

PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the 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 This Committee can, if it considers it necessary or appropriate to do so, refer an agenda item to the Planning Committee for consideration and determination. If the Committee decide to do this, that item will be considered at the next available Planning Committee, which would normally be the following evening.
- 1.5 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.
- 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 PROVISION OF INFRASTRUCTURE

- 3.1 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:
 - Education facilities
 - Health care facilities
 - Projects listed in the Connected Croydon Delivery Programme
 - Public open space
 - Public sports and leisure
 - Community facilities
- 3.2 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.

4 FURTHER INFORMATION

- 4.1 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.

5 PUBLIC SPEAKING

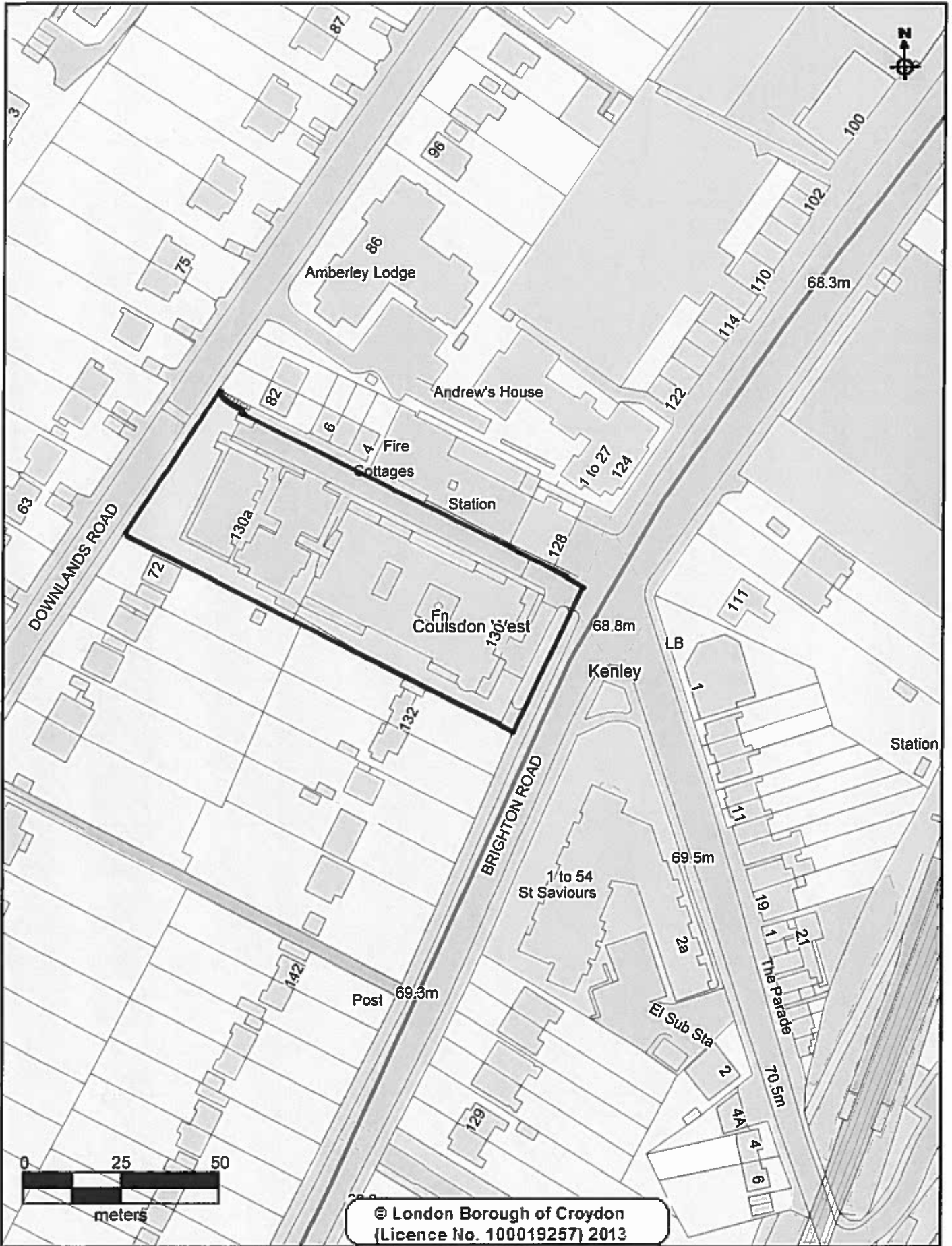
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

6 BACKGROUND DOCUMENTS

- 6.1 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.

