T9 Parking
- T11 Road safety
- H2 Supply of new housing
- UD9 & H10 Residential density

5.7 CLP1.1 & CLP2

5.8 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. The Council is currently undertaking consultation on main modifications to the submitted plan. 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.

5.9 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016
- Conservation Area General Guidance SPD 2013
- East India Estate Conservation Area Appraisal and Management Plan SPD 2014

6 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact
3. Residential amenity of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and transport
6. Trees and landscaping
7. Archaeology
8. Sustainability, flood risk and drainage

Principle of development

6.2 The appropriate use of land is a material consideration to ensure that opportunities for development are recognised and housing supply optimised. The application is for a flatted development providing additional high quality homes within the borough, which the Local Planning Authority (LPA) is seeking to promote. As the building is within the East India Estate Conservation Area the building is protected from demolition without prior consent. The building is identified within the East India Estate Conservation Area Appraisal Management Plan (CAAMP) as having a neutral impact upon the setting of the Conservation Area on this basis demolition would be supported if a replacement building was of a sufficient quality to preserve or enhance the character of the Conservation Area. For the reasons set out in paragraphs 6.4 – 6.12 of this report it is considered the development is of a sufficient quality for the demolition of the existing dwelling to be acceptable in principle.

6.3 The proposal seeks to provide a mix of housing units. No three bedroom units are proposed, however, a number of the 2 bedroom 3 person flats significantly exceed the Technical Housing Standards and are considered to create a good balance between larger and smaller unit sizes and provide an appropriate mix for the size of the development. On this basis, it is considered the proposal is supported in principle.

Townscape and visual impact on the East India Estate Conservation Area

- 6.4 The proposal is for the demolition of the existing property and the erection of a new flatted development that would consist of 6 units (2x1 bedroom unit and 4x2 bedroom units). The existing building is identified as having a neutral impact and therefore subject to the quality of the proposed scheme its demolition can be supported.
- 6.5 The site is located in the East India Estate Conservation Area, designated in 2008 in recognition of the architectural and historical significance of the area. Outram Road has a range of building types of a high architectural quality, consistent building lines and low wall front boundary treatments. Whilst there are many important historic buildings in Outram Road, the CAAMP identifies “that the street has experienced a certain amount of 20th century redevelopment of an inappropriate scale, design and massing, concentrated around the middle of the street on the east side of the road, and to the south of the road near the junction with Addiscombe Road”. The existing bungalow is situated in the middle of the street and whilst it is identified as having a neutral impact, it is situated between two larger residential buildings from the 20th Century that are both identified as detracting from the special character.
- 6.6 The design approach taken incorporates a traditional styled appearance in order to respect the character of the positive unlisted buildings in close proximity to the application site and the general wider character of the area. This approach includes appropriate materials (brick, tile, timber framed windows and conservation type rooflights) with an adequate balance between brick and glazing and appropriate roof proportions. Whilst the presence of flat roof is disappointing, it is hidden from view and the main front element proposes appropriate window headers, a projecting bay and gable features which are present in the surrounding area and allow the proposed building to fit into the wider townscape.
- 6.7 The proposed building is of a similar building height to the neighbouring properties and those further afield. The footprint of the building is considered acceptable in comparison to the size of the plot and surrounding properties. The building does not project beyond the existing established building line, as a result the scheme will not appear as an intrusive feature in the streetscene.
- 6.8 Currently there is no basement underneath the existing dwellinghouse, however, the proposed area of basement is minimal with a projection at the rear to create a semi-private amenity area for the unit located at this level on this basis it is considered the principle of an additional subterranean level is acceptable.
- 6.9 The proposed building would be centrally located and this setting ensures that the development does not appear overly cramped in its plot. The frontage would be given over to hard-standing to allow for off street parking for the new dwellings, however there are areas of soft landscaping at the ground floor and along the boundary of the site. This would reflect the arrangement of the neighbouring buildings and would be acceptable.
- 6.10 Representations have raised concern over the intensification of the site and overdevelopment. The site is a suburban setting with a PTAL rating of 4 and as such the London Plan indicates that the density levels ranges of 200–700 habitable rooms per hectare (hr/ha) and the proposal would be within this range at 219 hr/ha. Whilst this would be at the lower end of the density range, the London Plan indicates that it is not appropriate to apply these ranges mechanistically, as the density ranges are broad,

to enable account to be taken of other factors relevant to density – such as local context, design and transport capacity. In this instance, the site is situated within a conservation area and therefore a lower density is considered appropriate.

- 6.11 The application site is a substantial plot within an established residential area and is comparable in size to other flatted and neighbouring back-land developments approved throughout the borough. The scale and massing of the new build will generally be in keeping with the overall scale of development found in the immediate area and the layout of the development respects the pattern and rhythm of neighbouring area, and would result in a high quality design that does not detract from the character of the East India Estate Conservation area.
- 6.12 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.

Residential amenity of adjoining occupiers

- 6.13 In terms of the proposal the properties that are most affected adjoining properties at 58 and 62 Outram Road and the property adjoining the site to the rear in Ashburton Gardens.

