

To: Councillor Paul Scott (Chairman);
Councillor Humayun Kabir (Vice-Chairman);
Councillors Jamie Audsley, Kathy Bee, Luke Clancy, Jason Perry, Joy Prince,
Manju Shahul-Hameed, Susan Winborn and Chris Wright

Reserve Members: Jeet Bains, Simon Brew, Richard Chatterjee, Sherwan
Chowdhury, Pat Clouder, Steve Hollands, Karen Jewitt, Bernadette Khan, Shafi
Khan and Maggie Mansell

(Five Members selected from the Planning Committee membership above for
the Planning sub-Committee: Councillors Paul Scott, Humayun Kabir, Kathy
Bee, plus 2 minority group members)

A meeting of the **PLANNING SUB-COMMITTEE** which you are hereby summoned to
attend, will be held on **Thursday 15th December 2016 at 5:30pm**, in **The Council
Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**.

JACQUELINE HARRIS-BAKER
Acting Council Solicitor and Acting
Monitoring Officer
London Borough of Croydon
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MARGOT ROHAN
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www.croydon.gov.uk/agenda
6 December 2016

Members of the public are welcome to attend this meeting. If you require any
assistance, please contact the person detailed above, on the righthand side.

To register a request to speak, please either e-mail

Planning.Speakers@croydon.gov.uk or call MARGOT ROHAN by 4pm on the
Tuesday before the meeting.

Please note this meeting will be paperless. The agenda can be accessed online
via the mobile app: <http://secure.croydon.gov.uk/akscroydon/mobile> - Select
'Meetings' on the opening page

AGENDA - PART A

1. Minutes of the meeting held on Thursday 1st December 2016 (Page 1)

To approve the minutes as a true and correct record.

2. Apologies for absence

3. Disclosure of Interest

Members will be asked to confirm that their Disclosure of Interest Forms are accurate and up-to-date. Any other disclosures that Members may wish to make during the meeting should be made orally. Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose relevant disclosable pecuniary interests at the meeting.

4. Urgent Business (if any)

To receive notice from the Chair of any business not on the Agenda which should, in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Exempt Items

To confirm the allocation of business between Part A and Part B of the Agenda.

6. Planning applications for decision (Page 3)

To consider the accompanying reports by the Director of Planning & Strategic Transport:

6.1 16/02462/P 32 Hartley Down, Purley, CR8 4EA

Alterations; erection of single/two storey side/rear extension and dormer extension in rear roof slope and conversion into 4 two bedroom and 1 one bedroom flats and associated parking

Ward: Kenley

Recommendation: Grant permission

6.2 16/03253/P Amarelle Apartments, 41 Cherry Orchard Road, Croydon

Erection of a single storey pavilion for temporary use as a sales and marketing suite with associated car parking and landscaping for a temporary period of 2 years

Ward: Addiscombe

Recommendation: Grant permission

7. **[The following motion is to be moved and seconded as the “camera resolution” where it is proposed to move into part B of a meeting]**

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

AGENDA - PART B

None

Planning Sub-Committee

Meeting held on Thursday 1st December 2016 at 7:30pm in The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES - PART A

Present: THIS MEETING WAS CANCELLED

A999/16 Planning applications for decision

The only application on this agenda was withdrawn as the North Croydon Conservation Area Advisory Panel withdrew its objection. There were only 3 objections submitted so the application will now be decided under delegated authority, by the Director of Planning and Strategic Transport, under the Constitution Part 4K Paragraph 6.1.

The meeting was therefore cancelled.

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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.



PART 6: Planning Applications for Decision

Item 6.1

1 APPLICATION DETAILS

Ref: [16/02462/P](#) (*link to related documents on the Planning Register*)
 Location: 32 Hartley Down, Purley, CR8 4EA
 Ward: Kenley
 Description: Alterations; erection of single/two storey side/rear extension and dormer extension in rear roof slope and conversion into 4 two bedroom and 1 one bedroom flats and associated parking
 Drawing Nos: 3020_100, 3020_101 Rev A, 3020_102, 3020_103, 3020_104, 3020_105, 3020_106, 3020_120B, 3020_121, 3020_122, 3020_123A, 3020_124B, 3020_125D, Design and Access Statement (3020_G002_RevA)
 Applicant: Mrs Khan
 Agent: Mr Day, D-10 Architects Ltd
 Case Officer: Hayley Crabb

- 1.1 This application is being reported to Committee because the Ward Councillor (Cllr O’Connell) 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

- 2.1 Permission has previously been granted pursuant to planning permission (LBC Ref 14/01385/P) for extensions to the existing house (the same to those currently proposed). The minor alterations and provision of flats would not have a detrimental impact on the appearance of the existing building, the character of the area, or the residential amenities of adjoining occupiers.
- 2.2 The proposal would provide adequate accommodation for future occupiers in terms of layout, floorspace, outlook, internal space standards and amenity space.
- 2.3 The development would not have a detrimental effect on highway safety due to the siting of the development and an adequate level of parking proposed. Visibility splays are secured through the imposition of a planning condition.

