

Planning Sub-Committee Agenda



To: Councillor Chris Clark (Chair)
Councillor Leila Ben-Hassel (Vice-Chair)
Councillors Paul Scott, Clive Fraser, Toni Letts, Scott Roche,
Gareth Streeter, Ian Parker, Lynne Hale and Joy Prince

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 4 February 2021 at 6.00 pm**. The meeting will be held remotely. Members of the Committee will be sent a link to remotely attend the meeting in due course.

PLEASE NOTE: Members of the public are welcome to view this meeting remotely via the following web link: <https://webcasting.croydon.gov.uk/meetings/11688>

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
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Michelle Ossei-Gerning
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www.croydon.gov.uk/meetings
Wednesday, 27 January 2021

To register a request to speak, please either e-mail Democratic.Services@croydon.gov.uk or phone the number above by 4pm on the Tuesday before the meeting.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact Michelle Ossei-Gerning 020 8726 6000 x84246 as detailed above

AGENDA – PART A

1. Apologies for absence

To receive any apologies for absence from any members of the Committee

2. Minutes of the previous meeting (Pages 5 - 12)

To approve the minutes of the meetings held on Wednesday 18 November 2020 and Thursday 17 December 2020 as an accurate record.

3. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted 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 those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

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

5. Planning applications for decision (Pages 13 - 16)

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

**5.1 20/01611/FUL Land Adjacent 28 Stambourne Way, SE19
2PY (Pages 17 - 34)**

Demolition of existing garage and construction of a 3 bedroom, detached dwelling house.

Ward: Crystal Palace/Upper Norwood Ward
Recommendation: Grant permission

**5.2 20/02725/FUL 6 Westow Hill, Upper Norwood, London,
SE19 1SB (Pages 35 - 50)**

Change of Use of the ground floor and basement from a betting shop (sui generis) to an Adult Gaming Centre (sui generis) with external alterations and associated works.

Ward: Crystal Palace and Upper Norwood
Recommendation: Grant permission

6. Exclusion of the Press & Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder 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 items 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."

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Planning Sub-Committee

Meeting of Croydon Council's Planning Sub-Committee held virtually on Wednesday 18 November 2020 at 6:35pm via Microsoft Teams

This meeting was Webcast – and is available to view via the Council's Web Site

MINUTES

Present: Councillor Chris Clark (Chair);
Councillors Paul Scott, Toni Letts, Scott Roche and Gareth Streeter

Also Present: Councillors Lynne Hale, Steve Hollands and Steve O'Connell

PART A

A67/20 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held Thursday 22 October 2020 be signed as a correct record.

A68/20 **Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

A69/20 **Urgent Business (if any)**

There was none.

A70/20 **Planning applications for decision**

A71/20 **20/03007/FUL 103 Wentworth Way South Croydon CR2 9EZ**

Alterations and erection of two storey side extension, single storey rear/side extension and loft conversion including construction of dormer extensions in rear roof slope. Conversion of existing dwelling to form 4 flats; provision of associated car parking and cycle and refuse stores.

Ward: Sanderstead

The officers presented details of the planning application with no questions for clarification.

Ms Jane McGregor spoke against the application.

The referring Ward Member Councillor Lynne Hale spoke against the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to **GRANT** the application based on the officer's recommendation was taken to the vote having been proposed by Councillor Toni Letts. This was seconded by Councillor Paul Scott.

The substantive motion was carried with three Members voting in favour and two Members voting against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 103 Wentworth Way, South Croydon, CR2 9EZ.

A72/20 **19/05202/FUL 48 Homefield Road, Coulsdon, CR5 1ES**

Demolition of existing house and erection of 1 x 4 bedroom dwelling and 3 x 3 bedroom dwellings with associated car parking, PV panels, cycle parking, refuse storage and landscaping.

Ward: Old Coulsdon

The officers presented details of the planning application with no questions for clarification.

Ms Evelyn Alcock spoke against the application.

Mr Howard Carter, the applicant's agent, spoke in support of the application.

Ward Member Councillor Steve Hollands spoke, on behalf of the referring Ward Member Councillor Margaret Bird, against the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to **GRANT** the application based on the officer's recommendation was taken to the vote having been proposed by Councillor Paul Scott. This was seconded by Councillor Toni Letts.

The substantive motion was carried with three Members voting in favour and two Members voting against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 48 Homefield Road, Coulsdon, CR5 1ES.

A73/20 **20/02410/OUT 10 Cedar Walk, Kenley, CR8 5JL**

Outline application for the proposed demolition of side extension to existing house to allow access to the rear and the construction of 4 new two storey dwellings with associated amenity space, the provision of 8 parking spaces and cycling space.

Ward: Kenley

The officers presented details of the planning application, which was on the basis that the Committee acquire the reserved matters back for consideration, and responded to questions for clarification.

Mr Michael Rodwell spoke against the application.

Mr Chris Kirby, the applicant's agent, spoke in support of the application.

The referring Ward Member Councillor Steve O'Connell spoke against the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

Councillor Paul Scott requested that this application to return to Committee for the Panel to discuss in more detail on the referred matters.

The substantive motion to **GRANT** the application based on the officer's recommendation inclusive of the request to for this application to return to Committee was taken to the vote having been proposed by Councillor Paul Scott. This was seconded by Councillor Chris Clark.

The substantive motion was carried with three Members voting in favour and two Members voting against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 10 Cedar Walk, Kenley, CR8 5JL.

The meeting ended at 8.25 pm

Signed:

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Date:

Planning Sub-Committee

Meeting of Croydon Council's Planning Sub-Committee held virtually on Thursday, 17 December 2020 at 6:10pm via Microsoft Teams

This meeting was Webcast – and is available to view via the Council's Web Site

MINUTES

Present: Councillor Leila Ben-Hassel (Vice-Chair);
Councillors Paul Scott, Toni Letts, Ian Parker and Lynne Hale

Also Present: Councillor Jason Cummings

Apologies: Councillor Chris Clark

PART A

A80/20 **Minutes of the previous meeting**

RESOLVED that the minutes of the meeting held Thursday 3 December 2020 be signed as a correct record.

A81/20 **Disclosure of Interest**

There were no disclosures of a pecuniary interest not already registered.

A82/20 **Urgent Business (if any)**

There was none.

A83/20 **Planning applications for decision**

A84/20 **20/03800/FUL 1 The Lees Croydon, CR0 8AR**

Erection of two storey detached dwelling house on land to the rear of No. 1 The Lees, including new vehicular access and crossover from Bennetts Way, off-street parking, landscaping and all associated site works.

Ward: Shirley South

The officers presented details of the planning application and responded to questions for clarification.

Mr Michael Dack spoke against the application.

Mr Patrick Quinlan, the applicant, spoke in support of the application.

The referring Ward Member Councillor Jason Cummings, spoke against the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to **GRANT** the application based on the officer's recommendation was taken to the vote having been proposed by Councillor Toni Letts. This was seconded by Councillor Paul Scott.

The substantive motion was carried with three Members voting in favour and two Members voting against.

The Committee therefore **RESOLVED** to **GRANT** the application for the development of 1 The Lees, Croydon, CR0 8AR.

A85/20 **20/04170/HSE 29 The Ruffetts, South Croydon, CR2 7LS**

Erection of single/two storey front/side/rear extension.

Ward: Selsdon and Addington Village

The officers presented details of the planning application with no questions for clarification.

Mr David Rutherford, on behalf of Croham Valley Resident's Association, spoke against the application.

Mr Anwar Hossain, the applicant, spoke in support of the application.

The Committee deliberated on the application presentation heard before them having heard all the speakers who addressed the Committee, and in turn addressed their view on the matter.

The substantive motion to **GRANT** the application based on the officer's recommendation was taken to the vote having been proposed by Councillor Paul Scott. This was seconded by Councillor Toni Letts.

The substantive motion was carried with three Members voting in favour and two Members voting against.

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The Committee therefore **RESOLVED** to **GRANT** the application for the development of 29 The Ruffetts, South Croydon, CR2 7LS.

