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**770a London Road, CR7 6JB**  
**- 16/05850/FUL**

Scale 1:1250

28-Feb-2017



**PART 6: Planning Applications for Decision**

**Item 6.2**

**1 SUMMARY OF APPLICATION DETAILS**

Ref: 16/05850/FUL  
 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 Nos: DP/2857/PP/01, DP2857/PP/02, DP/2857/PP/03, DP/2857/PP/04  
 Applicant: Newbridge Asset Management (Mr. Areeb Azam)  
 Agent: Mr. Francesco Cardone, Direct Planning  
 Case Officer: Sera Elobisi

	1 bed	2 bed	3 bed	4 bed
<b>Houses</b>				
<b>Flats</b>	2			
<b>Totals</b>	2			
<b>Affordable Rented</b>	0			
<b>Shared ownership</b>	0			
<b>Totals</b>	0			

Type of floorspace	Amount proposed	Amount retained	Amount lost
Residential	115.07Sq m	0.Sq m	0.Sq m
Office			
Retail			
Industrial			
Non Residential Institution	0.Sq m	0.Sq m	57.57Sq m

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

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

**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) 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, and

## **Informatives**

- 1) Site notices displayed in London Road, Thornton Row 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

## **3 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- Construction of first floor
- Use of building as 2 one bedroom flats
- Proposed Gross Internal Area (GIA) Flat 1: (50.14Sq m), Flat 2: (55.0Sq m)
- Render finish with Upvc double glazed windows, timber doors and metal rail to proposed balcony.

### **Site and Surroundings**

- 3.1 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.
- 3.2 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.
- 3.3 Site Policies and Constraints
  - Area of High Density
  - Local Centre
  - Primary Shopping Areas

- Gas Pipes Low Pressure

## **Planning History**

3.4 The following planning decisions are relevant to the application

- 10/01009/P – Use as teaching room. Permission granted and implemented.
- 11/02814/P –Continued use as place of worship. Permission refused on grounds of general noise and disturbance.
- 15/05736/P – Construction of first floor and use as 2 one bedroom flats. Permission refused on grounds of unacceptable living environment for future occupiers of the development. The Council's decision is being contested at appeal and is pending consideration. The current application differs from application 15/05736/P in that the ground floor windows to the bedroom and living room set would be set in 750mm from the pavement. This addresses the previous refusal reason on grounds of direct overlooking on the future occupiers.

Relevant Planning History (770 London Road)

- 13/01025/P – Erection of two storey side extension to provide a studio flat and an office. Permission implemented.
- 14/00097/DT – Approval of non-material amendments to planning permission 13/01025/P

## **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 4.1 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.
- 4.2 The development would not detract from the visual character of the building and the character of Raymead Avenue.
- 4.3 The development would not harm residential amenity
- 4.4 The application has addressed concerns raised at previous committee meeting (ref. 15/05736/P) regarding the living environment of the future occupiers in terms of the proximity of habitable room windows to the main public footway along Raymead Avenue and associated overlooking to the occupiers of the property. The standard of accommodation provided for future occupiers would be acceptable.
- 4.5 The development would be acceptable in terms of highway safety and parking.

## **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: 13      Objecting: 13      Supporting: 0

No of petitions received: 1 (objecting to the proposal) and containing 53 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
<i>Loss of light</i>	
Objection raised to loss of light to first floor windows of adjoining community centre.	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.
<i>Substandard accomodation</i>	
Size of flats too small  The proposed front windows will directly overlook the footway  Flats too small to accommodate bins and cycles	The proposed floor area for each flat meets the minimum requirements for one bedroom units in accordance with the London Housing Supplementary Planning Guidance and Nationally described space standards.  The drawings submitted for consideration address the previous concerns regarding the living conditions of the future occupiers. The proposed front windows on the ground floor have been stepped back 750mm from the site boundary, with metal rails proposed to provide a private amenity area.  Provision is made for temporary storage of refuse as demonstrated in the submitted plans.  A cycle shed has not been provided on site. However they can be stored within the internal areas of the proposed flats without causing unreasonable harm to the intended occupiers.
<i>Loss of community hall</i>	
Such community halls are in high demand if properly advertised.	The agent has complied with the Council's protocol for the marketing of community facilities. The Council has a list of organisations which applicants are required to contact when seeking permission for a scheme involving the loss of community facilities.