Impact upon 58 and 62 Outram Road

- 6.14 The front building line of the proposal would generally be consistent with the existing properties on Outram Road. The building would be set off both adjoining properties by at least 2.3m. The new development does result in a deeper built form on the site, however the projection beyond the rear building lines of the adjoining properties is not significant and it is considered in relation to an overbearing impact or overshadowing the proposal would not have a significantly detrimental impact.
- 6.15 There would be a degree of overlooking from the east facing windows on the rear elevation of the proposed buildings, however it is considered that this arrangement between proposed built form and the communal amenity space/parking area for the adjoining properties would be acceptable within an urban environment. There are no side facing windows proposed in the upper floors of the building and a condition is recommended to restrict any further fenestration to ensure that any future overlooking is mitigated along the flank elevations.

Impact upon 8 Ashburton Gardens

- 6.16 The separation distance between the proposed building and the flank side elevation of 8 Ashburton Gardens is approx. 25m, whilst this proposal would replace a single storey dwelling with a three storey property, this relationship is acceptable and no unacceptable impact upon residential amenity will occur.
- 6.17 Whilst it is accepted that the development will result in an intensification in the use of the site, given that the proposal is for a residential use in a residential area the proposed development would not result in undue noise, light or air pollution from an increased number of occupants on the site.

Residential amenity of future occupiers

6.18 The proposal would comply with internal dimensions required by the Nationally Described Space Standards (NDSS) and all units are in excess of the minimum GIA requirements as set out in the NDSS, as highlighted in the following table:

UNIT	BEDROOMS	GIA (SQM)	NDSS REQUIREMENT (GIA)
1	2	75	70
2	2	62	61
3	2	85	70
4	2	75	70
5	1	65	58
6	1	55	50

6.19 The internal layouts would be acceptable with adequate room sizes and a large open plan living, kitchen and dining area. Unit 1 has the living, kitchen and dining area at basement level and it is considered that given the depth of the room and the east facing orientation the level of daylight/sunlight would provide an acceptable standard of accommodation.

6.20 With regard to external amenity space, the London Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings. Units 1 and 2 both benefit from private amenity space in excess of the minimum standards, whilst the remaining properties have access to the communal garden at the rear of the site. This is considered acceptable given that Units 3-6 exceed the minimum NDSS standards and the provision of private balconies is not a feature of the Conservation Area.

6.21 In terms of accessibility, level access would be provided to the front door and refuse and cycle storage. A disabled car parking space is proposed for the parking area.

6.22 The proposal is considered to result in a high quality development offering a variety of housing types all with adequate amenities and a good standard of accommodation for future occupiers.

Highways and transport

6.23 The site is located within an area of good public transport accessibility (PTAL level 4 on a scale of 1a-6b where 6b is the most accessible). The site is well located for bus routes and in close proximity to the Sandilands Tram Stop.

6.24 A total of three car parking spaces are proposed, one of which is designated as a disabled space meeting London Plan requirements. Whilst local residents have raised concerns about the number of parking spaces adding to parking pressure in the

surrounding streets, planning policies encourage sustainable forms of transport and positively seek to restrict off street parking. The number of parking spaces for this development is considered acceptable given the accessibility of the site.

- 6.25 One electric vehicle charging point is required for the proposal to accord with the standards set out in the London Plan. The parking layout, including disabled parking and electric vehicle charging point would be secured by condition to be installed prior to occupation of the site.
- 6.26 The applicant proposes a single vehicle access utilising the existing access. This would be considered acceptable, although it is prudent to recommend a condition that ensures highway visibility splay standards are incorporated.
- 6.27 An internal bin store area has been provided showing the 12 spaces that are required to comply with the London Plan requirements, further detail on the type of storage equipment will be secured via condition. Likewise, the bin storage is located internally and within the required distance of the highway to ensure that it can be collected without causing significant congestion or disruption to the flow of traffic.

Trees and landscaping

- 6.28 The proposal would result in the loss of some low level garden planting including some shrubs/trees. The Council's Tree Officer has reviewed the proposal and is satisfied with the works proposed. A scheme for hard and soft landscaping will be secured by condition and will provide some mitigation for the loss of the existing trees/shrubs.
- 6.29 The application site is not near an area of special scientific interest or a site of nature conservation value. With regard to wildlife, it is recommended for an informative to be placed on the decision notice to advise the applicant to see the standing advice by Natural England in the event protected species are found on site.

Sustainability and flood risk

- 6.30 Conditions would secure a 19% carbon dioxide emission reduction and a water use target of 110L per head per day thereby meeting sustainability targets.
- 6.31 The site falls within an area at risk of surface water flooding. Given the areas for landscaping there are opportunities for SUDS to be located in the communal areas. Officers are satisfied that these issues can be dealt with by condition

Other Planning Issues

- 6.32 Several consultation responses raised concerns relating to stress on local services which they argued would be worsened through the proposed development. As part of the planning process, certain types of development are liable for a Community Infrastructure Levy which is charged against new floor space. This development would be liable for CIL payments for the Council's CIL and Mayoral CIL. The payment would contribute to maintaining local services such as education facilities, health care facilities, public open space, sports and leisure and community facilities as well as transport links through the Mayoral CIL.

Conclusions

- 6.33 The principle of development is considered acceptable within this area. The design of the scheme is of an acceptable standard and subject to the provision of suitable conditions the scheme is acceptable in relation to residential amenity, transport, sustainable and ecological matters. Thus the proposal is considered in general accordance with the relevant policies.
- 6.34 All other relevant policies and considerations, including equalities, have been taken into account.