The meeting ended at 7:25 pm

Signed:

Date:

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PLANNING SUB-COMMITTEE AGENDA

PART 5: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Planning 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 or Resident Association 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 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 (consolidated with Alterations since 2011)
 - the Croydon Local Plan (February 2018)
 - 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. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the number of third party representations received, remains the extent to which planning proposals comply with the Development Plan.
- 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 **ROLE OF THE COMMITTEE MEMBERS**

- 3.1 The role of Members of the Planning Committee is to make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons. In doing so Members should have familiarised themselves with Part 5D of the Council's Constitution 'The Planning Code of Good Practice'. Members should also seek to attend relevant training and briefing sessions organised from time to time for Members.
- 3.2 Members are to exercise their responsibilities with regard to the interests of the London Borough of Croydon as a whole rather than with regard to their particular Ward's interest and issues.

4. **THE ROLE OF THE CHAIR**

- 4.1 The Chair of the Planning Committee is responsible for the good and orderly running of Planning Committee meetings. The Chair aims to ensure, with the assistance of officers where necessary, that the meeting is run in accordance with the provisions set out in the Council's Constitution and particularly Part 4K of the Constitution 'Planning and Planning Sub-Committee Procedure Rules'. The Chair's most visible responsibility is to ensure that the business of the meeting is conducted effectively and efficiently.
- 4.2 The Chair has discretion in the interests of natural justice to vary the public speaking rules where there is good reason to do so and such reasons will be minuted.

- 4.3 The Chair is also charged with ensuring that the general rules of debate are adhered to (e.g. Members should not speak over each other) and that the debate remains centred on relevant planning considerations.
- 4.4 Notwithstanding the fact that the Chair of the Committee has the above responsibilities, it should be noted that the Chair is a full member of the Committee who is able to take part in debates and vote on items in the same way as any other Member of the Committee. This includes the ability to propose or second motions. It also means that the Chair is entitled to express their views in relation to the applications before the Committee in the same way that other Members of the Committee are so entitled and subject to the same rules set out in the Council's constitution and particularly Planning Code of Good Practice.

5. PROVISION OF INFRASTRUCTURE

- 5.1 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:
- i. Education facilities
 - ii. Health care facilities
 - iii. Projects listed in the Connected Croydon Delivery Programme
 - iv. Public open space
 - v. Public sports and leisure
 - vi. Community facilities
- 5.2 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.

6. FURTHER INFORMATION

- 6.1 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.

7. PUBLIC SPEAKING

- 7.1 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.

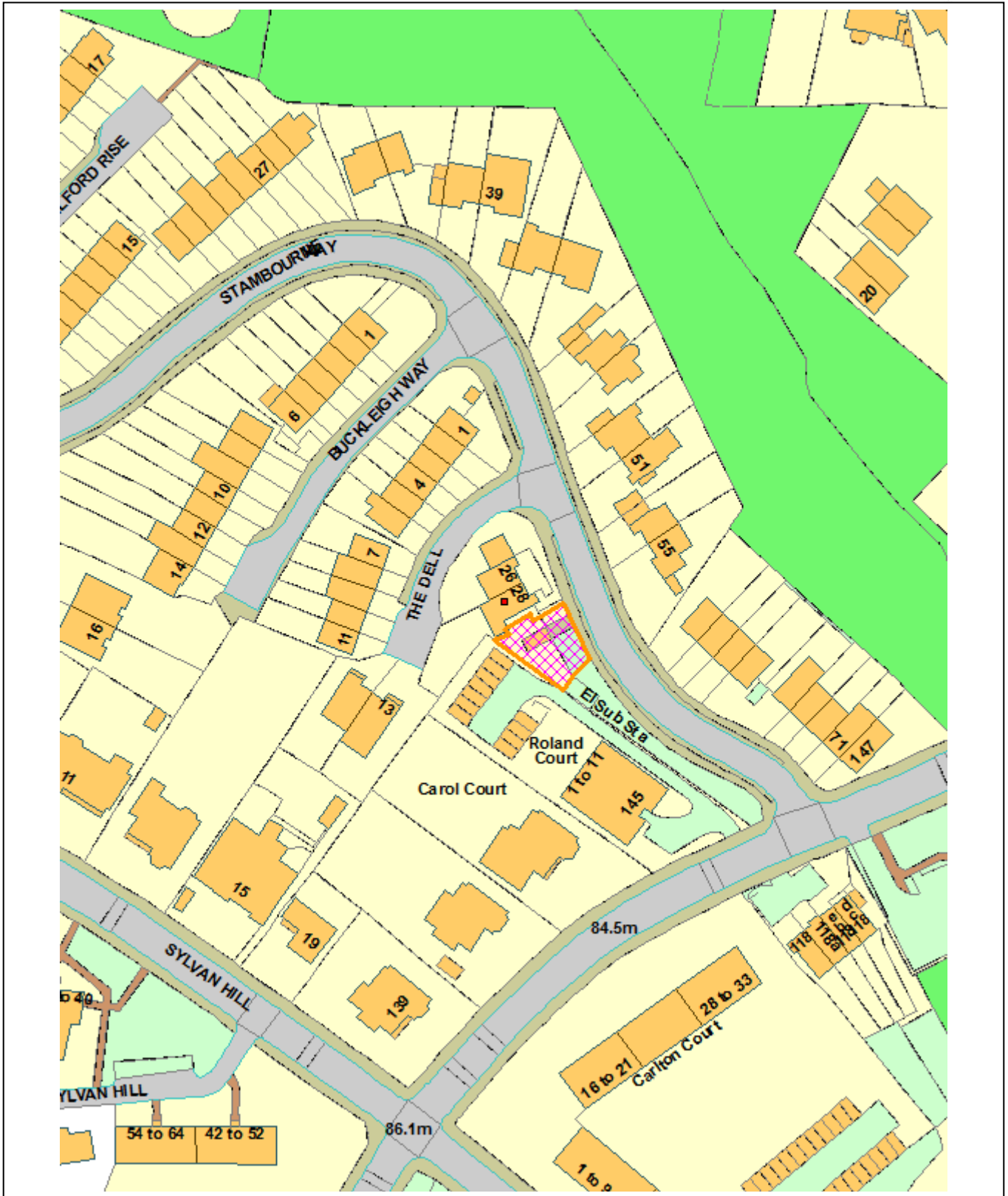
8. BACKGROUND DOCUMENTS

- 8.1 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.

9. RECOMMENDATION

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

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1 SUMMARY OF APPLICATION DETAILS

Ref: 20/01611/FUL
 Location: Land Adjacent 28 Stambourne Way SE19 2PY
 Ward: Crystal Palace/Upper Norwood Ward
 Description: Demolition of existing garage and construction of a 3 bedroom, detached dwelling house.
 Drawing Nos: 1215- 002/A, 1215- 010/C, 1215- 011/B, 1215- 012/B, 1215- 013/B, 1215- 021/C , 1215- 023/B, 1215- 024/B, 1215-032
 Applicant/Agent Mr Mark Smyth (Creative Works)
 Case Officer: Christopher Grace

	1 bed	2 bed	3 bed	4 bed
Houses	0	0	1 (5person)	0
Totals	0	0	1 (150sqm)	0

Type of floorspace	Existing Floorspace	Proposed Floorspace	Net gain
Residential	18Sq.m	152sqm	134Sq m
Number of car parking spaces		Number of cycle parking spaces	
1		2	

1.1 This application is being reported to Planning Committee because the application has exceeded the required number of objections and has been referred by a ward councillor (Cllr Stephen Mann).