7 RECOMMENDATION

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



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PART 6: Planning Applications for Decision**Item 6.1****1 APPLICATION DETAILS**

Ref: 15/04351/P and 15/04352/LB
Location: 130 Brighton Road, Purley, CR8 4EX
Ward: Coulsdon West
Description: **15/04351/P**: Planning application for - Construction of an extension in the central area of the existing building at basement level to create 2 two bedroom and 2 one bedroom flats
15/04352/P: Listed Building application for - Construction of an extension in the central area of the existing building at basement level to create 2 two bedroom and 2 one bedroom flats

Drawing Nos: 15/04351/P
2875/L/01
2875/PH/01
2875/P/01C, 02B, 03B, 04B, 05A, 06A, 07A, 08B, 09B, 10B and 11
2875/P/31B, 32B, 33A, 34A, 35A, 36A, 37A, 38B, 39A, 40A and 41

15/04352/LB
2875/L/01
2875/PH/01
2875/P/01C, 02B, 03B, 04B, 05A, 06A, 07A, 08B, 09B, 10B and 11
2875/P/31B, 32B, 33A, 34A, 35A, 36A, 37A, 38B, 39A, 40A and 41

Applicant: Herald Holdings Limited
Agent: Mr Peter Swain, Proun Architects
Case Officer: Laura Field

- 1.1 Both application are being reported to committee because the ward councillor (Cllr Mario Creatura) made representations in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- A residential development of this site is acceptable in principle.
- The proposal would respect the character of the area and the street scene and the Listed Building.
- The siting and layout of the proposed flats there would not be any significant impact on the residential amenities of the adjoining occupiers.
- The proposal would be acceptable with regards to the accommodation for future occupiers and sustainability requirements.
- The proposal would have no significant adverse impact on parking demand and pedestrian and highway safety.

3 RECOMMENDATION

15/04351/P- Planning Application

- 3.1 That the Committee resolve to GRANT planning permission.
- 3.2 That the Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

3.3 Conditions

- 1) In accordance with plans and details submitted
- 2) Details of the new windows and door units and the proposed new railings, including junctions between existing railings to be submitted and approved
- 3) Details of cycle parking and additional refuse facilities to be submitted and approved
- 4) Finer architectural detailing and all external facing materials to be submitted and approved
- 5) Construction Logistic and Method Statement to be submitted and approved
- 6) Travel Plan to be submitted and approved
- 7) Reduction in CO2 emissions
- 8) Water consumption
- 9) 3 years for implementation
- 10) Any other planning condition(s) considered necessary by the Director of Planning

Informatives

- 1) Site notice to be removed
 - 2) Community Infrastructure Levy
 - 3) Information on construction on a TfL road
 - 4) Any other informatives considered necessary by the Director of Planning
- 3.4 That the Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15/04352/LB Listed Building application

- 3.5 That the Committee resolve to GRANT Listed Building Consent.
- 3.6 That the Director of Planning is delegated authority to issue the Listed Building Consent and impose conditions to secure the following matters:

Conditions

- 1) Works carried out in accordance with the plans.
- 2) Details of the new windows and door units and the proposed new railings, including junctions between existing railings to be submitted and approved
- 3) Finer architectural detailing and all external facing materials to be submitted and approved
- 4) 3 years for implementation
- 5) Any other planning conditions (s) considered necessary by the Director of Planning

Informatives

- 1) Site notice to be removed
- 2) Any other informatives considered necessary by the Director of Planning

3.7 That the Committee confirms that it has had special regard to the desirability of preserving the settings of listed buildings and features of special architectural or historic interest as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 15/04351/P - Full planning permission is sought for:

- Construction of an extension in the central area of existing building at basement level
- Creation of 2 two bedroom and 2 one bedroom flats
- Creation of courtyard areas to serve each of the flats
- Erection of railings and plinths to match the existing

4.2 15/04352/LB - Listed Building Consent is sought for:

- The Construction of an extension in the central area of existing building at basement level
- Creation of 2 two bedroom and 2 one bedroom flats
- Creation of courtyard areas to serve each of the flats
- Erection of railings and plinths to match the existing

4.3 Amendments were submitted during the course of the application. These included:

- Reconfiguring the flats including the removal of a bedroom so bedroom 1 would be dual aspect.
- Accurate plans to include existing railings and correct measurement of existing lightwells.
- Reduction in the proposed lightwells.
- A structural report.

Site and Surroundings

4.4 The application site is situated on the south western side of Brighton Road at the junction with Old Lodge Lane. The rear of the site fronts Downlands Road. The site has a change of land levels with the site being on lower ground to Downlands Road. The building is the Former Purley Town Hall and is Grade II Listed Building. The property has been converted into flats. To the rear of the site is a new flatted development.

4.5 To the north east of the site is the Fire Station site, which is currently being redeveloped. Residential cottages which were historically attached to the Fire Station still exist. Further up Brighton Road is a mixture of flatted development and

commercial units with flats above. To the south west of the site is mainly residential properties. Properties along Downlands Road are mainly single family houses.

4.6 Brighton Road is a Transport for London Network Road.

Planning History

4.7 The following planning decisions are most relevant to the application:

03/03536/P&- Conversion /alterations of existing building to create 24 self-contained
03/03537/LP flats with demolition of rear garage/store building & erection of new building containing 15 self-contained affordable units, on-site parking, garden & elevational changes and a leisure centre of the first floor. Refused and **allowed** an appeal. This has been implemented. Various applications have been submitted to discharge and approve the conditions attached to this planning permission.

10/00252/P- Erection of detached four-storey building at rear to comprise 10 two bedroom, 3 three bedroom and 1 one bedroom flats; provision of associated parking spaces.
Refused and **dismissed** at appeal on grounds design and the setting of the listed building.

10/02412/P- Variation to Condition 5 (affordable housing).
Refused and **dismissed** at appeal on grounds of the delivery of the affordable housing.

11/03452/P &- Construction of a dwarf boundary wall with coping to mark the
11/03293/P boundary with Brighton Road and associated works.
Granted and implemented.

12/00261/P- Non-compliance with condition 6 & 7 (phasing of details) attached to
planning permission 03/03536/P.
Granted and implemented.

15/02319/P &
15/02320/LB- Construction of extensions in the central area of the existing building
at basement, ground, first and second floor levels to create 8 new residential units comprising of 4 one bed, 2 two bed and 2 three bed units.
Refused on the grounds that the proposal would have a detrimental effect on the architectural and historic character of a Listed Building.

15/05381/LE- Use of flats 25 and 25A at ground floor level as self-contained flats
Refused on grounds of insufficient evidence.

15/04360/P&- Construction of an extension in the central area of the existing building
15/02320/LB at second floor level to create 2 one bedroom flats. Currently being considered. Recommended by officers for approval and on this agenda to be heard by the sub-committee.

5 CONSULTATION RESPONSE

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

5.2 The following were consulted regarding the application:

Historic England (Statutory Consultee)

5.3 Historic England commented there is no requirement for an archaeological condition. They have provided no comments on the Listed Building. However, on the previous 2015 application, they stated they did not wish to offer any comment on this occasion.