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) In accordance with the approved plans
- 2) Window/door condition in the north-eastern and south-western elevations
- 3) Materials submitted for approval

- 4) Planting scheme to be approved, implemented and retained as such for 5 years
- 5) Details of cycle stores and boundary treatment/screening to be submitted
- 6) Bin stores provided as specified
- 7) Visibility splays/sight lines to be provided
- 8) 1.7m high screening provided to the terrace area
- 9) Commence within 3 years
- 10) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Community Infrastructure Levy liability
- 2) Notification of Construction Code of Practice
- 3) Removal of Site Notices
- 4) Natural England standing advice
- 5) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 An application for full planning permission is sought for:
- Demolition of the existing garage and conservatory;
 - Erection of a single/two storey side/rear extension;
 - Dormer extension in the rear roof slope;
 - Conversion to form 4x2 bedroom flats and 1x1 bedroom flat;
 - 3 parking spaces are proposed at the front
- 4.2 Application 14/01385/P approved the same extensions to the dwelling as currently applied for. The differences between application number 14/01385/P and this scheme are:
- A window at ground floor level as opposed to a garage door at front;
 - Some variation to the fenestration to the sides;
 - The removal of the steps at rear from the terrace;
 - The basement a flat as opposed to a swimming pool;
 - Parking and refuse to the front

Site and Surroundings

- 4.3 The application site is occupied by a detached two storey house. The existing detached garage has been demolished and other excavation works carried out. The ground levels fall towards the rear boundary.

- 4.4 At the time of the site visit wooden fencing of varying heights due to the land levels has been erected along the side boundary between 30 and 32 at the front and to the side of the properties. There is natural screening at rear.
- 4.5 At the time of the site visit there was natural screening along the side boundary between 32 and 34 at the front, lattice fencing then 34's garage wall. Beyond the garage wall wooden fence panels have been installed of varying heights and natural screening.
- 4.6 The area is characterised by a mix of detached/semi-detached houses of varying sizes, shapes and styles.
- 4.7 The site falls within a Green Corridor and adjoins Local Open Land.

Planning History

- 4.8 The following planning decisions are relevant to the application:

95/01207/P Demolition of conservatory; erection of single storey side extension and conservatory with external staircase at rear **Approved and implemented**

14/01385/P Alterations; erection of single/two storey side/rear extension and dormer extension in rear roof slope **Approved but not implemented**

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 near the application site. Amended drawing site notices have also been erected. 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: 40 Objecting: 40 Supporting: 0

- 6.2 The following local groups/societies made representations:

- The Hartley & District Residents' Association [objecting]

- 6.3 The following Councillor made representations:

- Councillor Steve O'Connell [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:

Objecting

- Flats out of character with the area
- Parking/congestion/obstruction/increase traffic/highway and pedestrian safety/on street parking
- Set a precedent
- Not in keeping/out of character with the area/overcrowding/increased density
- Noise and disturbance/mess
- Loss of privacy/overlooking
- Overbearing/loss of light/overshadowing
- Flats would be overbearing and out of scale/overdevelopment/loss of garden land
- Hartley area is a conservation area/close to the “Local Area of Special Character” (LASC) of Hartley Way and Hartley Farm
- Cause social problems/rental/private
- Impact upon local services
- Recycling obstruct pedestrians
- Flood risk
- Window condition restricting windows in previous planning permission (LBC Ref 14/01385/P)
- Impact on bats
- Full details of cycle/refuse storage

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

- Affect property prices (OFFICER COMMENT: This is not a planning consideration)
- The Council foreseeing an extension of this size being used as flats (OFFICER COMMENT: Each application is judged on its own individual merits)
- Covenants (OFFICER COMMENT: This is not a planning consideration)
- Problems since the flats erected by Reedham Station (OFFICER COMMENT: Applications are determined in line with adopted planning policy)
- Fire regulations (OFFICER COMMENT: This is not a planning consideration)
- Noise and disturbance regarding building works which have commenced on site (OFFICER COMMENT: Any works undertaken are entirely at the owner’s own risk. The previous planning permission (LBC Ref 14/01385/P) can still be implemented to the existing house. The Council has a code of practice for construction sites which outline the hours of construction which should be adhered to).
- Drainage/sewers (OFFICER COMMENT: This is generally a matter for Thames Water)
- A safeguard in the event the applicants decide to submit a proposal to demolish the house and erect a block of flats or a larger plot proposed incorporating neighbouring land (OFFICER COMMENT: Each application is judged on its own individual merits)
- Applicant not consulting local residents (OFFICER COMMENT: This is a matter between third parties as there is no planning requirement for the applicant to consult with local residents)

6.6 The following procedural issues were raised in representations, and are addressed below:

- No letters sent/advertisement of the application (OFFICER COMMENT: The application is not deemed to be a major application and the Council have erected site notices in line with Council protocol)
- Inaccuracies on the drawings (OFFICER COMMENT: Amended drawings have been received)

7 MATERIAL PLANNING CONSIDERATIONS

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

1. The principle of development
2. The impact on the character and appearance of the area
3. The impact on the residential amenities of the adjoining occupiers
4. The standard of accommodation for future occupiers
5. The impact on parking, pedestrian and highway safety
6. The impact on the existing trees and vegetation
7. Sustainable urban drainage (SuDs)
8. Other