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) 3 Years
- 2) Built in accordance with approved plans
- 3) Materials to be submitted for approval
- 4) Details to be provided:-
 - a) Hard and soft landscaping – including paving surfaces, parking spaces, planting and species to be submitted

- b) Boundary treatment
 - c) Vehicle site lines along Stambourne Way including point of entry/exit
 - d) Extract ducts, air vents
 - e) Obscured glazing to first floor second floor west facing windows
 - f) Window reveals
- 5) Refuse Storage area to be submitted
 - 6) Cycle storage area to be submitted
 - 7) Parking to be provided as specified (including active Electric vehicle charging point)
 - 8) Details of land levels prior to occupation
 - 9) Demolition and construction method statement
 - 10) 19% reduction in carbon emissions
 - 11) 110 litre water consumption target
 - 12) Details of security lighting
 - 13) Details of Suds measures
 - 14) In accordance with ecology appraisal recommendations
 - 15) Details of biodiversity enhance strategy
 - 16) Wildlife sensitive lighting design scheme
 - 17) Details of tree protection measures
 - 18) Details of removal of Japanese Knotweed
 - 19) Only area outlined on plan to be used as roof terrace
 - 20) In accordance with M4(2) standard

Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informative

- 1) CIL -
 - 2) Code of Practice regarding small construction sites
 - 3) Highways works and or/damage to the existing highway during the construction phases to be made good at developer's expense
 - 4) Regard to neighbouring electric sub-station housing
 - 5) Advised of removal of Japanese Knotweed by qualified specialist
 - 6) Any [other] informative(s) considered necessary by the Director of Planning and Strategic Transport
- 2.3 That the Planning Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal involves the demolition of the existing garage and the construction of a part two/three-storey detached 3-bedroom house.



- 3.2 The proposed development would be accessed off Stambourne Way involving extension of existing vehicle access point. The proposed building would be 9m high, 11m wide, 8m deep. It would be constructed of the following materials: - grey stock brickwork, sedum roof and double glazed windows
- 3.3 The proposal would include 1 car parking space, 2 bicycle spaces and refuse store.
- 3.4 The applicant is proposing the provision of new extensive landscaping with a variety of tree/shrub planting in and surrounding the site boundary.

Site and Surroundings

- 3.6 The application comprises a 0.01 ha irregular shaped site consisting of garage belonging to the adjacent semi-detached house at 28 Stambourne Way to the north located on the west side of Stambourne Way . To south of the site is an electrical substation and car park to a three- storey block of flats Roland Court. To the west of the site are two- storey houses in The Dell. Opposite to the east is a pair of semi-detached houses (nos.53 -55) and terrace of townhouses (nos 57-63).
- 3.7 The site is not situated in the conservation area but lies in between the Church Lane Conservation Area which is either side. The surrounding area is residential in character with brick construction.
- 3.8 There are no protected trees identified within the site with a single street tree immediately adjacent to the pavement. The site is located within a surface water (1:100yr) area of flood risk.

Planning History

- 3.9 The following planning decisions are relevant to the application:-
- 01/03394/P Planning permission refused for erection of single storey rear extension
- 02/00920/P Planning permission granted for single storey rear extension
- 05/04032/PRE Pre-application enquiry for proposed town house and garage

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 The proposed development would provide an appropriate scale for a development making effective use of the residential site and increasing the Council housing stock.
- 4.2 The proposed new building would preserve the character of the area and would not harmfully affect the appearance of the immediate surroundings
- 4.3 The proposed new building would not have a detrimental effect on the residential amenities of the adjoining occupiers and would provide an acceptable living environment for the future occupiers.
- 4.4 The development would provide an appropriate level of parking for the proposed development, encourage sustainable modes of transport other than the car, incorporate safe and secure vehicle access to and from the site and would have an acceptable impact on the highways network.
- 4.5 The development would incorporate sustainability requirements and incorporate sustainability technics as part of the overall drainage strategy.

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 neighbour consultation letters and site notice. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 22 Objections: 22

- 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>Design, Scale and massing</i>	
Overdevelopment/obtrusive; height and scale not in keeping with Stambourne Way estate; built in hillside clearly storey taller than surrounding houses;	Addressed in report at paragraphs 8.6 to 8.12

appears too large; cramped site; massing visible from Church Lane Conservation Area due to change in ground levels building overlaps boundary with Roland Court; overbearing on Roland Court;	
<i>Appearance</i>	
Appearance out of keeping with area and classic 60s townhouses; fails in design; design out of place; not sympathetic to heritage area; impact on hill; loss of green space; fails to integrate into landscape setting; use of solid bricks totally alien; small garden destroy the current green backdrop; no other properties include roof terrace	Addressed in report at paragraphs 8.6 to 8.12
<i>Daylight and sunlight, privacy, outlook</i>	
Impact on privacy and overlooking to flats in Roland Court; overlap Roland Court; impact of smells and fumes from extractors to Roland Court; loss of light to neighbouring properties; block view of skyline and trees ; loss of light to ground floor and first floor of no.28; overlooking from roof terrace.	Addressed in report at paragraphs 8.14 to 8.22
<i>Noise and Environment</i>	
Nosie and disturbance during construction. Pollution to neighbouring gardens during construction	Addressed in report at paragraphs 8.14 to 8.22
<i>Standard of accommodation</i>	
No consideration of electric substation close to house	Addressed in report at paragraph 8.13
<i>Trees and ecology</i>	
Vehicle access would require removal of a trees; detrimental impact on existing trees; loss of green space, trees and wildlife; construction detrimental to local wildlife (Dunnock Birds) on RSPB list; proximity of nest means it will be disturbed by	Addressed in report at paragraphs 8.26 to 8.28

proposed works and would conflict with policy DM27; little room for replanting least amount of green space; Japanese Knotweed present	
<i>Transport</i>	
Consideration of to be given impact of construction heavy goods vehicles along Stambourne Way and surrounding roads which is also used by school children ; width of neighbouring roads prevents large vehicles from accessing it ; road is used as rat-run; no safe exist point for vehicle access	Addressed in report at paragraphs 8.23 to 8.25
<i>Flooding</i>	
Lead to flooding; result in drainage problems.	Addressed in report at paragraphs 8.29 to 8.32
<i>Other</i>	
Devalue neighbouring property	Issues relating to the property values are outside of the remit of the Planning System.

Councillor Stephen Mann has made the following representations

- Refer for refusal on grounds of tree impact and construction impact.

North Croydon Conservation Area Advisory Panel: The site is adjacent to the Church Road Conservation Area and visible from it. This proposal is of a very different design than surrounding buildings. It would introduce a discordant element into what is otherwise a cohesive style, and consequently would not sit comfortably in this setting. The proposed building would be dominant over the adjacent building through its height. The scheme would result in a loss of green space.

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 (2018)
- 7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in July 2018 (Amended in February 2019). 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:

- Achieving sustainable development (Chap 2)
- Delivering a sufficient supply of homes (Chap 5)
- Promoting sustainable transport (Chap 9)
- Achieving well designed places (Chap 12)
- Meeting the challenge of climate change, flooding and coastal change (Chap14).

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

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.2 Minimising carbon dioxide
- 5.3 Sustainable design
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 7.4 Local character
- 7.6 Architect

Emerging New London Plan

Whilst the emerging New London Plan is a material consideration, the weight afforded to it is down to the decision maker, linked to the stage a plan has reached in its development. The New London Plan remains at an advanced stage of preparation but full weight will not be realised until it has been formally adopted. Despite this, in accordance with paragraph 48 of the NPPF substantial weight can be applied to those policies to which the Secretary of State has not directed modifications to be made

- GG2 Making best use of land
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- H1 Increasing housing supply
- HC1 Heritage conservation and growth

- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

Croydon Local Plan: Strategic Policies 2018:

- SP2 Homes
- SP4 Urban design and local character
- SP6 Environment and Climate Change
- SP8 Transport and communication

Croydon Local Plan Policies 2018:

- DM1 Homes
- DM10 Design and character
- DM13 Refuse and recycling
- DM18 Heritage Asset and conservation area
- DM23 Development and construction
- DM25 Sustainable drainage systems
- DM28 Trees
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development
- DM39 Crystal Palace and Upper Norwood

There is relevant Supplementary planning Guidance as follows

- London Housing SPG, March 2016.
- National Technical Housing Standards, 2015.
- National Planning Practice Guidance, 2014.
- Supplementary Planning Document (SPD2) Suburban Design Guide 2019.

