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Planning Sub-Committee Agenda



To: Councillor Michael Neal (Chair)

Councillor Leila Ben-Hassel (Vice-Chair)

Councillors Ian Parker, Sean Fitzsimons, Lee and Ellily Ponnuthurai

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday**, 8 **September 2022** at **7.10 pm** in **Council Chamber**, **Town Hall**, **Katharine Street**, **Croydon CR0 1NX**

KATHERINE KERSWELL Chief Executive and Head of Paid Service London Borough of Croydon Bernard Weatherill House 8 Mint Walk, Croydon CR0 1EA Tariq Aniemeka-Bailey
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www.croydon.gov.uk/meetings
Wednesday, 31 August 2022

Members of the public are welcome to attend this meeting

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings here before attending.

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 Tariq Aniemeka-Bailey 020 8726 6000 x64109 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 - 14)

To approve the minutes of the meeting held on Thursday 28 July 2022 and Thursday 11 August 2022 as an accurate record.

3. Disclosure of Interest

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in advance of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

- Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.
- Where the matter relates to an ORI they may not vote on the matter unless granted a dispensation.
- Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation. Where a matter affects the NRI of a Member or co-opted Member, section 9 of Appendix B of the Code of Conduct sets out the test which must be applied by the Member to decide whether disclosure is required.

The Chair will invite Members to make their disclosure orally at the commencement of Agenda item 3, to be recorded in the minutes.

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 15 - 18)

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

21/05536/FUL - Laurel Court, 7 South Park Hill Road, CR2 7DY (Pages 19 - 32)

Erection of a fourth storey to facilitate the creation of 2 flats

Ward: South Croydon

Recommendation: Grant permission

5.2 20/03380/HSE - 37B Brighton Road, Purley, CR8 2LR (Pages 33 - 42)

Alterations and the erection of a single storey side extension including pitched roof and conversion of garage to a granny annexe and forecourt parking.

Ward: Purley and Woodcote

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."

Planning Sub-Committee

Meeting of held on Thursday, 28 July 2022 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillors Ian Parker, Sean Fitzsimons, Humayun Kabir, Joseph Lee and

Ellily Ponnuthurai and Nikhil Sherine Thampi

Apologies: Councillor Michael Neal, Clive Fraser, Karen Jewitt, Mark Johnson, Llabuti and

Holly Ramsey

PART A

A27/22 Minutes of the previous meeting

The minutes of the meeting held on 16 June 2022 were approved as an accurate record of the proceedings.

A28/22 Disclosure of Interest

There were no disclosures of pecuniary interests not already registered.

A29/22 Urgent Business (if any)

There was none.

A30/22 Planning applications for decision

There were two planning applications presented before the Sub-Committee for decision; the first was related to a property at 6 Craignish Avenue and involved the following:

Change of use from small House in Multiple Occupation (HMO) (C4 Use Class) to large 8 person HMO (Sui Generis).

The second was related to a property at 6 Oscar Close and involved the following:

Demolition of existing dwelling and the erection of two pairs of three bed semi's with associated parking, refuse and recycling stores and cycle stores and private amenity space.

Two applications had been withdrawn from the agenda prior to the meeting.

A31/22 20/01776/FUL - 6 Craignish Avenue, London, SW16 4RN

Ward: Norbury and Pollards Hill.

Jan Slominski, Applications Team Leader (Development Management), presented the application to the Sub-Committee highlighting that:

- The area had good public transport links and that the property was 550 metres from Norbury Station;
- The property was already in use as a House of Multiple Occupancy (HMO) and that the application requested to increase the number of occupants from six to eight;
- There were no external changes to the building proposed except a new bin storage facility and cycle storage facility, which were compliant with the Local Development Plan;
- There would be one kitchen with two sets of facilities and communal space for socialising;
- There would be no increased policy requirement for parking spaces as a result of amending the internal space to accommodate two extra bedrooms.

The Sub-Committee heard two representations against the application, which made the following points:

- There was no need in the area for more HMOs:
- Local residents had complained about poor use of communal bins and that there was excessive litter caused by increasing the capacity of properties;
- That there would be a lack of storage in the bedrooms;
- That the space allocated to such a high number of people would decrease their quality of life.

In response officers explained that the space allocated to the two extra bedrooms exceeded the requirements of the Council's HMO standards, and that communal space was also not required but that this application had included it. Officers also explained that the planned bin storage facility would be large enough for use by ten occupants, which again exceeded requirements.