The Principle of Development

7.2 Policy 3.3 of the London Plan (Consolidated with Alterations since 2011) recognises the pressing need for more homes in London and Policy 3.8 states that Londoners should have a genuine choice of homes. Policy H7 of the Croydon Plan Saved Policies 2013 seeks to permit the sub-division of a dwelling into two or more units, provided that the new dwellings are self-contained, does not result in the loss of 'small family housing' and does not harm the environment or amenities of the surrounding area. Policy H11 seeks to retain small family houses under 130m². 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 The proposed development has the potential to provide a wider choice of housing (in the form of flatted accommodation) and the proposed development would not lead to the loss of a small family house, with the existing house being more than 130 square metres in floor area. The proposal is therefore acceptable in principle, subject to more detailed consideration of the impacts of the proposal on the character and appearance of the area (in terms of the proposed extensions), the amenities of neighbouring residents, the quality of accommodation for future occupiers, the impact on trees and traffic and highways considerations.

The effect of the development upon the character and appearance of the area and the visual amenity of the street scene

7.4 London Plan (Consolidated with alterations since 2011) policies (7.4 and 7.6) state that new development should reflect the established local character and should make a positive contribution to its context. Policies SP4.1 and SP4.2 of the Croydon Local

Plan: Strategic Policies 2013 require development to be of a high quality respecting and enhancing local character and informing the distinctive qualities of the area. Policy UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 require proposals to reinforce the existing development pattern and respect the height and proportions of surrounding buildings. Supplementary Planning Document 2: Residential Extensions and Alterations (SPD2), requires extensions to be in good design, to improve the character and quality of an area. SPD2 was formally adopted by the Council on the 6th December 2006 following public consultation and forms a material planning consideration.

- 7.5 SPD2 recommends side extensions to be set-back by 1.5m at first floor level to avoid a terracing effect and to ensure that such extensions are subservient to the host building. The 2014 planning permission (LBC Ref 14/01385/P) gave consent for a single/two storey side/rear extension with a 0.75 metre set back from the main front wall and a reduced ridge height, as well as a dormer extension in the rear roof slope. The current proposed extensions would be the same to these previously approved. (See 4.2 for the minor differences). Given the design variety in the immediate locality, with other properties having single/two storey side extensions, officers are satisfied that the extensions works would not be so detrimental to the visual amenity of the street scene or the character of the area to warrant a refusal of planning permission.
- 7.6 Whilst the proposed development would serve flats, given the previous grant of planning permission (which remains extant) the size, massing and design of the proposed development would be acceptable. The extensions are therefore acceptable in terms of the appearance of the host building, the visual amenity of the street scene and character of the area as per the previous approval.
- 7.7 The bin store is proposed adjacent to the front boundary which would be 1.8m in height and would be timber clad with slated timber doors and a profiled sheet roof over. Given the mature natural screening on the frontage, it is considered the siting of the bin store in this instance would not be so harmful to the street scene as to warrant a refusal.
- 7.8 The proposed development would provide 3 parking spaces for 5 flats. The existing property is served by 3 spaces. It is considered the parking area would be acceptable in terms of its impact on the street scene and character of the area.
- 7.9 The site does not fall within a conservation area and Hartley Way is not designated as a LASC. Whilst Hartley Farm does fall within a LASC, the proposed development would be of sufficient distance to not have an undue impact.
- 7.10 It is therefore considered the development would be in accordance with the intentions of policies UD2, UD3 and UD13 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policies SP1.2, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013, Supplementary Planning Document No 2 on Residential Extensions and Alterations and Policy 7.6 of the London Plan 2011 (Consolidated with alterations since 2011).

The impact on the amenities of the occupiers of the adjoining and neighbouring properties

- 7.11 Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 states that extensions should have regard to the form and layout of existing and adjacent buildings, privacy and maintenance of sunlight or daylight. Policy 7.6 of the London Plan (Consolidated with alterations since 2011) states that proposals should not cause harm to the amenity of the surroundings particularly residential buildings in relation to privacy and overshadowing etc.
- 7.12 SPD2 recommends that single storey extensions are generally acceptable, provided that the amenities and privacy of neighbours are not unduly affected. It advises that the maximum acceptable projection beyond the rear of neighbouring building is generally 3.0 metres, although on well separated detached dwellings, a larger extension may be permissible. SPD2 also advises that two storey extensions are not usually permitted at the rear of properties in view of potential dominance, visual intrusion and overshadowing to neighbouring properties. However, it advises that each case should be considered on its merits.
- 7.13 Wooden fencing of varying heights due to the land levels has been erected along the side boundary between 30 and 32 at the front and to the side of the properties with natural screening at rear. Regarding the previous planning permission, it was considered that the size and siting of the proposed extensions would not have a significant effect on the amenities of neighbouring properties and was considered to be acceptable. The effects of the current proposed extensions would be similar (in terms of overall mass and scale), although there is a need to consider the altered window configuration, as indicated by the current proposal (linked to the conversion works and flat layouts).
- 7.14 Flat 5 (basement flat) would have access via the side of the building adjacent to the boundary with 30 Hartley Down. Windows and a door are proposed in the side of the extension. Whilst 30 Hartley Down has windows adjacent to the boundary, the proposed windows and door would not have a significant effect on neighbouring amenities in view of the difference in land levels. A planning condition is recommended requiring the window and door to be obscure glazed and for boundary treatment/screening to be provided.
- 7.15 Flat 5 would also have a window adjacent to the boundary with 34 Hartley Down. As amended during the progress of this planning application, this window is proposed to light a study room. When considered against the varying boundary treatment including the side of 34's garage, wooden panel fencing, natural screening along the boundary and the window being obscure glazed, the effects would be acceptable.
- 7.16 Flats 1 and 2 would also have some side windows, although these would not affect the neighbouring properties as they would look out onto imperforate flank walls of neighbouring properties. These two flats would also have a terrace area to the rear which would have screens to minimise overlooking. The garden area would provide communal amenity space with side pathways leading down into it.
- 7.17 Whilst the proposal would result in an increase in the levels of activity on site, this would not be so significant to warrant the refusal of planning permission. A condition is recommended to strengthen existing boundary treatment/screening.