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. Housing Quality for future occupiers
4. Residential amenity/Daylight & Sunlight, Overlooking Privacy for neighbours
5. Transport
6. Trees
7. Sustainability and flooding
8. Waste

Principle of Development

- 8.2 In considering this proposal the local planning authority has had regard to delivering a wide choice of homes in favour of sustainable development in line with the principles of the NPPF, Policy 3.3 of the London Plan relating to increase housing stock; policies SP2.1 of the Croydon Local Plan in providing a choice of housing for all people at all stages of life and DM1 in supplying new housing.
- 8.3 The London Plan, the emerging London Plan and the NPPF place significant weight on housing delivery and focus on the roles that intensification and small sites in particular will play in in part resolving the current housing crisis. The Croydon Local Plan 2018 further identifies that a third of housing should come from windfall sites and suburban intensification, in order to protect areas such as Metropolitan Green Belt.
- 8.4 The site formed part of host property at 28 Stambourne Way, which includes a garage on an area of land to the side of the house. The proposal would utilise the area of land occupied by the garage, optimising the site capacity, making the best use of this area land in line with draft London Plan; through a design led approach, which would avoid any inappropriate development; and would not conflict with the primary amenity and living environment of the host property.
- 8.5 The proposal would provide a 3-bedroom family sized house in line with national guidance floorspace and would increase the housing stock of the borough. Therefore, subject to an appropriate scale of sustainable development, good design, a full assessment of amenity considerations, conserving the natural environment and assessment of traffic considerations, there is no objection in principle to the introduction of further residential accommodation in this location. It is considered that the proposed development is appropriate in line with Council policy framework for the site and surrounding area. These additional matters are considered in more detail below.

Townscape and Visual Impact

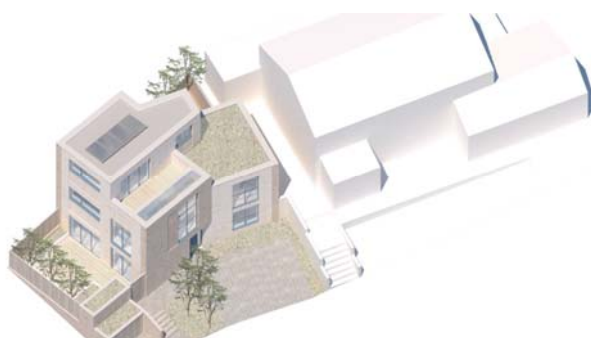


- 8.6 The existing site is an open area of land with a single garage building facing Stambourne Way. The site is overgrown with a single tree however there is no record of any protected trees on it. The existing garage is of no architectural merit and therefore its removal does not give rise to concern.
- 8.7 The site characteristically falls in land level from the north to the south and rises from east to the west. The site is not located within the Church Road Conservation Area but lies between it, within 17m from the west behind the car park of Roland Court and 47m from the east in front of the semi-detached/terrace houses and gardens which lie on the opposite side of Stambourne Way.



- 8.8 The proposed building has been designed to reflect and respond to the immediate context and surrounds. The proposed massing steps down effectively using the adjacent dwelling at no.28 to reference the height and character of existing buildings opposite. The surrounding area is characterised by 2-3 storey dwellings in a planned estate. At a maximum of 3-storeys in height the proposed development reflects this surrounding form with the two storey section prominent towards the streetscreen and the large three storey section towards the rear. There is no objection to the scale, massing or height of the proposed building.
- 8.9 The Conservation Area advisory group have objected to the proposal as they consider it would introduce a discordant element into what is otherwise a cohesive style, and consequently would not sit comfortably in this setting. However, officers consider that given the distance from the Conservation Area and presence of buildings between, it is not thought the proposal would have

an impact on the nearby Church Lane Conservation Area. There are no significant heritage assets in the vicinity of the site.



- 8.10 The surrounding buildings are largely uniform in their form and expression. The proposal would include a recess building line nearest to the neighbour at no.28 and introduces a crank footprint, to reflect the bend in the road the more south the building extends. This approach makes efficient use of the site creating a set back landscaped area at the front with private garden areas to rear and south of the building and small roof terrace to the front. The proposed building remains within the red line area identified as being under ownership by the applicants and does not extend into neighbouring Roland Court as neighbours have stated.
- 8.11 The proposal would introduce a contemporary building on this site. The expression takes visual cues from its surroundings, contextually appropriate and would be in line with Council design guidance (SDP2). The proposed materials pallet has been informed by the architecture of the estate, but proposes higher quality alternatives which is welcomed. The proposed brick detailing will add interest and texture to blank side walls. The corner and window detailing is welcome as is sedum roof and photovoltaics. A condition requiring details of all external materials including slime line profile windows with reveals (to 225mm minimum depth) will ensure a high quality appearance.
- 8.12 Overall the design appears to be of high quality would be in line with the Council design guidance and would preserve this site and local character in line with national, regional and local policies.

Housing Quality/Daylight and sunlight for future occupiers.

- 8.13 The proposed house would exceed National technical housing standards guidelines in terms of floor space requirements for a 3 bedroom family house. The proposed house would have triple aspect, would receive good levels of sunlight and daylight, with two areas of garden space and small roof terrace in an acceptable arrangement. The landscaping and planting details are to be secured by condition. An informative advising developers of any implications in respect to the neighbouring electric sub-station housing should ensure safety concerns during and after construction. In line with Council guidance the proposed building would be built to M4(2) standard. The proposal would

therefore be in accordance with the principles of the NPPF in delivering a wide of choice of quality homes and London Plan Policies, and Croydon Local Plan 2018.

Residential Amenity Daylight/Sunlight, Overlooking, Privacy for neighbours

- 8.14 Policy DM10.6 states that the Council will not support development proposals, which would have adverse effects on the amenities of adjoining or nearby properties, or have an unacceptable impact on the surrounding area. This can include a loss of privacy, a loss of natural light and a loss of outlook.

Impact on no.28 Stambourne Way

- 8.15 The proposed building would be between 1.8m to 2.5m south of the neighbouring house at no.28 Stambourne Way. No 28 Stambourne Way contains two first floor level windows to a bathroom in its southern elevation and three secondary windows (including a glazed door) to the kitchen at ground floor level and a window within the single storey utility area which would face towards the proposed house. The proposed building would be of comparative height with this neighbouring property. The applicants have submitted a sunlight/daylight report on all openings to no.28 based on BRE's "Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice" 2011. The report identifies the facing windows towards the site at first floor facing windows are to a bathroom and therefore not applicable for testing under the guidance. The ground floor utility window is also not applicable. The kitchen windows would experience light levels below 80% of its current value. However, these are secondary openings and are supplemented by further openings facing the rear garden of 28 which the report confirms would enable the kitchen to achieve excess of minimum 80% figure for overall light levels. The report also includes a sun on ground assessment and concluded that the rear garden of no.28 would not experience an increase in overshadowing as a result of the proposal. The proposal would include only a single high level bathroom window in its flank elevation facing north towards no.28 however this would be in the rear three-storey section set back 9.6m from 28 and a condition requiring obscured glazing would protect this neighbour amenity. The proposal would therefore have a negligible impact on this neighbour and would not result in any significant loss of outlook, privacy, daylight or sunlight

Flats in Roland Court to the south

- 8.16 The proposal building would be constructed within the site boundary and would not extend into block of flats at Roland Court. There would be a minimum distance of 21m from the side of the proposed building and the neighbouring block. This is considered to be an acceptable relationship in a suburban setting such as this. There would be no direct overlooking of windows towards Roland Court. The proposal would include two windows at first floor level (secondary living area and stairway) and one at second floor level (stairway) facing across the rear car park of Roland Court. A condition requiring these to be in obscured glazing to a point 1.7m above finished floor level would ensure that the development would not prejudice this

neighbouring site should it come forward for redevelopment sometime in the future. It is considered that given the separation distances that there would not be significant impact on Roland Court in terms of loss of light, outlook, privacy or sense of overbearing. This is considered to be an acceptable relationship in a suburban setting such as this.