After consideration of the officer's report, Councillor Parker proposed and Councillor Fitzsimons seconded the officer's recommendation, on the grounds that the proposals exceeded requirements for granting a HMO licence, and the Committee voted 5 in favour and one abstention from Cllr Ponnuthurai, so planning permission was **GRANTED** for development at 6 Craignish Avenue.

RESOLVED:

That the Planning Sub-Committee resolve to GRANT planning permission.

That the Director of Planning and Sustainable Regeneration has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement within three years of consent being granted
- 2) Development carried out in accordance with approved drawings and reports. Pre-occupation
- 3) Refuse Management Plan, including elevations and materials of store, waste and recycling management, to be submitted for approval Compliance
- 4) Provision of secure cycle storage as specified
- 5) HMO restricted to no more than 8 residents
- 6) In accordance with fire statement
- 7) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 8) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.

1 21/06018/FUL - 6 Oscar Close

Ward: Purley and Woodcote

Joe Sales, Planning Officer (Planning and Sustainable Regeneration), presented the application highlighting that:

- The proposed development was to replace a five-bedroom property with two pairs of semi-detached dwellings;
- There was a low risk of flooding in the area;

- The proposed development site was located 800 metres from the closest train station;
- The proposed development site was in a cul-de-sac;
- There was a tree preservation area next to the site and the proposed development would protect the tree root protection area, and that biodiversity enhancements would be secured in the conditions of the plan;
- The proposed development provided four extra car parking spaces;
- The proposed development was designed to match the traditional architectural style of the existing properties in the cul-de-sac.

The sub-committee heard one representation for and two representations against the application, which made the following points:

- The residents of Oscar Close had been inconvenienced over a long period of time by a high number of other developments on nearby roads:
- That the current building was very young at only 15 years old, and that the carbon emissions that would result from demolishing and redeveloping the site would not be mitigated against by installing solar panels;
- Whilst the build was ongoing machinery and service vehicles would block the road preventing access for residents, many of whom were young families;
- An elderly resident had been hospitalised due to stress from the ongoing developments in the area;
- There was not a housing need in the area to justify building new properties on the site.

After consideration of the officer's report, Councillor Sherine Thampi proposed and Councillor Kabir seconded the officer's recommendation, on the grounds that the considerations of the objectors could not be taken into account when deciding this application, and the Committee voted unanimously in favour, so planning permission was **GRANTED** for development at 6 Oscar Close.

RESOLVED:

- 1. That the Planning Committee resolve to GRANT planning permission
- 2. That the Director of Planning and Sustainable Regeneration is delegated authority to issue a Grant of planning permission subject to the following conditions and informatives:-
 - 1. Development to be implemented within three years.

- 2. In accordance with the approved plans. Pre-Commencement Conditions
- Submission of Construction Logistics Plan to Council for approval prior to commencement of demolition/construction works. Pre-Commencement Conditions (except for demolition and below slab level works)
- 4. Material and details to be submitted
- Full details of soft and hard landscaping, including new tree planting and biodiversity enhancements and boundary treatment to be submitted for approval and retained as appropriate thereafter. Pre-Occupation Conditions
- 6. Electric charging point/s for car parking and cycle storage
- 7. Details of refuse and cycle storage to be submitted
- 8. Development to meet energy efficiency/carbon reduction targets as appropriate. Compliance Conditions
- 9. Parking areas to be retained.
- 10. Implementation and adherence to actionable measures of Flood Risk Assessment submitted with application.
- 11. Implementation and adherence to actionable measures of Fire Strategy
- 12. Development to meet 110 litre per person/day water use target.
- 13. No windows/openings to be provided to flank elevation other than as shown on approved plans.
- 14. Flank windows to be obscurely glazed
- 15. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport. Informatives
 - 1. Community Infrastructure Levy
 - 2. Code of practice for Construction Sites
 - 3. Highways informative in relation to s278 and s38 works required
 - 4. Compliance with Building/Fire Regulations
 - Any other informative(s) considered necessary by the Director of Planning and Strategic Transport Page 26 2.3 That the 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.

