

**PART 6: Planning Applications for Decision**

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**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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**London Borough Croydon**

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**PART 6: Planning Applications for Decision****Item 6.1**

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**1 APPLICATION DETAILS**

Ref: 15/05736/P  
Location: 770a London Road, Thornton Heath CR7 6JB  
Ward: West Thornton  
Description: Change of existing D1 use (Teaching Centre) to C3 (Residential); construction of first floor to provide 2 one bedroom flats.  
Drawing No's DP/2712/PP/REV A/01, DP/2712/PP/REV A/02, DP/2712/PP/03, DP/2712/PP/04, DP/2712/PP/05  
Applicant: Newbridge Asset Management (Mr Areeb Azam)  
Agent: Ms Richardson  
Case Officer: Sera Elobisi

- 1.1 This application is being reported to committee because the ward councillor (Cllr Stuart King) made representations in accordance with the Committee Consideration Criteria and requested committee consideration. Objections and letters in support above the threshold in the Committee Consideration Criteria have also been received.

**2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 Principle of use – The applicant has demonstrated that there is no demand for the space as a community facility and a change of use is acceptable in principle.
- 2.2 The development would not detract from the visual character of the building and the streetscene.
- 2.3 The development would not harm residential amenity
- 2.4 The standard of accommodation provided for future occupiers would be acceptable.
- 2.5 The development would be acceptable in terms of highway safety and parking.

**3 RECOMMENDATION**

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

**Conditions**

- 1) The development shall be carried out entirely in accordance with the approved drawings and other documents submitted with the application.
- 2) All new and external work and work of making good shall be carried out in materials to match existing.

- 3) The proposed temporary refuse storage area shall be provided as specified in the application and shall be available for use before the first occupation of the dwellings.
- 4) The development shall be begun within three years of the date of the permission.
- 5) Any [other] condition(s) considered necessary by the Director of Planning

### **Informatives**

- 1) Site notices displayed in London Road and Raymead Avenue to be removed by the applicant.
- 2) Under the Community Infrastructure Levy regulations 2010 a financial payment will be required to Croydon Council and to the Mayor of London on commencement of the development.
- 3) Any [other] informative(s) considered necessary by the Director of Planning

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 Construction of first floor
- 4.2 Use of building as 2 one bedroom flats

### **Site and Surroundings**

- 4.3 The site is an existing single storey property to the rear of No. 770 London Road and fronting Raymead Avenue. The site as described on the application form is 770a London Road. The building as with the rest of the developments to the rear of 770 London Road has been built right up to the site boundary and runs along the edge of the pavement fronting Raymead Avenue. The site is not located within a conservation area, nor is it subject to any listings. The surrounding area consists of commercial properties of similar size and design fronting London Road and residential properties fronting Raymead Avenue.
- 4.4 The building as was observed from an officer's site visit appears to be vacant. The Council planning records show that permission was granted for the use of the building as a teaching room within use class D1 – community service.

### **Planning History**

- 4.5 10/01009/P – Permission granted (conditionally) for use as teaching room.
- 4.6 11/02814/P – Permission refused for continued use as place of worship. The Council considered the development would result in an unacceptable level of noise and general disturbance for the occupiers of adjoining properties thereby conflicting with Policy EP1 of the Croydon Replacement Unitary Development Plan (the Croydon Plan).

### **Relevant Planning History (770 London Road)**

- 4.7 13/01025/P for erection of two storey side extension to provide studio flat and office (implemented).
- 4.8 14/00097/DT – Approval of non-material amendments to planning permission

## 5 CONSULTATION RESPONSE

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

## 6 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: 25      Objecting: 14      Supporting: 11

(9 addresses of the 17 individual responses are not in the immediate vicinity of the site).

No of petitions received: 2      Objecting: 1 (containing 126 signatures)  
Supporting: 1 (containing 15 signatures)

- 6.3 The following Councillors made representations:

- Councillor Stuart King (objecting)

- 6.4 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 of the site
- Loss of light to offices/community centre at 10 Thornton Row
- Increased noise
- Impact on welfare of those using the adjacent centre
- Lack of facilities for storage of refuse

### **Supporting comments**

- Provision of much needed one bedroom units
- Improvement to streetscene

## 7 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. The impact of the development in the streetscene
3. The impact of the development on residential amenity
4. Living conditions of future occupiers
5. Highway and parking