Dwellings on opposite side of Stambourne Way

- 8.17 These neighbouring dwellings (nos.53-63) would be opposite to the east of the development. Neighbours have raised concern over presence of front roof terrace. There would be a minimum of 25m from the front of the development to these properties and in line with SDP2 guidance is considered to be an acceptable relationship in a suburban setting such as this. A condition restricting the roof terrace to the area indicated on plan should further safeguard neighbouring amenity
- 8.18 In view of the separation distances there would not be a significant impact on these dwellings in terms of loss of light, outlook, privacy or sense of overbearing.

Dwellings in the The Dell

- 8.19 These neighbouring dwellings would be to the west of the development. The nearest no.13 would be a minimum of 29m from the front to the rear of the proposed house and is considered to be an acceptable relationship in a suburban setting such as this.
- 8.20 It is considered that given the separation distances that there would not be a significant impact on these houses in terms of loss of light, outlook, privacy or sense of overbearing.
- 8.21 Several neighbours have raised concerns over the impact of the construction of the development. It is acknowledged that there will be some noise and disturbance during the construction process, with pollution and vehicle access also a concern expressed by neighbours. A planning informative is recommended to advise the applicant to follow the Councils "Code of Practice on the Control of Noise and Pollution from Construction Sites". A Construction Logistics Plan would need to be submitted and approved prior to the start of building works. It is also recommended that a demolition / construction logistics plan be provided in order to reduce amenity considerations, traffic impacts and safeguard the development during the build; the detail of which is to be controlled by condition. A further informative would ensure the reinstatement of the highway with developers to meet the cost of reinstatement of any work.
- 8.22 A condition requiring details of lighting and illuminance to the rear and along the vehicle parking at the front would ensure that neighbours amenity is protected. The proposal involves the location of a kitchen area at first floor level along the boundary with neighbours. Neighbour concerns of extract ducts and fumes causing problems would be safeguarded by condition and design detail. The proposal is therefore considered to be acceptable and

would be in line with London Plan policy 7.6 Architecture for good design and Council policy DM10 protecting residential amenity.

Transport

- 8.23 The site is located in an area with PTAL level of 1 (on a scale of 1 to 6b), which indicates extremely poor level of public transport accessibility. London Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels and local character. This states that 1-2 bedroom properties should provide a maximum of up to 1 space per unit, with up to 1.5 spaces per unit being provided for 3 bedroom properties. In line with the London Plan. The Draft London Plan identifies 1 space per dwelling. The proposal would maintain a car parking space for no.28 in addition to providing a parking space for the new house on suitable surface with storage for several cycles. Cycle storage has been provided. Details of cycle parking would need to be approved by the Council prior to occupation. It is important to note that it is not necessarily desirable to provide car parking up to the maximum standards given the requirements of both the London Plan and Croydon Local Plan which seek to reduce reliance on car usage and promote/prioritise sustainable modes of transport. As such the proposal is in line with the ambitions of the Development Plan and the Draft London Plan.
- 8.24 Neighbours have to referred to highway concerns of access and during construction. In line with Council Transport comments the applicant has demonstrated the appropriate sight lines for the parking space for no.28 and for the new build house. In line with these requirements the parking bay for the proposed house would include EVCP. A condition has been added to ensure that the appropriate pedestrian visibility splays are introduced in respect to highway safety. In addition, a drawing shows the central position of the drop kerb, the final details of which are to be secured by condition and it is the responsibility of the applicant to enter into an agreement with the Council's Highways team to ensure these works are undertaken. It is recommended that an informative to this effect be attached to any planning permission. The proposal includes refuse storage and 10sqm bulky item area within suitable point of collection. As identified above a condition requiring details of construction logistic plan will be approved prior to commencement of any works in order to ensure effective vehicle movement and mitigate impact on surrounding roads during construction.
- 8.25 The proposal is therefore considered to be in accordance with London Plan policies and Croydon Local Plan policies in respect to traffic and highway impacts. Refuse storage would be within suitable point of collection.

Trees and ecology

- 8.26 The site contains a variety of shrubs. There are no protected trees on site. Neighbours have raised concern over the loss of green space and trees on site. The applicants tree report identifies only one Category 3 (low quality) tree (T4 Lawson Cypress) is present within the site with a single Category 2 (moderate quality) street tree (T2 Alder) south east of the site adjacent to the highway and public footpath. Under normal circumstances low quality trees do

not need to be retained in the development, unless they do not pose a constraint to the development. The existing T4 tree is directly in place to influence the design of the development and therefore it is proposed to remove this tree. The proposal includes new landscaping design to garden areas with replacement planting providing quality replacement to the removed tree. Council Tree Officers do not raise any objection to the removal of the tree provided a suitable replacement planting scheme is introduced. A condition would secure appropriate landscaping scheme and ensure that protection to existing street trees during the demolition and construction process in line with the applicant's arboricultural report.

- 8.27 Neighbours have raised several ecology issues surrounding trees and wildlife and habitat of protected birds (Dunnock Birds) on RSPB list. The applicant has subsequently submitted an ecology report which followed a full survey of the site and has been independently assessed. At the time of the survey no protected species were identified. The Independent advisors are satisfied that sufficient ecological information has been provided which examined possibility of variety of habitats. The report acknowledges that the surrounding habitat is one which would be suitable for such species to exist. However no potential roosting by bats has been identified, or likely impact on badgers, dormice or great crested newts or reptiles. The independent assessment raised no objection subject to appropriate mitigation measures and a Biodiversity Enhancement Strategy for protected and Priority Species is secured. The report identifies that this is necessary to conserve and enhance protected and Priority Species particularly nesting birds and provide net gains for biodiversity.
- 8.28 Neighbours have identified the presence of Japanese Knotweed existing on the site confirmed by the applicants ecology report. This means that measures should be taken to ensure that the plant is not spread as a result of works, through an eradication strategy drawn up by a specialist contractor.