Transport for London (TfL) (Statutory Consultee)

5.4 Subject to conditions on construction and cycle storage being met, TfL have raised no objection to the scheme.

LOCAL REPRESENTATION

5.5 The applications were publicised by way of site notices displayed in the vicinity of the application site and in the local press. 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: 17 Objecting: 17 Supporting: 0

5.6 The following Councillor made representations:

- Councillor Mario Creatura [referral]

5.7 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Overdevelopment
- Adverse effects on Grade II listed building
- Noise, dust and disturbance
- Construction will impact on the Fire Station
- Loss of light to existing flats
- Impact on communal areas
- Impact on existing parking and bin arrangements which are under considerable stress

5.8 The following issues were raised in representations, but they are not material to the determination of the application:

- Maintenance is slow and properties are vacant (OFFICER COMMENT: These are not a material planning consideration)
- Impact on structural integrity of building (OFFICER COMMENT: This is matter covered by Building Regulations)

- No consultation apart from notices on lampposts (OFFICER COMMENT: The site notices were erected in accordance with the Council's protocol)
- Impact on sewerage and infrastructure (OFFICER COMMENT: Given the size of development this is not a relevant material planning consideration)

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the development that the committee should be aware of are:

- The principle of the proposal
- Impact on the Listed Building and on the character and appearance of the surrounding area
- Impact on adjoining occupiers
- Quality of living environment provided for future residents
- Transport and highways considerations
- Sustainability

Principle of proposal

6.2 The National Planning Policy Framework (NPPF) requires planning applications to be determined with a presumption in favour of sustainable development.

6.3 Chapter 6 of the NPPF indicates that housing applications should be considered in the context of a presumption in favour of sustainable development and that it is the role of local planning authorities to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

6.4 The London Plan (Consolidated with Alterations Since 2011) Policy 3.5 requires the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces. The Croydon Local Plan: Strategic Policy SP2.1 applies a presumption in favour of development of new homes. The Croydon Plan 2006 (Saved Policies 2013) contains Policy H2 which permits new housing development if it respects the character of residential areas.

6.5 Given that the site is located within an existing residential building, the principle of the development can be accepted providing that the proposal respects the listed building, the character and appearance of the surrounding area and there are no other impact issues.

Impact on the Listed Buildings and the character and appearance of the surrounding area

6.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to this proposal. Section 66 imposes a general duty to respect listed buildings in the exercise of planning functions. It requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 6.7 The NPPF attaches great importance to the design of the built environment. Paragraph 17 gives 12 core planning principles. One of these principles is to 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. National Planning Policy Framework (NPPF) Paragraph 58 states that planning "policies and decisions should aim to ensure that developments are well designed. Chapter 12 of the NPPF relates specifically to the historic environment.
- 6.8 London Plan policies 7.1 to 7.6 set out criteria for requiring buildings to respond to their neighbourhood and communities to provide an inclusive environment which enhances the local character and provides a high quality of public realm and architecture. London Plan policy 7.8 is concerned with heritage assets: part D states that 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'.
- 6.9 CLP1 policy SP4 sets out requirements for the design of developments to respond to their context, the local character and designated heritage assets, views and landmarks. The Croydon Replacement Unitary Development Plan 2006 (Saved Policies 2013) policies UD2 and UD3 relate to high quality sustainable design which reflects its setting and characteristics of the area.
- 6.10 The proposed development has sought to address recently refused proposals (15/02319/P and 15/02320/LB) by:
- Removal of bedroom 3 and internal rearrangements
 - Use of lightwells and rearranged courtyards so these remain communal
 - Changes to the roof design under separate application 15/04360/P and 14/04361/LP
- 6.11 The applicant has amended the drawings during the course of the application to address inaccuracies, reduction in the size of lightwells and reconfiguration of the flats. This has included bedrooms being dual aspect.
- 6.12 Given the layout of the existing basement area, the proposal would not be out of keeping with the existing Listed Building. While two new lightwells are proposed to the front and rear courtyard area, to provide light to the two bed units, these have been reduced to a minimum level of projection and are considered to preserve the building's special interest.
- 6.13 Similarly, the new proposed courtyard areas to the outer side elevations are considered to be acceptable, given there are existing basement level courtyards along the same elevations. Details of the new windows and door units, all external facing materials and the proposed new railings, including junctions between existing railings as well as finer architectural, should be secured through a condition. As a result, the proposal would preserve the Listed Building and respect the character of the area.
- 6.14 Whilst structural issues are not a planning matter, Building Control have assessed the structural report and are satisfied the proposal could be constructed. Further details would need to be submitted concerning the impact on the Listed Building and methods for protecting the features of the building during construction. This is subject to a condition.