7.18 It is therefore considered the development would be in accordance with the intentions of Policy UD8 of the replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, SPD2 on Residential Extensions and Alterations and Policy 7.6 of the London Plan 2011 (Consolidated with alterations since 2011).

The impact on the amenities of future occupiers

7.19 Internal floor areas are required to exceed space standards specified by the Technical Housing Standards (adopted March 2015) to ensure dwellings provide a good standard of accommodation. The floor space created would exceed these minimum space standards (which for a 1 bedroom, 2 person unit should be 50sqm; a 2 bedroom, 3 person unit should be 61m² and a 2 bedroom, 4 person unit should be 70m²).

7.20 Basement flat (2 bedroom, 4 person flat) would be 73m², Flat 1 (2 bedroom, 3 persons flat) would be 68m², Flat 2 (2 bedroom, 3 persons flat) would be 63m², Flat 3 (2 bedroom, 4 persons flat) would be 78m², Flat 4 (1 bedroom, 2 persons flat) would be 52m². Therefore all flats comply.

7.21 The property is lower than road level. The flats would have access via the front door apart from Flat 5 (which would be accessed down the side). Flat 1 and 2 on the ground floor would have bedroom windows and the main hall at the front. A landscaping strip would be provided to the front of Flat 1, to minimise the impact of vehicle headlights. It is considered the flats would provide an adequate level of accommodation/outlook for future occupiers.

7.22 Amenity space of 5 square metres should also be provided. Flats 1 and 2 would have a terraced area and the garden area used as a communal area. Given the proposal is a conversion with extensions, the provision of some private amenity space and an extensive area of communal amenity space would be appropriate.

The impact on parking, pedestrian and highway safety

7.23 Policy 6.13 of the London Plan 2011 (Consolidated with Alteration since 2011) indicates that a balance should be struck between promoting development and preventing an excessive parking provision. Policies T8 and T2 of the Croydon Plan (2006) Saved Policies 2013 respectively require development to make appropriate provision for car parking on site and to ensure that traffic generated does not adversely affect the efficiency of nearby roads. Policy UD13 of the Croydon Plan (2006) Saved Policies 2013 requires car parking and access arrangements to be safe, secure, efficient and well designed. Policies SP8.1, SP8.3, SP8.4, SP8.6, SP8.12, SP8.13 and SP8.15 of the Croydon Local Plan: Strategic Policies (2013) seek to ensure that sustainable transport will be promoted, that traffic generated by new development can be safely accommodated on the road network and that there is an appropriate level of car parking.

7.24 The site has a PTAL (Public Transport Accessibility Level) of 2 - being classed as poorly accessible. 3 on-site parking spaces are proposed. Whilst a parking space would not be provided for each flat, it is considered given its location in close proximity to Brighton Road and transport networks that the provision of 3 parking spaces would be acceptable in this instance. There are car parking opportunities on street should all households have access to a private car.

- 7.25 The level of parking accords with policy and is acceptable and adequate visibility would be achievable at the access. Furthermore, there would be adequate space on site to turn on site and leave in forward gear. The proposal would therefore comply with Policy T8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 and Policy 6.13 of the London Plan.
- 7.26 No land level alterations are proposed to the front drive which will remain unchanged with some soft landscaping treatment. Cycle parking storage arrangements can be controlled through the use of planning conditions. It is considered the siting of the bin store would not have an undue impact on pedestrian safety due to its siting.

Impact on trees

- 7.27 London Plan policy 7.21 states that existing trees of value should be retained and any loss as the result of development should be replaced. UDP Policy NC2 states that planning permission will not be granted for development that would cause demonstrable harm to a species of animal or plant, or its habitat. UDP Policy NC4 states that the Council will refuse permission for development that results in the loss of valued tree(s) especially those protected by Tree Preservation Orders. CLP1 Policy SP7.4 states that the Council will enhance biodiversity across the borough, including the protection and enhancement of sites of importance for biological and geological diversity.
- 7.28 No arboricultural objection has been raised and the proposal would retain adequate communal amenity space with ample opportunity for further landscaping.
- 7.29 Representations raised the issue of bats. Given the extant nature of the previous planning permission, it is considered that the issue can be suitably covered by the imposition of an informative advising the applicant that in the event bats/protected species being found on site, advice should be sought from Natural England.

