

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

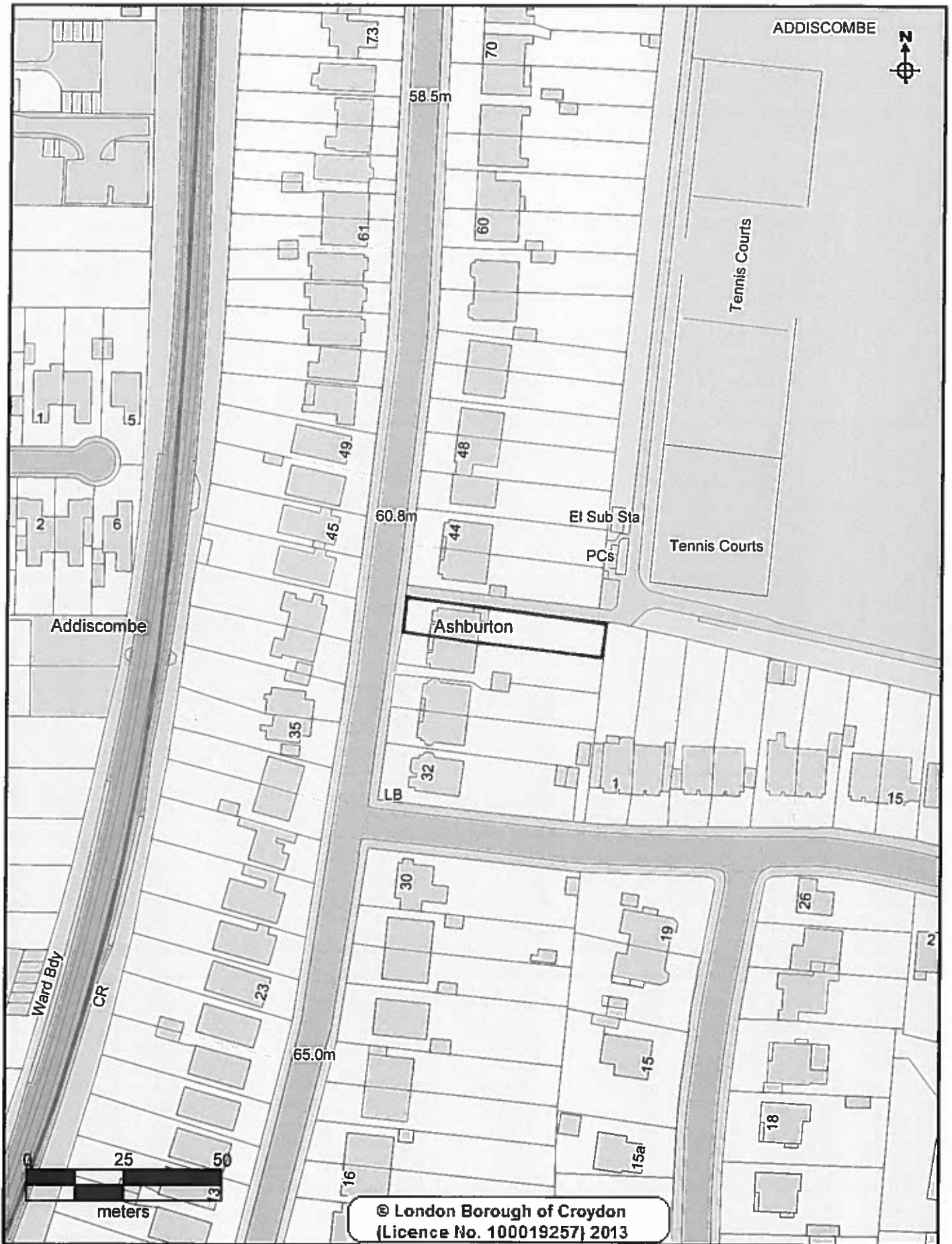
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

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: [16/04590/FUL](#) (*Link to associated documents on the Planning Register*)
Location: 40 Northampton Road, Croydon
Ward: Ashburton
Description: Alterations ; Conversion to form 3 one bedroom and 1 two bedroom flats and provision of associated refuse and cycle storage
Drawing Nos: 1392.PL.1101 ; 1392. PL.1110 Rev A ; 1392-PL.1318 ; 1392-PL.1230 ; 1392-PL.1235 Revision A ; 1392-PL.1318 Rev A
Applicant: Mr Ian Austin
Case Officer: Dean Gibson

- 1.1 The application is being reported to Committee because the number of representations received from local residents objecting to the development exceeds the threshold set out within Committee Consideration criteria.