Sustainability and Flooding

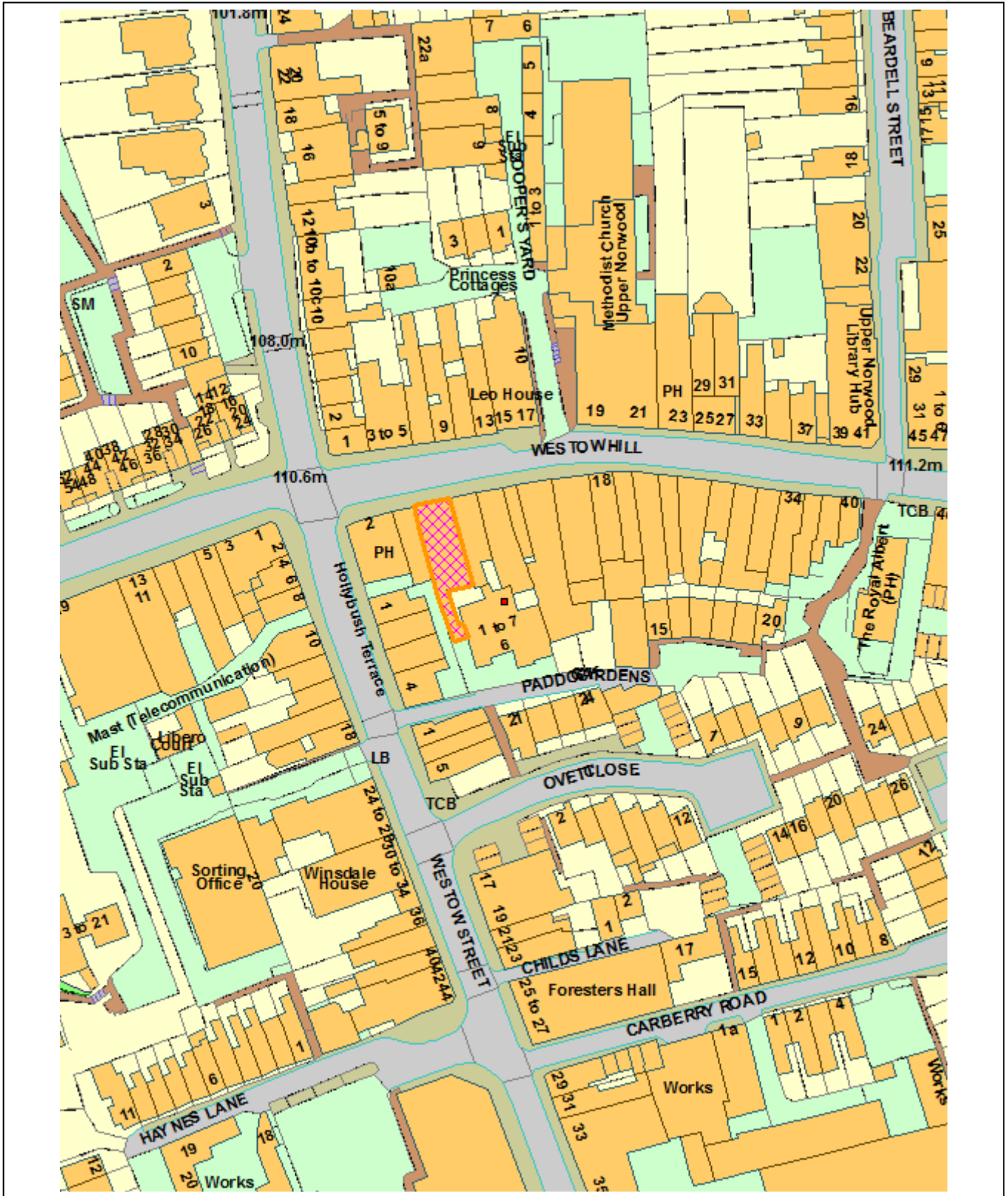
- 8.29 The Council would seek new homes to meet the needs of residents over a lifetime and be constructed using sustainable measures to reduce carbon emissions. Conditions can be attached to ensure that a 19% reduction in CO2 emissions over 2013 Building Regulations is achieved and mains water consumption would meet a target of 110 litres or less per head per day.
- 8.30 The applicants have submitted a flood risk statement which identifies the site to be in Flood Zone 1 with overall surface water flooding to the site low (1;1000).
- 8.31 In terms of sustainability and flooding the proposal will be designed so that all new surface water connections from the roof will be directed to the existing local drain. The surface runoff will be improved by implementing appropriate SuDS measures. Green roof, permeable paving, rain garden and a rainwater harvesting (water butt) will be implemented in order to improve the surface runoff from the site. The landowners will be fully responsible for the repair and

management of the implemented SuDS measures throughout the lifetime of the proposed development.

- 8.32 All connections will be made in accordance with the building regulation requirements and those of Thames Water including retention and slow release systems (SUDS) to reduce the outflow to limit the risk of adding to flooding elsewhere in the vicinity. The details of run off rates to be secured by condition.

Conclusions

- 8.33 The recommendation is to grant planning permission. All other relevant policies and considerations, including equalities, have been taken into account.



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PART 5: Planning Applications for Decision

Item 5.2

1.0 SUMMARY OF APPLICATION DETAILS

Ref: 20/02725/FUL
 Location: 6 Westow Hill, Upper Norwood, London, SE19 1SB
 Ward: Crystal Palace and Upper Norwood
 Description: Change of Use of the ground floor and basement from a betting shop (sui generis) to an Adult Gaming Centre (sui generis) with external alterations and associated works.
 Drawing Nos: 1496 (0)06 A1
 Applicant: Luxury Leisure
 Agent: Lichfields
 Case Officer: James Udall

1.1 This application is being reported to committee because a Ward Councillor (Cllr Stephen Mann) has made representations in accordance with the Committee Consideration Criteria and requested committee consideration and because representations above the threshold for Committee consideration have been received

2.0 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:

1. Development to be commenced within three years.
2. In accordance with the approved plans
3. Samples and details (as appropriate) of materials.
4. Details of the window display
5. Windows and doors to be implemented as timber framed as specified on the plans and approved, and retained as such thereafter.
6. Details of waste management plan to be submitted for approval.
7. Refuse store to be provided prior to commencement of use.
8. Control of opening hours of adult gaming centre (Monday to Sunday (including bank holidays) 08:00 - 23:00
9. The scheme will follow the recommendations of the noise assessment by Hepworth Acoustics dated February 2020 ref: Report Number P20-064-R01v1.
10. Details of noise limiting devices for sound amplification / music to be submitted for approval.
11. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives.

1. CIL informative.
2. Code of Practice regarding small construction sites.
3. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport.

3.0 PROPOSAL AND LOCATION DETAILS

3.1 The proposal includes the following:

- Change of use from betting shop (sui generis) to an adult gaming centre (sui generis).
- Alteration to front facade

3.2 The proposed opening hours of the adult gaming centre were originally Monday - Saturday 07:00 - 24:00 and Sundays and Bank Holidays 07:00 - 23:00. However, the applicant has agreed to amend the opening times to between 08:00 - 23:00 Monday to Sunday (including bank holidays).

Site and Surroundings

3.3 The application site is located on the southern side of Westow Hill. The building comprises of a three storey building which forms part of a terrace of buildings. The property has a dual pitched roof with gable ends. The existing building is immediately adjacent to the back of the pavement edge.



Figure 1: the frontage of the site.

3.4 The building lies within the Norwood Triangle Conservation Area and the Crystal Palace District Centre. The site is designated a Main Retail Frontage and Primary Shopping Area in the Croydon Local Plan (2018).

3.5 A commercial unit occupies the ground floor of the three storey building and there are residential units above. The proposal relates to a change of use at ground floor only. Until the 1 October 2019, the commercial unit had been in use as a betting shop. Whilst the unit is now vacant, the established use of the ground floor is that of the sui generis betting shop.



Figure 2: Aerial street view highlighting the proposed site within the surrounding streetscene

Planning History

3.6 In terms of recent planning history the following applications are relevant:

83/02565/P - Use of ground floor shop as betting office - Planning Permission Granted

88/00491/P - Installation of satellite dish aerial – Planning Permission Granted

84/00826/A - Illuminated fascia and projecting sign – Advertisement Consent Granted

20/03182/ADV - 1 no. fascia sign, 1 no. projecting sign and 2 no. internally illuminated display screens – Advertisement Consent Granted

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The current use of the application site is as a betting shop (Sui Generis), the proposed use of the application site would be as an adult gaming centre (Sui Generis). The proposed use is acceptable as it is a similar use to that which previously occupied the ground floor of the property.
- Given the character of the surrounding area and the planning history of the site, the design and appearance of the proposed development is appropriate.
- There would be no unacceptable impact on the living conditions of adjoining occupiers.
- The sustainability aspects of the application are considered to be acceptable.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by 54 letters of notification to neighbouring properties 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 are as follows:

No of individual responses: 69 Objecting: 69 Supporting: 0

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
Obtrusive by design/Out of Character	It is proposed to retain the existing tiling which is to the front of the premises. The entrance would have tiled steps which would match the tiles of the existing building. The proposed internal screens would be timber framed which would be suitable for this part of the conservation area. The proposed external changes are relatively minor. The shop front would remain as existing with the result that the proposal would not have any impact on character and setting to the conservation area, the streetscape and the character of the area
Noise and disturbance	Officers have negotiated a reduction in opening hours. It is now proposed to limit the hours of use between 08.00h and 23.00h and this can be controlled by planning condition. This would help ensure that the proposed use of the Adult Gaming Centre (AGC) would not unduly impact on the amenities of neighbouring occupants.
Detrimental to the community	The proposed use would have similar characteristics to the previous use of the application site with the result that the application scheme would not cause undue harm to the local community.
Would lead to crime, an increase in gambling and anti-social practices	There is no evidence that the proposed use would lead to an increase in crime or anti-social behaviour. The permitted use of the application site is as a betting shop, which was also a gambling establishment
The use would fail to support the local community	The use of the application site would provide jobs in a similar way as the permitted use of the site.
The application scheme does not include signage	Any signage would require an advertisement application to be submitted. This application would be judged on its own merits.
Impact on Trees	There are no trees near the site that would be affected by the

	proposed development.
Traffic/Highways	The application site is located in an area with a PTAL rating of 6a which indicated that public transport levels are very good. The site is also within walking distance of Crystal Place Rail Station and there is some limited parking outside of the site. Therefore the proposal would not harm parking provision in the area.
There are gambling premises in the area	It is noted that there are other gambling premises in the area but it is considered that there is not such an abundance of them that they would harm the vitality and viability of the commercial area.
Adverse impact on viability	The existing use of the site is as a betting shop (Sui Generis), the proposed use as an Adult Gaming Centre would be a similar use which would not affect the viability of the area.
The signage is unacceptable	Amended drawings have been received so that the signage would not adversely impact on the character, appearance and setting of the Conservation Area. In addition, a separate advertisement application is required to be submitted to allow the adverts to be fully assessed.
The opening hours would lead to disturbance	The proposed hours would be similar to other establishments in the area with the result that the hours would not adversely impact on the amenities of nearby residents. Opening hours can be controlled by the imposition of a planning condition.

6.4 The following Councillors made representations:

Cllr Stephen Mann (Crystal Palace and Upper Norwood Ward Councillor)

- Inappropriate development,
- Public safety concerns,
- Opening hours,
- Out of keeping with local area.

6.5 The London Borough of Lambeth have confirmed that they raise no objection to the proposal.

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 The National Planning Policy Framework (NPPF) dated February 2019 outlines the Government's requirements for the planning system and establishes how these will be addressed. There is a presumption in favour of sustainable development. The Council primarily assesses planning applications against policies in the Croydon Local Plan 2018 (CLP). The London Plan 2016 Further Alterations to the London Plan (as consolidated with alterations since 2011) sets out regional policy for Greater London.

7.2 London Plan Policy promotes development which will support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision especially in outer London.

7.3 CLP Policy advises that in line with the 'Town Centres First' principle, commercial activity should be directed to town centres to take advantage of their better transport functions and so as not to undermine the established centres. However, there are circumstances when proposals for town centre uses in edge of centre and out of centre locations may be acceptable. Where a sequential test satisfactorily demonstrates such uses cannot be accommodated, on sites or in units that are both suitable and available, within a town centre or edge of centre location or existing vacant units in any location, proposals will be acceptable in principle, provided the site is accessible and well connected to the town centre.

7.4 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;
- Delivering a wide choice of high quality homes;
- Requiring good design.

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

7.6 Consolidated London Plan 2015

- 4.5 London's Visitor Infrastructure
- 5.2 Minimising Carbon Dioxide Emissions
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archeology
- 7.15 Reducing and managing noise

7.7 Croydon Local Plan 2018

- Policy SP1 The Places of Croydon.
- Policy SP3 Employment.
- Policy SP4 Urban Design and Urban Character
- Policy DM4 Development Croydon Town Centre, and District and Local Centres.
- SP4 Urban Design and Local Character.
- DM4 Development in Croydon Metropolitan Centre, District and Local Centres
- DM10 Design and Character.
- DM11 Shopfront Design.

- DM13 Refuse and Recycling.
- DM16 Promoting healthy communities
- DM18 Heritage Assets and Conservation.
- SP6 Environment and Climate Change
- SP8 Transport and Communication.
- DM29 Promoting Sustainable Travel / Reducing Congestion.
- DM30 Car and Cycle parking in new development.
- DM39 Crystal Palace and Upper Norwood.

Emerging New London Plan

- 7.8 Whilst the emerging New London Plan is a material consideration, the weight afforded to it is down to the decision maker, linked to the stage a plan has reached in its development. The plan appears close to adoption. The Mayor's Intend to Publish version of the New London Plan has been submitted to the Secretary of State. The New London Plan remains at an advanced stage of preparation but full weight will not be realised until it has been formally adopted. Despite this, significant weight can be applied to those policies to which the Secretary of State has not directed modifications to be made.
- 7.9 For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications.

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Planning Committee are required to consider are as follows:
1. Principle of development
 2. Townscape and visual impact
 3. Residential amenity for neighbours
 4. Impact of the development on parking and the local highway network.
 5. Other planning matters

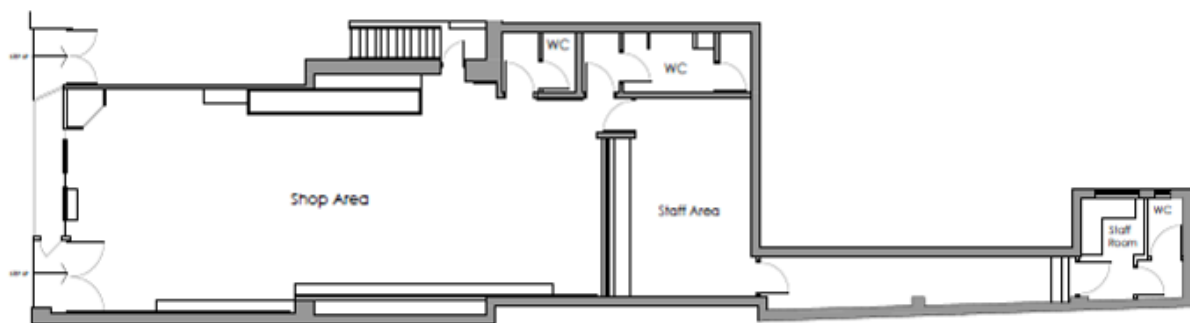
Principle of Development

- 8.2 Policy DM4.2 of the Croydon Local Plan 2018 states that "Within Croydon Metropolitan Centre and the borough's District and Local Centres development proposals and changes of use on the ground floor must accord with Table 5.3 (set out below).

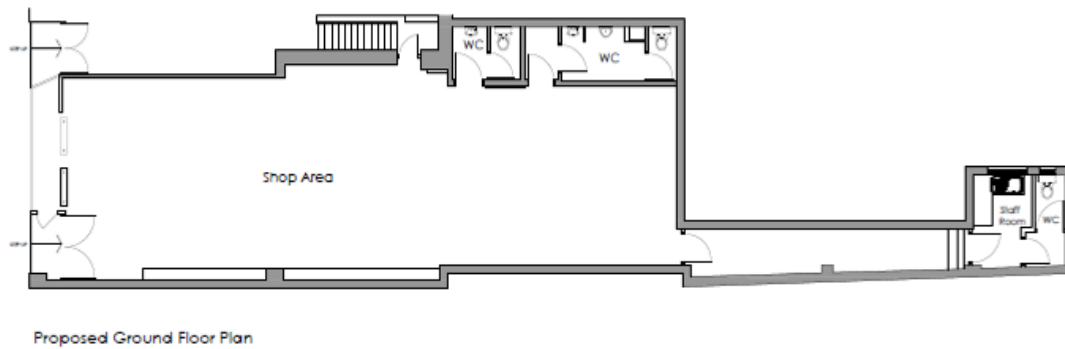
Table 5.3 New development proposals and changes of use in Croydon Metropolitan Centre and District and Local Centres