Sustainable Drainage (SuDs)

- 7.30 The NPPF indicates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. To minimise the risk of flooding, all new developments should incorporate sustainable drainage systems (SuDs). The Croydon Local Plan Strategic Policy SP6.4 requires 'major developments in Flood Zone 1 and all new development within Flood Zones 2 and 3 to provide site specific Flood Risk Assessments proportionate with the degree of flood risk posed to and by the development, taking account of the advice and recommendations within the Council's Strategic Flood Risk Assessment and Surface Water Management Plan'
- 7.31 The site does not fall within a flood zone as designated by the Environment Agency and has not been identified as being at risk of surface water flooding. Furthermore, flooding was not raised as an issue in respect of the previous grant of planning permission. Given the site does not fall within a designated flood zone and the application is not a major application, there is not a requirement for a SuDs in this instance.

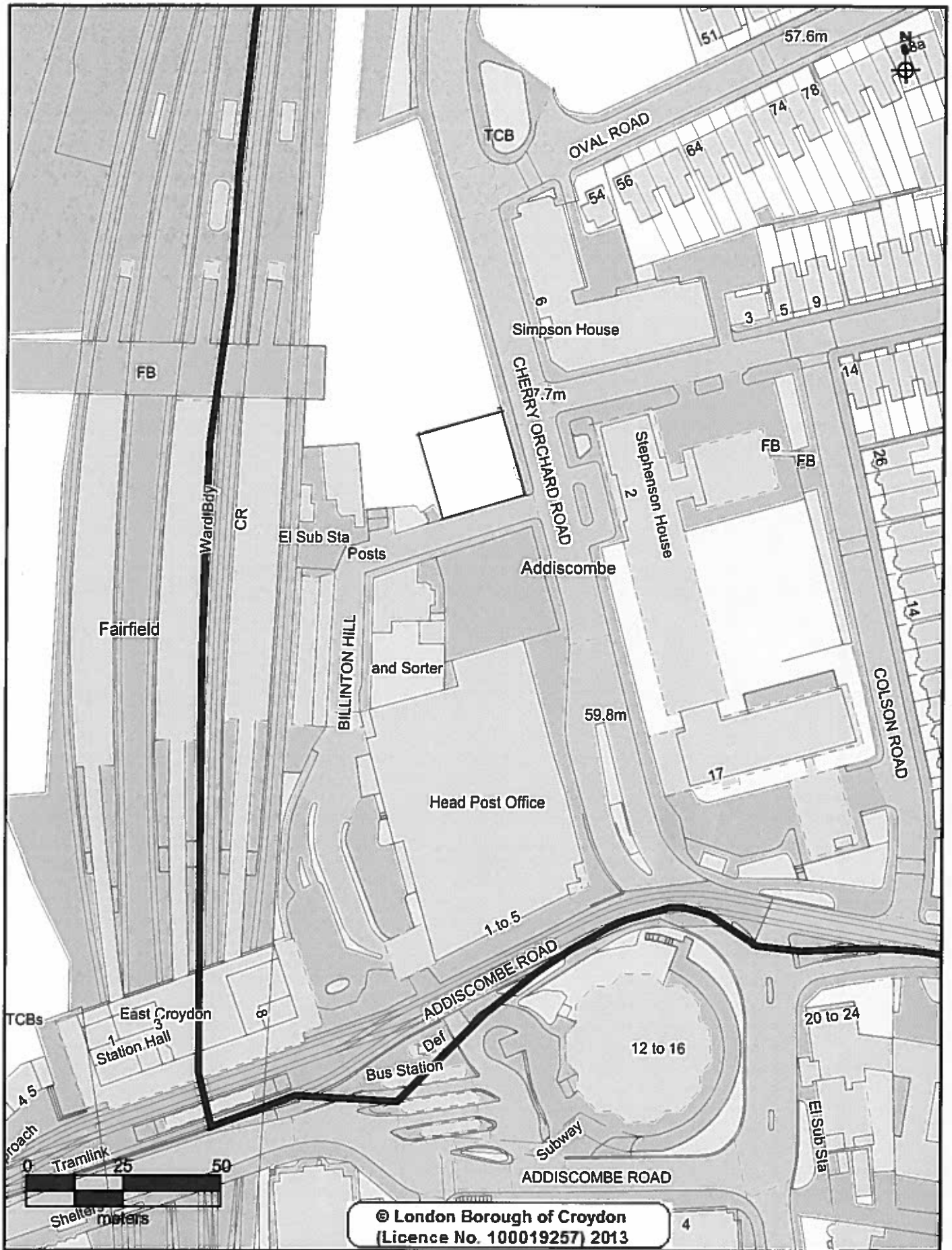
Other

7.32 The development would be liable for CIL which could ameliorate any impact on local services and infrastructure.

Conclusions

7.33 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.