The	meeting	ended	at	8	06	nm
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Signed:	

Date:	

Planning Sub-Committee

Meeting of held on Thursday, 11 August 2022 at 7.00 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Joseph Lee, Councillor Leila Ben-Hassel (Vice-Chair); Councillors

Chris Clark, Mark Johnson, Humayun Kabir, and Luke Shortland

Apologies: Councillor Michael Neal, Ian Parker, Sean Fitzsimons, Clive Fraser,

Karen Jewitt, Endri Llabuti, Ellily Ponnuthurai and Holly Ramsey

PART A

A32/22 Disclosure of Interest

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

A33/22 Urgent Business (if any)

There was none.

A34/22 Planning applications for decision

There was one planning application presented before the Sub-Committee for decision which involved the following:

Outline application for the consideration of access, appearance, layout and scale only in relation to the erection of two buildings comprising a total of 4 semi-detached houses, formation of vehicular access and provision of associated parking, refuse and bicycle storage fronting Ballards Rise.

A35/22 21/05664/OUT - Rear of 35 & 37 Croham Valley Road

Ward: South Croydon

Natalie Rowland, Principal Planning Officer (Planning and Sustainable Regeneration), presented the application to the Sub-Committee and highlighted to members that:

- The addendum which had been published shortly before the committee met that day had produced the results of the parking stress survey, which was 42 per cent;
- There was a high risk of surface water flooding in the area but that the application would be subject to a pre-commencement condition regarding Sustainable Drainage Systems (SUDs);
- The development site was built on a sloping road;
- A development opposite the site of this application had been approved for the erection of eight flats across two buildings;
- The application proposed six car parking spaces and cycle storage for all units:
- There were windows planned which would face a pathway which ran between the houses, which would allow light into the buildings but would be obscure glazed so as not to cause any privacy issues;
- There would be a compliance condition in place for visibility displays from the car parks to the road for which the developer would be responsible and to which the Transport Officer had no objections.

The Sub-Committee heard two representations against the application, and one representation on behalf of the applicant, which made the following points:

- 49 residents and the MP had objected to the planning application;
- The proposal was bulky, overbearing, and incompatible with the street scene;
- The buildings would tower over neighbouring properties due to the incline of the hill;
- The lack of sight-lines from the car park would compromise highway safety;
- There was a lack of consideration for the impact that a potential 24 extra residents would cause to the local amenities, especially since eight flats were being built opposite;
- That there was an acute need in the area for family housing and this development proposed to provide ample family housing;
- The development was designed to be traditional and complement the area and new development opposite;
- That there was sufficient separation from neighbouring properties to ensure privacy was retained;
- That there was ample car and cycle parking and that the location was well connected via public transport.

In response officers explained that regarding overlooking the gardens of some of the neighbouring properties was not an issue as the rear of the development site was lower down the hill than the property concerned. The distances from the properties also complied with Greater London Authority (GLA) guidance, and regarding the transport matter, a footpath had been installed on the opposite side of the street as part of the development of the eight flats opposite.

After consideration of the officer's report, Councillor Clark proposed and Councillor Kabir seconded the officer's recommendation with three in favour and 3 against. The Chair used his casting vote to **REFUSE** the application, on the grounds that it was out of character and that it would bring harm to neighbours due to dominance because of the changes in land level. The Committee voted 3 in favour, 3 against, with the Chair using his casting vote against, so planning permission was **REFUSED** for development at the Rear of 35 and 37 Croham Valley Road.

	The meeting ended at 8.41 pm
Signed:	
Date:	



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.