### **Principle of Development**

- 7.2 Chapter 6 of the National Planning Policy Framework (NPPF) indicates that housing applications should be considered in the context of a presumption in favour of sustainable development. Policy 3.3 of the London Plan (Consolidated with Alterations since 2011) recognises the pressing need for more homes in London. Policy H2 of the Croydon Plan (2006) Saved Policies 2013 permits housing development within built up areas provided that the development does not conflict with the aims of protecting the character of residential areas and there is no loss of other protected uses. Policy SP2.1 of the Croydon Local Plan: Strategic Policies (2013) states that in order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon the Council will apply a presumption in favour of development of new homes provided applications for residential development meet the requirements of Policy SP2 and other applicable policies of the development plan.
- 7.3 Policy CS2 of the Croydon Plan states “development which would lead to the loss of community facilities including education will not be permitted unless it has been demonstrated that:
- a. There is no need for them; or
  - b. There are no alternative community uses which could make use of the buildings or site.
- 7.4 The application site as stated in the supporting document has been unsuccessfully marketed for over 18 months (first listed on 15/05/2014). The agent has also complied with the Council’s protocol for list of organisations the Council requires applicants to contact should they seek permission for a scheme involving the loss of community facilities. Written confirmation from eight of the listed organisations was received as part of the application, confirming they had no suitable community use for the application site. The proposal would provide an additional home in a residential area. The principle of development is therefore considered acceptable and is in line with the NPPF, Policies 3.3 and 3.8 of the London Plan (Consolidated with Alterations since 2011), Policies CS2 and H2 of the Croydon Plan (2006) Saved Policies 2013 and Policy SP2.1 of the Croydon Local Plan: Strategic Policies (2013)..

### **The impact of the development in the streetscene**

- 7.5 Paragraph 56 of the NPPF states that: “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. Paragraph 61 goes on to state that: “Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment”. Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan (2011) state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policies UD2 and UD3 of the Croydon Plan (2006) Saved Policies 2013 require the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 of the Croydon Local Plan: Strategic Policies (2013) indicates that the Council will require all new development to contribute to enhancing a sense of place and



improving the character of the area. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) also require development to be of a high quality which respects and enhances local character.

- 7.6 The proposal would involve the construction of a first floor extension to the building to create a two storey building facing Raymead Avenue. The extension would be located between two existing two storey buildings. It would be finished with a flat roof and the eaves of the extension would align with the adjacent properties. Materials to match the existing building proposed. The extension would be of an acceptable massing and design and would have an acceptable impact on the character and appearance of the surrounding streetscene. The proposal is considered to comply with UDP Saved Policies UD2 and UD3 as well as Policy SP4.1 of the Croydon Local Plan: Strategic Policies (2013) and Policies 7.4 and 7.6 of the London Plan.

### **The impact of the development of the residential amenity**

- 7.7 Paragraph 17 of the NPPF indicates that decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy 7.1 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy 7.6 of the London Plan also 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. Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 7.8 The proposed extension would sit flush with the buildings either side of the extension and therefore would not have an impact on the amenities of these adjoining properties. To the rear of the site adjoins 10 Thornton Row which is a single storey building in use as a community centre with ancillary offices in the roofspace. There are a number of rooflights within the rear roof slope of this building facing towards the application site. Whilst there may be some loss of light to this adjoining property these windows serve an office/community use and do not benefit from the same protection in terms of amenity as a residential use. It is not considered that the impact to this property is sufficient to warrant refusal.
- 7.9 The proposal would not result in harm to the residential amenity of neighbouring properties through visual intrusion, loss of light or loss of privacy. The proposal therefore complies with the objectives of Policies 7.4 and 7.6 of the London Plan, Policy 4.2 of the CLP-SP and Policy UD8 of the Croydon Plan (2006) Saved Policies.
- 7.10 Policy SP2.6 requires new homes to meet the needs of residents over a lifetime and contribute to sustainable communities with the borough and with all new achieving the minimum standards set out in the Mayor of London's Housing Supplementary Planning Guidance (HSPG) and National Housing Standards. All new homes should meet minimum design and amenity standards to be set out in a Croydon Local Plan: Detailed Policies and Proposals DPD.
- 7.11 Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the London Plan Policies to protect and enhance London's residential environment and attractiveness as a place to live.

7.12 The Nationally described space standards require that a one bedroom unit should have a Gross Internal Floorspace of 50sqm. The units as demonstrated on the plans would have a minimum GIA of 54m<sup>2</sup> which exceeds the minimum requirement for one bedroom units. The habitable rooms would provide adequate levels of daylight and outlook. The proposal does not provide outside space for the future occupiers of the flat in line with Policy 7.6 of the London Plan which requires buildings and structures to provide high quality indoor and outdoor spaces. However, given that the development is for one bedroom flats, it is not considered that the lack of outdoor space would impact negatively on the living conditions of the future occupiers. The development would provide adequate accommodation and satisfactory layout for the future occupiers in accordance with Policy SP 2.6 of the CLP -SP, Policy 3.5 of the London Plan, the Housing Supplementary Planning Guidance and the Technical Housing standards.

7.13 Provision is made for temporary refuse storage in line with Policy UD15 of the Croydon Plan.

### **Highway and parking**

7.14 The London Plan Policy 6.3 requires development not to adversely affect safety on the transport network. Policy SP8.3 of the CLP-SP requires development to make the fullest use of public transport, and co-locate facilities in order to reduce the need to travel. The Council will apply parking standards for residential developments as set out in the London Plan for areas outside high PTAL rating in line with saved Policy T8 of the Croydon Plan.

7.15 The subject site is in an area with a PTAL of 4 (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by Transport for London. The site is therefore considered to have good accessibility to public transport links.

7.16 No off street parking can be provided due to the site constraints. However, given the type of dwelling and number of units proposed and accessibility of the site to public transport networks, the proposal is considered not to impede on highway safety and efficiency and would therefore comply with Policy T8 of the Croydon Plan and SP8.3 of the CLP-SP.

### **Conclusions**

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