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PART 6: Planning Applications for Decision

Item 6.2

1 SUMMARY OF APPLICATION DETAILS

Ref: [16/04233/FUL](#) (Link to related documents on the Planning Register)
 Location: Amarelle Apartments, 41 Cherry Orchard Road, Croydon
 Ward: Addiscombe
 Description: Erection of a single storey pavilion for temporary use as a sales and marketing suite with associated car parking and landscaping for a temporary period of 2 years.
 Drawing Nos: 2070-00-DR-0100 Rev P1, 2070-00-DR-Rev P1, 2070-00-DR-0102 Rev P1, 2070-00-DR-0600 Rev P1, 2070-00-DR-0601 Rev P1, 2070-00-DR-0602 Rev P1
 Applicant: Menta Redrow Ltd
 Agent: Mr Gareth Jackson, GL Hearn, 20 High Holborn, London, WC1V 7EE
 Case Officer: Helen Furnell

Type of floorspace	Amount proposed	Amount retained	Amount lost
Sui Generis (sales and marketing suite)	227 Sq m	0 Sq m	0 Sq m

Number of car parking spaces	Number of cycle parking spaces
4	0

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

2 RECOMMENDATION

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

Conditions

- 1) Development in accordance with the approved plans
- 2) Hours of opening
- 3) Permission for a limited period of 2 years.
- 4) Roller shutters to only be used when the building is not open.
- 5) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) Site notice removal

2) Any [other] informative(s) considered necessary by the Director of Planning

3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 3.1 The retention of the single storey sales and marketing suite on the corner of Cherry Orchard Road and Billington Hill, for a 2 year temporary period is an acceptable use of the site in principle. It would not prejudice the approved redevelopment of this area.
- 3.2 The building is of a simple design which is appropriate in the context of the mixed character of Cherry Orchard Road and Billington Hill. It is small in scale so it would not have an overbearing impact on nearby uses. The use of roller shutters when the building is closed is accepted on balance due to the temporary nature of the building.
- 3.3 The nature of the use and the lack of immediately adjacent residential occupiers, combined with the mixed town centre uses in the vicinity of the site, mean that there are no concerns in relation to residential amenity.
- 3.4 The level of traffic visiting the site and the level of on-site parking is such that it would not have an impact on traffic levels in the area. In addition, the site is immediately adjacent to East Croydon Rail Station, so is located in a very sustainable location.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The planning application is a retrospective application for:
- Retention of a single storey, flat roofed, building, which commenced construction on 01/02/2016
 - Use of the building for sales and marketing of new dwellings at the Galaxy House site (now known as Amarelle Apartments)
 - Provision of a sales area, meeting room and a mocked up apartment.
 - Provision of 4 car parking spaces, one of which is a blue badge space
 - Pedestrian access from Cherry Orchard Road; Vehicular access from Billington Hill.
 - Associated landscaping of area surrounding the building
 - Building clad in cream painted render with metal framed windows. Aluminium panels above the doors and windows to conceal roller shutters that come down outside the hours of opening.
 - Hours of opening: 10.00-17.30.
 - 1.5m high metal railing to the Cherry Orchard Road and Billington Hill frontages.

Site and Surroundings

- 4.2 The site is located on the corner of Cherry Orchard Road and Billington Hill. It comprises a previously hoarded, small section of the Menta/Morello development site.
- 4.3 To the south is a 6/7 storey 1960's Royal Mail sorting office, and beyond that is Addiscombe Road (NLA Tower roundabout), a 24 storey office building and a bus station. To the south and west is Billington Hill, beyond which is East Croydon Railway Station. This road provides access to the Royal Mail building, a taxi rank and drop off point to the station. To the northwest lies Network Rail land.

- 4.4 East Croydon Railway Station is a large single storey modern glass and steel structure located to the southwest of the application site on the opposite side of Billinton Hill. In front of it is a tram stop. Further to the west of the station is a large area of land (The Ruskin Square site, which is currently being partially built out and has the completed 'Boxpark' food and drink venue) and office buildings located within the core of central Croydon. To the northwest on the opposite side of the of the railway land are commercial and residential uses in Lansdowne Road. To the north is the remainder of the Menta/Morello site and the Galaxy House site, which is currently being built out. On the opposite side of Cherry Orchard Road are 1960's office buildings. Beyond these are residential areas characterised by two storey late Victorian terraced houses.
- 4.5 The site has the following policy designations:
- Croydon Metropolitan Centre
 - Croydon Opportunity Area
 - Area of High Density
 - Cherry Orchard Road is a London Distributor Road.

Planning History

The following planning decisions are relevant to the application:

Galaxy House Site

13/02294/P Erection of two buildings ranging from 9-19 storeys comprising 290 flats (1 to 3 bedroom); formation of access from Cherry Orchard Road and provision of associated parking and landscaping.
Permission Granted subject to a S106 agreement

14/03092/P Erection of two buildings ranging from 9 – 19 storeys comprising 290 flats (1 to 3 bedroom); formation of access from Cherry Orchard Road and provision of associated parking and landscaping (without compliance with condition 3 – details of rear elevation and 29 – development to be in accordance with approved drawings – attached to planning permission 13/02294/P, also the provision of additional 7 flats).
Permission Granted subject to a S106 agreement
This planning permission is currently being implemented.