2 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- The proposal would be in the context of the presumption in favour of sustainable development set out in the National Planning Policy Framework, including the encouragement of re-using land that is previously developed.
- The proposal would accord with the housing and design policies of the London Plan, the Croydon Local Plan, and the Croydon Plan Saved Policies.
- The proposal would bring forward development on an existing residential site.
- The proposed dwellings would provide much needed housing in the borough and would complement the siting, layout and appearance of other residential development within the site, and the locality.
- The proposed dwelling would maintain the amenity of adjoining residential occupiers and the accommodation would meet housing layout standards.
- The proposal would promote sustainable development through its design.
- The proposed dwelling would be in a location that is accessible by public transport.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission :

3.2 That the Director of Planning & Strategic Transport is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

- 1) Submission of external facing materials for written approval prior to commencement of development.
- 2) Submission to and approval by local planning authority of external covered cycle and covered refuse stores (appearance), security lighting (siting and manufacturer details), prior to first occupation of new dwellings. Implementation and retention of refuse and cycle storage and security lighting as agreed thereafter.
- 3) Submission to and approval by local planning authority of landscaping and boundary treatment prior to first occupation of new dwellings. Implementation and retention thereafter.
- 4) The development shall achieve a reduction in carbon dioxide emissions of 19% beyond the 2013 Building Regulations.
- 5) The development shall achieve a water use target of 110 litres per head per day
- 6) Development to be carried out in accordance with the approved plans.
- 7) Development to be commenced within three years.
- 8) Any other planning condition(s) considered necessary by the Director of Planning & Building Control

Informatives

- 1) Removal of sites notices
- 2) Payment of Community Infrastructure Levy (if required)
- 3) Any other required

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Full planning permission is sought for :

- Conversion of single family dwellinghouse to 4 flats.

Ground floor:	2 x 1 bedroom flats	51sq m and 53 sq m
First floor:	1 x 2 bedroom flat	73 sq m
Second floor (roofspace):	1 x 1 bedroom flat	53 sq m

- Provision of associated refuse and cycle storage.
- Replacement of side door with window on ground floor.
- Works of making good to existing boundary treatment.

4.2 During the course of the application the applicant was invited to make minor changes to the proposed layout of the development and provide some clarity on issues.

- Flat 3 (2 bedrooms) - First floor. The study would now be a single bedroom (Bedroom 2) rather than a double bedroom and it would not have an en-suite bathroom. A living room separate from the kitchen is formed through the relocation of Bedroom 2.
- Flat 4 (1 bedroom) – Second floor. The separate study is removed and a larger kitchen / living area is formed through the removal of the partition wall that would have separated the study from the kitchen / living area.
- A rear private amenity area, formed of patio slabs and with a dwarf wall is provided for Flat 1 on the ground floor.
- It is clarified that the soft landscaped rear garden area will be a communal garden for the residents and will have existing landscaping. An area of decking proposed at the end of the garden is clarified as 150mm in height.
- The refuse storage area is relocated from the front of the forecourt to the northern side of the forecourt.
- The cycle storage area is moved from the forecourt to the rear communal garden and it sited adjacent to the northern side boundary.
- Two parking spaces shown on the highway directly outside the house and annotated as 'off-street' parking are omitted in the revised plans.

Site and Surroundings

4.3 The site comprises a two storey end of terrace dwellinghouse with rooms in roofspace sited on the eastern side of Northhampton Road. The roof of the house has been extended and it has a full width dormer window in its rear roof slope and rooflight windows in its front roof slope. There is also a rear single storey ground floor extension. Works to the house were ongoing at the time of the application submission. The site has a front garden and long rear garden and a side access adjacent to its northern elevation. The northern boundary of the site is adjacent to a footpath leading into Addiscombe Recreation Ground.

4.4 The road is formed of similar types of houses and a number of the dwellings have been converted to flats. The road and area is residential in character. The site is approximately 500m from Addiscombe Tram stop Lower Addiscombe Road to the north/north-east and approximately 300m from Addiscombe Road to the south.