Part of the town centre	Use	Expansion of existing uses or newly proposed uses
Main Retail Frontage	A1	Acceptable in principle
	A2 – A4	Acceptable in principle as long as it does not result in more than 60% of the ground floor of units falling outside the A1 Use Class ³⁷
	A5	Acceptable in principle as long as it does not result in more than 60% of the ground floor of units falling outside the A1 Use Class and does not result in two or more adjoining A5 units ³⁷
	All Other Uses	All changes of use to a non Class A ground floor space within Main Retail Frontages will be refused. Expansions of existing non Class A uses will be refused unless it relates to a Community Use
Secondary Retail Frontage	A1 – A4 and Community Uses	Acceptable in principle with a ground floor limit on Community Uses in these locations of 250m ² (gross)
	A5	Acceptable in principle as long as it does not result in two or more adjoining A5 units at ground floor
	B1	Acceptable in principle as long as it results in an active frontage and does not undermine the retail function of the frontage
	All Other Uses	Unless it relates to a Community Use proposals involving an increase of existing non A Class ground floor space within Secondary Retail Frontage will be refused
Outside a Frontage but within Primary Shopping Area	All Uses	Acceptable in principle subject to the requirements of Policy DM4.3
Rest of Centre	A1	See Policy DM8: Development in edge of centre and out of centre locations
	All Other Uses	Acceptable in principle subject to the requirements of Policies DM4.3 and SP3.2

- 8.3 The application site is located within a District Centre, Conservation Area, Primary Shopping Area, and is part of a Main Retail Frontage. It is noted that Policy DM4.2 does not support the creation of new Sui Generis use classes within such designations. However, in this instance the current use of the application site is a betting shop which means that it already has a Sui Generis use class and it is proposed to change the betting shop to an adult gaming centre which would also have a Sui Generis use class.
- 8.4 It is noted that since 1st September 2020 several Use Classes have changed in some matters with the creation of a Use Class to include (E) which includes some use which were previously A1, D1 and D2 as well as uses that were in Use Class A2, A3, A4, A5 and B1. Furthermore, there has been a creation of a F1 Use Class and a F2 Use Class which concerns some previously A1 uses, some previously D1 uses and some previously D2 uses. However, Sui Generis has largely been kept the same and the changes to the use classes order do not affect this application.
- 8.5 The application scheme would therefore not result in an increase of existing non A Class uses within this designated parade and is therefore in accordance with this Policy. It would also not result in the loss of any existing retail function.



Existing Ground Floor Plan



Townscape and Visual Impact

- 8.5 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to pay special attention to the desirability of preserving the character and appearance of a Conservation Area.
- 8.6 Paragraph 126 of the National Planning Policy Framework recognises the value of 'sustaining and enhancing heritage assets' and paragraph 64 states that 'permission should be refused for developments of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.
- 8.7 Croydon Local Plan (2018) SP4 concerns Urban Design & Local Character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. Policy SP4.12 of the Croydon Local Plan (2018) states the Council and its partners will respect, and optimise opportunities to enhance Croydon's heritage assets, their setting and the historic landscape, including through high quality new development and public realm that respects the local character and is well integrated.
- 8.8 The site is in the Upper Norwood Triangle Conservation Area, which is a historic settlement of late 18th Century Origins. The fine urban grain and buildings of various scales and styles with high quality architecture and detailing contribute to the special character of the area.
- 8.9 The building is part of a terrace and dates from the mid-19th century. Whilst a modern shopfront has previously been installed the rest of the building retains its architectural character and makes a positive contribution to the CA.
- 8.10 The Upper Norwood Triangle CAAMP notes that "The design of new shopfronts plays a crucial role in maintaining the architectural character of the conservation area; poor quality shopfront design and materials have a negative impact on the character of the conservation area."
- 8.11 It is proposed to retain the existing tiling which is to the front of the premises. The entrance would have tiled steps which would match the tiles of the existing building. The proposed internal screens would be timber framed which would be suitable for this part of the conservation area. The proposed signage is halo illuminated which would also be suitable in this part of the conservation area.

8.12 The proposed external changes are relatively minor. While the submitted drawings include signage and lighting, this signage and lighting has been granted consent under LPA reference: 20/03182/ADV. The external changes would be appropriate given the setting and existing condition of the building, and would not cause any harm to character or heritage significance. The rest of the shop front would remain as existing with the result that the proposal would not have any impact on character and setting to the conservation area, the streetscape and the character of the area, with the result that the application scheme would comply with Policy DM18 of the Croydon Local Plan 2018.



Residential amenity for neighbouring occupants

8.13 It is proposed that the proposed unit would be open to the general public from 08:00 hours to 23:00 hours.

8.14 A number of the objections express concern about noise and disturbance resulting from the proposed unit. Since these concerns have been raised the applicant's agent has agreed to limit the opening hours to that stated at the above. In addition to this the proposed use is similar to that which is permitted on the site and The Environmental Health Protect Team has confirmed that they have no records of any noise complaints for the permitted use in at least the last 10 years.

8.15 It is noted that several businesses in the area have opening or closing times similar to the application scheme's hours. Examples include:

Address	Occupier	Opening hours
7 Westow Hill, London, SE19 1RX	Thai Crystal	Monday to Thursday Noon-3 pm & 5:30 pm - 10:30 pm Friday - Noon-3 pm & 5:30 pm - 11 pm Saturday - Noon-11 pm Sunday - Noon-11 pm
9 Westow Hill, London, SE19 1RX	Lion Chicken	Monday to Sunday - 11.00am to midnight
14 Westow Hill, London, SE19 1RX	Chi Oriental	Monday to Sunday – 12pm to 11:00pm
18 Westow Hill, London, SE19 1RX	Edo	Tuesday to Friday - 11.00am to 11.00pm Saturday & Sunday 1.00pm to 11.00pm
36 Westow Hill, London, SE19 1RX	Palace Spice	Sunday to Friday – 6.00pm to midnight
42 Westow Hill, London, SE19 1RX	Royal Albert	Monday to Sunday – 11:30am to 12:30am
48 Westow Hill, London, SE19 1RX	Numidie	Monday and Tuesday 5:30pm to 11:00pm Wednesday 5:30pm to midnight Thursday and Friday – 5:30 to 2:00am Saturday - Noon-3 pm & 5:30 pm - 2 am Sunday - Noon-3 pm & 5:30 pm - midnight
50-54 Westow Hill,	Tamnag Thai	Monday to Sunday – noon to 11.00pm
64 Westow Hill, London SE19 1RX	500 degrees	Monday to Friday – noon to 11.00pm
66 Westow Hill, London SE19 1RX	Porte Nuovo	Monday to Saturday - noon to 11pm Sunday - noon to 10.30pm
70 Westow Hill, Crystal Palace, London SE19 1SB	Pizza at the Place	Sunday to Wednesday - 11.00am to 11.00pm Thursday and Saturday - 11.00am to Midnight

8.16 The proposed opening hours would be acceptable for a District Centre location and the hours are similar to other business in the area and are therefore acceptable.

8.17 With regard to noise emanating from the activity within the adult gaming centre, the proposed use is similar in nature to the betting shop and it is therefore considered unlikely to increase impacts on nearby residents. Furthermore the amenities of the neighbouring occupants could be further protected by the imposition of a condition to ensure that the proposed unit would be open to the general public from Monday – Sunday (including Bank Holidays) 08:00 - 23:00.

8.18 It is considered that as the unit would occupy the ground floor of the building that no adverse effect upon the amenities of the neighbouring occupants would result from the development in terms of loss of privacy, loss of light, or loss of outlook.



Impact of the development on parking and the local highway network.

8.19 Policy aims 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. It also encourages car free development in areas with good access to public transport. Development must not have a detrimental effect on highway safety.

8.20 The site has a PTAL rating of 6a (good) and no off-street parking is proposed. In view of the site's location and the proposed use, the development would not generate significant levels of traffic or generate significant parking demand in comparison to the permitted use.

Other Planning Matters

8.21 The plans do not show the location of bin storage. The applicant's agent has confirmed that currently, rubbish is stored at the rear of the property and collected using Biffa Commercial Waste service –to a ratio of 1 to 2 collections per week. It is proposed that the proposed scheme would utilise the existing collection arrangement. However, it is appropriate to attach a condition to secure the location of the proposed bin store.

9.0 Conclusions

9.1 The proposed development would bring a vacant unit back into use in an accessible District Centre location. The alterations would be sensitive to the conservation area and would improve the existing appearance of the building. There would be no adverse effect on the amenity of nearby residential occupiers. Therefore, the proposed development is accessible and is recommended for approval.

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

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