Menta/Morello Site

11/00981/P Demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm Highway works, formation of vehicular accesses and new car and cycle parking.
Permission Granted subject to a S106 agreement

13/04410/P Demolition of existing buildings; redevelopment to provide a mixed use development of 4 new buildings comprising offices (Class B1a) hotel and serviced apartments (Class C1), 424 flats and 225 habitable rooms of residential accommodation, retail (Classes A1-A4) and community facilities (Class D1). Provision of network rail service building, public realm

Highway works, formation of vehicular accesses and new car and cycle parking. (without compliance with condition 31 - to allow amendments to approved ground floor and basement access - attached to planning permission 11/00981/P).

Permission Granted subject to a S106 agreement

This planning permission is currently being implemented.

Galaxy House and Menta/Morello Sites

13/04413/P Provision of basement parking with access from Cherry Orchard Road in connection with planning permission 13/02294 for the erection of two buildings ranging from 9-19 storeys comprising 290 flats.

Permission Granted. (This planning permission links the basements for the residential development on both the Galaxy House and Menta/Morello sites with access from the Galaxy House site).

This planning permission has been implemented.

5 CONSULTATION RESPONSE

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

5.2 No statutory consultees were consulted as part of this application.

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of 2 site notices displayed in the vicinity of the application site (one on Cherry Orchard Road and one on Billington Hill. 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: 0 Objecting: 0 Supporting: 0

No of petitions received: 0 objecting containing 0 signatories
0 supporting containing 0 signatories

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:

Summary of objections	Response
Material issues	
None received	None required
Non-material issues	
None received	None required
Procedural issues	
None received.	None required

6.3 Councillor Sean Fitzsimons has made the following representations:

- It is not the Menta development that has been granted permission on this site and delays the receipt of Section 106 money.

- A marketing suite could have been incorporated into the Menta Redrow building.
- Meanwhile use of this site has been curtailed.
- It prevents building the new entrance/exit of the pedestrian bridge.
- It proves the existing consent is not sustainable, as though house prices are at an all-time high, the site is still not able to deliver the previously consented application.
- It's an eyesore, and an affront to local residents.

7 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, particularly paragraphs 34 & 35
- Requiring good design, particularly paragraphs 60, 61 & 65

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

7.4 Consolidated London Plan 2015 (LP):

- 2.13 – Opportunity areas and intensification areas
- 3.3 – Increasing housing supply
- 5.3 – Sustainable design and construction
- 6.13 Parking
- Parking addendum to Chapter 6 (parking standards)
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.6 - Architecture

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

- SP2.1 Homes
- SP4.1-2 Urban design and local character - general
- SP4.3 Urban design and local character – Croydon Opportunity Area
- SP6.3 – Sustainable design and construction
- SP8.3 – Pattern of development and accessibility
- SP8.15-16 - Parking

7.6 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
- UD13 – Parking Design and Layout
- UD14 – Landscape Design
- EP1 – Control of potentially polluting uses
- T2 – Traffic generation from development
- T8 – Car parking standards in new development
- H2 – Supply of new housing

7.7 There is relevant Supplementary Planning Guidance as follows:

- Croydon Opportunity Area Planning Framework (LBC & GLA supplementary guidance) 2013

7.8 There are relevant adopted Masterplans as follows:

- East Croydon Masterplan 2011

8 MATERIAL PLANNING CONSIDERATIONS

8.1 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
4. Transport
5. Sustainability

Principle of development

8.2 The site is located in the urban area and is for a structure associated with the redevelopment for residential purposes of Galaxy House on Cherry Orchard Road. The Galaxy House site is located approximately 200 metres to the north of this sales and marketing suite. The sales and marketing suite is located on part of the Menta/Morello site. Whilst this is a different development site, both sites are being built out by the same housing developer in a phased manner and the two sites have been linked by planning permission 13/04413/P (details above), which provides one basement for both developments.

8.3 Whilst ideally the sales and marketing suite for the Galaxy House site would normally be located immediately adjacent, this does not always happen on constrained sites where there may not be space for the sales and marketing suite. In this case, the Galaxy House site does not have sufficient space available. The sales and marketing suite has been positioned reasonably close to the development site and is located away from where early parts of the Menta/Morello redevelopment will take place. It is

also in a location close to East Croydon Rail Station, where there will be a high quantum of pedestrians passing.

- 8.4 It is considered that it is an unrealistic expectation that all sales and marketing suites in the Metropolitan Centre should be located on the sites to which they relate, as in these types of locations, where there is a greater existing density of development, they are more likely to be constrained sites with less room for ancillary structures such as sales and marketing suites. In addition, there is no specific planning policy that requires sales and marketing suites to be located on the sites to which they relate.
- 8.5 Concern has been expressed that the positioning of this sales and marketing suite is preventing the implementation of the Menta/Morello development. However, initial works for this development have been commenced and it makes economic sense for the developer to only build out one site at a time (it is the same developer for both the Galaxy House and Menta/Morello sites).