Planning History

- 4.5 16/00446/P – Granted planning permission for erection of single storey rear extension.
- 4.6 16/00083/P - Granted planning permission (on appeal) for retention of rear dormer extension, installation of two rooflights to the front, increased ridge height and alterations.
- 4.7 Enforcement investigation carried out in 2015 and 2016 have found no breach of planning control. The roof extension was regularised by the grant of planning permission 16/00083/P.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning & Building Control Directorate are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6 LOCAL REPRESENTATION

- 6.1 The application has been publicised by the erection of site notices.
- 6.2 The number of representations received from neighbours and local groups in response to the publicity of the application were as follows:

No of individual responses: 20 Objecting: 20

- 6.3 The following groups / organisations made representations :-
- 6.4 Addiscombe and Shirley Park Residents Association (ASPRA) objecting.
- 6.5 The following summarised issues were raised in representations received on the initial plans and amended plans, that are material to the determination of the application, and they are addressed in the next section of this report:

- a) Overdevelopment
- b) Out of character with locality
- c) Loss of family house
- d) Increased parking stress
- e) Works have commenced on site (contrary to information on application form)
- f) No fire safety precautions
- g) No details of drainage
- h) Excessive number of bathrooms
- i) Flats will be further sub-divided / will be used as a HMO
- j) Effect on recreation ground
- k) Parking layout shows on-street parking on highway

7 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the proposed development
2. Character of the area and the visual amenities of the street scene
3. Amenities of the occupiers of the adjoining residential properties
4. Amenities of future occupiers
5. Highway implications
6. Trees and Landscaping

1. Principle of proposed development

7.2 The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Provision should be made for meeting the housing needs of different groups in the community, such as families with children.

7.3 The Policies 3.5 of the London Plan, SP2.1 and SP2.2 of Croydon Local Plan Strategic Policies, and H2 and H7 of the Croydon Plan apply a presumption in favour of new residential development, including conversions of existing residential properties, where it meets other applicable policies where it respects the character and amenity of adjoining residential areas. Policy H11 of the Croydon Plan seeks to protect small houses - defined as houses with gross internal floor areas less than 130 square metres.

7.4 The existing floor area of the house is 232 square metres and therefore it would not be considered as a 'small family house'. In principle, there is no objection to the use of the house for residential conversion.

7.5 The Council has investigated alleged breaches of planning control in 2015 and 2016 relating to the extensions to the house and the conversion of the property to flats. The extensions have been regularised by the issue of the relevant planning permissions and while works have commenced on site the property has not been occupied as flats. Therefore no breach of planning control has been found. Any works related to the conversion of the property to flats that the developer has undertaken to the property before obtaining planning permission has been done so at his own risk

2. Character of the area and the visual amenities of the street scene

7.6 The Policies 7.4 and 7.6 of the London Plan, and SP4.1 and SP4.2 of the Croydon Local Plan Strategic Policies and UD2 and UD3 of the Croydon Plan

aim to achieve a high standard of design in residential developments requiring development to respect the character of the area, and for the siting and massing of new buildings to respect or improve the existing pattern of buildings.

- 7.7 On Northampton Road, a number of properties, at least ten in number, have been converted from houses to flats. Therefore, a conversion of the house to flats would not be out of character with the locality
- 7.8 Apart from replacing an existing ground floor side door with a window, no external alterations to the existing building are proposed in the current application proposal. The replacement of a door by a window is a minor change and would have no adverse effect on the appearance of the building or surrounding area. The ground floor single storey extensions, roof extension, and rear dormer extension and skylight windows are as existing and as authorised by relevant planning permissions.
- 7.9 The works to make good the existing boundary treatment and landscaping would be supported. Full details of these matters, including the rear decking area, can be secured by condition.
- 7.10 While it is generally preferable to site refuse stores behind building lines, to reduce visual clutter, the proposed refuse storage on the forecourt and adjacent to the northern boundary of the site would be acceptably located in this instance and would not add significant clutter to the forecourt. The appearance of the refuse enclosure can be secured by condition.
- 7.11 The proposed siting of the cycle store in the rear garden adjacent to the northern side boundary and proposed communal garden would be acceptable.