	<p>Written confirmation from the listed organisations was received as part of the previous application (ref. 15/05376/P), confirming they had no suitable community use for the application site.</p> <p>The application site, as stated in the supporting document, has been unsuccessfully marketed for over 18 months (first listed on 15/05/2014).</p>
<i>Non-material issues</i>	
<p>Extract ducting directly facing a window to the community centre causing pollution.</p> <p>Bin area to existing flats overfull, dirty and smelly and creating litter.</p>	<p>The existing A5 use at 770 London Road does not form part of this application. The issue of extract ducting is a material planning consideration and such matters are dealt with by the Council's Environmental Department.</p> <p>The proposed development makes adequate provision for refuse storage. Concern over overfull bins at the existing flats should be referred to the Council's Environmental Department.</p>
<i>Party wall/boundary disputes</i>	
Ongoing dispute with applicant over party wall.	This is a civil matter between all interested parties and not a material planning consideration.

## 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:
- Requiring good design.
  - Promoting sustainable transport and requiring transport assessments
- 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):

- 3.5 Quality and design of housing developments
- 7.4 Local character, public realm and streetscape
- 7.6 Good quality environment
- 6.3 Transport network

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

- SP2 Homes
- SP2.6 Choice of homes
- SP4.1 Design
- SP4.2 Residential amenity
- SP5.3 Community Facilities
- SP8.3 Transport network

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

- CS2 Community facilities
- H2 Supply of new housing
- UD8 Protecting residential amenity
- UD15 Provision of refuse storage
- T8 Transport Network

#### 7.7 There are relevant adopted Guidance as follows:

- London Housing Supplementary Planning Guidance 2015
- Nationally described Space Standards (Technical Housing Standards) 2013

## 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 and consideration of density
3. Housing Quality/Daylight & Sunlight for future occupiers
4. Residential amenity/Daylight & Sunlight for neighbours
5. Transport

### **Principle of development**

8.2 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 complied with the Council's protocol for the marketing of community facilities in accordance with saved Policy CS2 of the Croydon plan and SP5.3 of the CLP1. The Council has a list of organisations which applicants are required to contact when seeking 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 2 additional homes in a residential area in accordance with saved Policy H2 of the Croydon Plan and SP2.1 of the CLP1.

## **Townscape and visual impact and consideration of density**

- 8.3 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 in line with Policies UD2 and UD3 of the Croydon Plan. Materials to match the existing building are proposed in line with Policy UD3 of the Croydon Plan. 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 and would comply with Policy SP4.1 of the CLP1 and London Plan Policies 7.4 and 7.6. The scale and massing of the development was addressed in the previous application and it was not considered to have a harmful effect on the visual amenities of the streetscene.

## **Housing Quality/Daylight & Sunlight for future occupiers**

- 8.4 The units as demonstrated on the plans would meet the floorspace requirement for one bedroom units in line with Housing Supplementary Planning Guidance and Technical Housing standards. The habitable rooms would provide adequate levels of daylight and outlook. The proposal makes provision for an outside space for the future occupiers of the ground floor flat only. 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 to such an extent so as to warrant refusal.
- 8.5 The ground floor windows would be set back 750mm from the pavement. The proposed setback of these windows addresses previous concern raised at planning committee regarding direct overlooking on the future occupiers of the flat and in accordance with Policy 3.5 of the London Plan and Housing Supplementary Planning Guidance.
- 8.6 Provision is made for temporary refuse storage in accordance with Policy UD15 of the Croydon Plan.

## **Residential amenity/Daylight & Sunlight for neighbours**

- 8.7 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 occupiers in accordance with Policy UD8 of the Croydon Plan, Policy 4.2 of the CLP1 and 7.4 and 7.6 of the London Plan. 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.
- 8.8 There are a number of rooflights within the rear roof slope of this building facing towards the application site. The owners/users of this centre have objected strongly to the loss of light to these rooflights and its impact on the health of the users. 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.



### **Highway safety and efficiency**

- 8.9 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.
- 8.10 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 was considered acceptable in terms of highway safety and efficiency on the previous application (15/05376/P).

### **Conclusions**

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