Townscape and visual impact

- 8.6 The application proposes a single storey building. It would be visible in both the Cherry Orchard Road and Billington Hill streetscenes. Prior to the erection of this building, this part of the Menta/Morello site was surrounded by hoarding.
- 8.7 The building is single storey in nature and has been set back from the frontages, with a mix of hard and soft landscaping in both streetscenes to reduce its prominence and reduce the impact on the streetscene. The building itself has a simple design, with a large amount of glazing on the Cherry Orchard Road frontage. The external facing materials used on the building are considered to be acceptable in the context of the surroundings, which are of a mixed character and appearance.
- 8.8 Painted metal railings at a height of 1.5 metres are proposed along the Cherry Orchard Road and Billington Hill frontages. The railings allow views through to the building and the associated landscaping. They also allow any pedestrians walking past the site on Cherry Orchard Road to see other pedestrians and traffic in Billington Hill (and vice versa). The railings are considered to be an appropriate boundary treatment.
- 8.9 The building does have roller shutters on each of the windows which are able to be pulled down when the building is not in operation. These shutters are solid. Whilst this is not ideal and has the potential to have a deadening impact on the streetscene, especially on the Cherry Orchard Road frontage where there are lots of windows, this has to be balanced against the fact that prior to the building being positioned on the site, there was a 2 metre high hoarding at the pavement edge, this building is set back within the site with landscaping in front, and also, this is a temporary consent for 2 years. The roller shutters would not be on site in perpetuity.
- 8.10 The Council has produced supplementary guidance in relation to shutters, but this is in relation to them being positioned on shopfronts and assesses the impact in relation to how they look and their impact on the perceived level of activity on the frontage. There is no specific guidance in relation to shutters on this type of building.
- 8.11 On balance, it is considered that the shutters can be accepted for the temporary period that the building will be positioned on the site, but should only be pulled into the 'down' position when the building is in operation. This can be controlled by planning condition.

Residential amenity

- 8.12 The site is located in a town centre area and would not be immediately adjacent to residential properties, indeed the closest uses to the site are a public house, a rail station and offices. The use of the site as a sales and marketing suite is not a noisy use that is likely to generate noise and disturbance. Whilst there will be visitors to the site, this will be at a small scale in comparison to the comings and goings associated with East Croydon Rail Station adjacent. On this basis, it is considered that there will not be a detrimental impact on nearby residential occupiers and the development is in accordance with policy UD8 of the UDP.

Transport

- 8.13 The building has separate pedestrian and vehicular accesses. This ensures that there is separation between pedestrian and vehicular traffic and it is considered that this arrangement is acceptable in terms of safety.
- 8.14 The pedestrian access on Cherry Orchard Road is directly in front of the entrance to the building, which has level access. This is considered to be acceptable in terms of equality of access and legibility.
- 8.15 The vehicular access on Billington Hill is 5.5 metres wide between the gate piers and these piers are set back from the back of the highway to allow for appropriate visibility. The vehicular access arrangements are considered to be acceptable.
- 8.16 4 car parking spaces are proposed for the development, with one disabled bay. The use of the site is a 'sui generis' use and therefore, there are no standard car parking requirements. The use could be considered to have characteristics of both employment and retail uses. Employment uses require a maximum of 1 parking space per 500 square metres and retail uses for town centres require a maximum of 1 parking space per 75-50 square metres. In addition one disabled parking spaces is required per disabled employee and 5% (for employment use) and 6% (for retail use) of provision is required for visitors.
- 8.17 It is considered that the number of parking spaces and the disabled parking space provided on this site is within the ranges identified within the London Plan Parking Addendum and is an appropriate level of provision.
- 8.18 Given the relatively low level of parking, small scale of development and likely numbers of visitors that will be coming to the site by car, it is considered that the proposal would not have an adverse impact on traffic generation and therefore would be in accordance with the requirements of policy T2 of the UDP.

Sustainability

- 8.19 Development should contribute to minimising carbon dioxide emissions. However, the London Plan policies only apply to major developments and policy SP6.3 of CLP1 only applies to developments of more than 500 square metres. As this development has a floor area of 227 square metres, the Local Planning Authority is unable to insist on measures to improve the sustainability of the design or construction methods.

Other Planning Issues

Safety and Security

8.20 The application proposes the roller shutters to be pulled down over the windows when the sales and marketing suite is not in use. Whilst this is not ideal in visual amenity terms, it has been accepted on balance in paragraph 8.11 above. From a safety and security perspective, the presence of roller shutters, on the building can improve the security of the building and assist in deterring crime. For this reason, from a safety and security perspective, the shutters are acceptable and are in accordance with policy UD6 of the UDP.

Conclusions

8.21 The retention of this single storey building, to be used as a sales and marketing suite is considered to be acceptable in principle. On balance, due to its temporary nature, it would not have a detrimental impact on the visual amenity of the area and would not have a detrimental impact on the amenity of adjoining occupiers or the traffic on nearby roads. Therefore, it is considered that its retention is acceptable and the application is recommended for approval.

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

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