3. Amenities of the occupiers of the adjoining residential properties

- 7.12 The Policies 7.6 and 7.15 of the London Plan, and SP4.2 of the Croydon Local Plan Strategic Policies, and UD8 and EP1 of the Croydon Plan seek to enhance social cohesion and wellbeing and to protect residential amenity in considering proposals for new development. They seek to protect adjoining and nearby occupiers from loss of privacy, loss of light, loss of outlook, adverse visual intrusion, and pollution resulting from development, such as noise and disturbance.
- 7.13 No alterations to the existing building are proposed in the current application other than replacing a side ground floor door with a window. The ground floor single storey extensions, roof extension, and rear dormer extension and skylight windows are as existing and as authorised by relevant planning permissions. The proposed number of flats is relatively minor and as three of the four flats proposed are one bedroom units it is considered the conversion would not lead to adverse increased noise to adjacent and nearby occupiers. Therefore, the proposed development would not adversely affect the amenity of adjoining occupiers in terms of loss of light, loss of outlook, loss of privacy, or visual intrusion, or increased noise and disturbance.

4. Amenities of future occupiers

- 7.14 The Policies 3.5 of the London Plan, and SP2.6 of the Croydon Local Plan Strategic Policies, and UD8 of the Croydon Plan sets out minimum floorspace and amenity standards for residential conversions and new builds in order to promote high quality living accommodation. These policies are supported by the London Plan *Housing* SPG (as amended). The DCLG Technical Housing Standards are also relevant.
- 7.15 The dwellings would have floor areas which exceed the minimum recommended floorspace standards of 50 square metres and 61 square metres for one and two bedroom flats respectively as set out in the London Plan and associated Technical Housing Standards. While the living room windows of Flat 2 on the ground floor would look towards the side boundary fence it would be an acceptable layout and there would be a distance of 1.9 metres between the windows and to the side boundary fence. Given the relatively low number of flats proposed for the site, the side access is likely to be used infrequently and so would not result in adverse privacy issues for the future occupiers of Flat 2. The ground floor flats would have semi-private amenity areas, while a communal garden to the rear is also proposed. This would be an acceptable arrangement for a scheme involving a conversion of an existing property.
- 7.16 The proposed flats would therefore provide acceptable accommodation and amenities for future occupiers.

5. Highway implications and provision of parking

- 7.17 The Policies 6.3, 6.9, and 6.13 of the London Plan, and SP8.3, SP8.6, SP8.7, and SP8.15 of the Croydon Local Plan Strategic Policies, and UD13, T2, T4 and T8 of the Croydon Local Plan seek to actively manage the pattern of urban growth and the use of land to make the fullest use of public transport and co-locate facilities in order to reduce the need to travel through sustainable travel choice. They require parking and access layouts to be safe, secure and efficient. They also promote the provision for the use of cycles as a means of transport.
- 7.18 The subject site is in an area with a PTAL accessibility rating of 4 (on a scale of 1a - 6b, where 6b is the most accessible), as indicated on maps produced by TfL. The site is therefore considered to have moderate accessibility to public transport links.
- 7.19 No off-street parking is proposed in the application proposal. Parking policy promotes the provision of zero parking in areas with good accessibility to public transport, so the non-provision of off-street parking would be acceptable in this instance, especially given the minor nature of the proposed development. Parking is available on the street and the site is within close walking distance of local public transport in the guise of trams and buses. While there is a vehicle access in the front boundary wall it is not served by a dropped kerb from the highway. The vehicle access is also obstructed on one side (to the north) by the pier of the entrance to the footpath of the adjacent recreation ground, which would restrict visibility for a vehicle exiting the forecourt. Therefore, the proposal

not to use the forecourt / existing vehicle access for off-street is supported by the Council in this instance on highway safety grounds.

- 7.20 Cycle storage proposed in the rear of the site would promote sustainable transport choice. Details of an enclosure for it can be secured by condition.

6. Other Matters

Access

- 7.21 The site is level with Northampton Road and has existing level access to the house.

Security

- 7.22 The proposal would increase natural surveillance of the site and surroundings. Details of any security lighting could be secured by condition.

Sustainable energy use

- 7.23 The relevant policies of the London Plan 5.2 and the Croydon Local Plan SP6.3 requires new residential development to promote sustainable energy use and reduce carbon dioxide emissions

- 7.24 This matter could be further secured by condition if planning permission is forthcoming.

Conclusion

- 7.25 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out at the beginning of this report in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS. The details of the decision are set out in the RECOMMENDATION.