Impacts on adjoining occupiers

- 6.15 Policy 3.5 of the London Plan 2011 (with 2013 Alterations) requires housing development to be of the highest quality internally, externally and in relation to their context and to the wider environment. Policy 7.6 of the London Plan 2011 (with 2013 Alterations) indicates that buildings and structures should not cause unacceptable harm to amenity of surrounding land and buildings. Policy UD8 of the Croydon Plan (2006) Saved Policies 2013 requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policy EP1 of the Croydon Plan (2006) Saved Policies 2013 aims to control potentially polluting uses. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies require development to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 6.16 With regards the occupiers of surrounding properties and the flats in the existing building and general noise and disturbance, this matter can be covered by a Construction Logistic Plan during construction. Due to the size of development noise and disturbance from the flats once built would not be significant. Given the siting of the proposal, the proposed flats would not impact on light conditions of the existing flats.
- 6.17 There would be reduction in the space to the front and rear courtyard and there would be change to outlook of Flat 16. This is an existing situation with enclosed amenity space and outlook and the proposals would not worsen the quality to a degree to warrant a refusal. Therefore, the proposed development would be acceptable in relation to the amenities of neighbouring properties.

Quality of living environment provided for future residents

- 6.19 London Plan Policy 3.5 states that new residential units should provide the highest quality internal environments for their future residents, and should have minimum floor areas in accordance with set standards. Policy UD8 of the Croydon Plan states that external amenity space should be provided to serve new residential units at a level which is commensurate with that provided in the surrounding area. The National Technical Standards document and London Housing Supplementary Planning Guidance (SPG) provides further details in relation to housing standards, including private amenity space.
- 6.20 All of the proposed new dwellings would have floor areas in excess of the minimum requirement. The requirement for 1 bedroom units is 50m². The proposal provides 61.6m² for each of these units. For two bedroom units the requirement is 70m². The proposal provides 123.9m² for each of these units. All of the flats would have a private courtyard and would have access to the communal amenity/landscaped areas. Whilst the two bedroom units (bedroom one) would have limited lightwells, these are dual aspect rooms and the flats, overall, have courtyards. The one bedroom flats are single aspect but are not solely north facing. However, given the form of development within the existing basement, adequate light would be achieved. It is considered that the proposed development provides the appropriate balance in terms of amenity whilst utilising a basement area efficiently to contribute to housing need. The proposed development would be, therefore, acceptable in this regard.

6.21 Level access should be provided in new development but due to site circumstances, (the Grade II Listed Building, the existing basement conversion and layout) this cannot be achieved.

Transport and highways considerations

6.22 Chapter 4 of the NPPF seeks to promote sustainable transport. London Plan Policies 6.3 and 6.13, Croydon Plan Policies T2 and T8 and SP8.17 of the Croydon Local Plan: Strategic Policies seeks to ensure that there is an appropriate level of car parking. London Plan Policy 6.9 states that secure, integrated and accessible cycle parking should be provided by new development.

6.23 The site is located in an area with PTAL rating of 3 which is good in terms of its public transport accessibility rating. The site is well located in close proximity to local amenities and public transport facilities and therefore discourages the need to travel by private car. The nearest bus stops are about 2-3 minutes walk from the site. The proposal would be to retain the existing 18 parking and not to provide additional parking. Therefore, given the location of the scheme and the size, this is supported.

6.24 The Inspector on the previous appeal also supported the view of a reduction in parking and (03/03537/LB & 03/03536/P) stated that 'the amount of parking to be provided on site is consistent with the government's objective of reducing reliance on the use of the private car'. Details about additional cycle facilities and refuse storage bins should be submitted as part of a condition.

Sustainability

6.25 Policies 5.2 and 5.3 of the London Plan 2011 state that development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, whilst policy 5.7 states that they should provide on-site renewable energy generation. CLP1 Policy SP6.2 requires developments to make the fullest contribution to minimising carbon dioxide in line with the London Plan Policy. Residential schemes require 19% reduction in CO2 emissions over 2013 Building Regulations and a target for water consumption. This can be controlled through conditions

Conclusions

6.26 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission and Listed Building Consent should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.