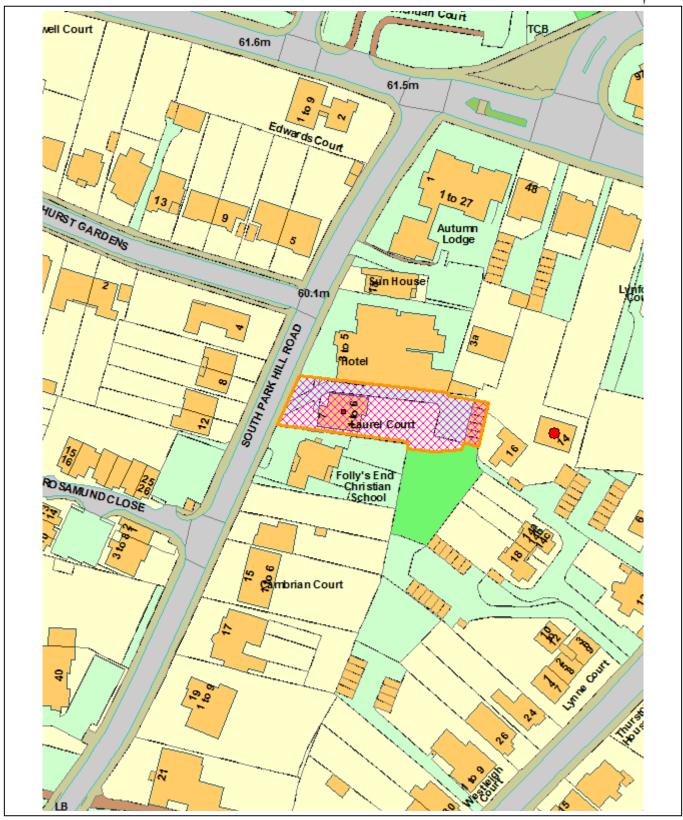
Agenda Item 5.1

CROYDON

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Reference number: 21/05536/FUL





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Item 5.1

1.0 APPLICATION DETAILS

Ref: 21/05536/FUL

Location: Laurel Court, 7 South Park Hill Road, CR2 7DY

Ward: South Croydon

Description: Erection of a fourth storey to facilitate the creation of 2 flats Drawing Nos: 3121(30)_001 Rev C, 3121(20)_001 Rev C, 3121(10)_001,

3121(20)_002, 3121(10)_004, 3121(10)_002, 3121(10)_003, 3121(10)_005, 3121(50)_002, 3121(40)_001, 3121(40)_002,

171214-D-001A

Agent: Duncan Clendenan

Applicant: Kris Maj Case Officer: Victoria Bates

- 1.1 This application is being reported to Planning Sub Committee in accordance with the following committee consideration criteria:
 - Objections above the threshold in the Committee Consideration Criteria have been received

2.0 RECOMMENDATION

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

Conditions

- 1. Commencement time limit of 3 years
- 2. Development carried out in accordance with approved drawings and reports

Pre-commencement Conditions

- 3. Construction Logistics Plan
- 4. Tree protection plan and measures to be secured

Compliance Conditions

- 5. Refuse and recycling details
- 6. Materials as specified
- 7. Compliance with Fire Strategy Statement
- 8. Energy and water efficiency requirements
- 9. Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1. Community Infrastructure Levy
- 2. Code of practice for Construction Sites
- 3. Compliance with Building/Fire Regulations
- 4. Construction Logistics Informative
- 5. Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.3 That the 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.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application seeks planning permission for the erection of a fourth storey to facilitate the creation of 2 flats.
- 3.2 The flats would be accessed from the existing resident's entrance. The flats would have access to the communal amenity space and play area. Refuse and cycle storage would be located in the basement within the existing storage.

Amendments

3.3 During the course of the application, the window on the northern elevation was altered from clear to obscurely glazed, and a screen is proposed on the southern elevation. The application form was also resubmitted with Certificate B signed, and a new location plan with the red line boundary around the entire site. The application was then reconsulted on for 21 days.

Site and Surroundings

3.4 The site is occupied by a block of 15 flats. The original building on the site (where the new flats are located) was refurbished and extended under 18/04376/FUL. To the south of the site is a nursery and to the north is a hotel. The area is primarily residential with a mixed character. There is a Tree Preservation Order (TPO) on the site at the front and an area TPO at the rear.



Figure 1 – front of site with adjoining premises

Planning History

3.5 20/05080/DISC - Discharge of conditions 4 (playspace), 7 (screening), 9 (refuse), 10 (cycle storage), 11 (electric vehicle charging points) and 16 (CO2), attached to planning permission 18/04376/FUL for the construction of 3-storey residential building at rear comprising 9 units (6 x 2 bed and 3 x 3 bed flats) with associated car parking, cycle storage, amenity space and refuse storage, and refurbishment of existing building with associated external alterations – Discharged

19/05820/DISC — Discharge of Condition 2 (materials) & Condition 14 (drainage) attached to planning permission 18/04376/FUL for the construction of 3-storey residential building at rear comprising 9 units (6 x 2 bed and 3 x 3 bed flats) with associated car parking, cycle storage, amenity space and refuse storage, and refurbishment of existing building with associated external alterations — Approved.

19/03237/DISC - Discharge of Condition 15 (Flood Resilience Measures) attached to PP

18/04388/FUL - Temporary change of use of part of back garden (C3 residential) to open air storage (B8) including installation of 3m high screened fencing to support associated works at neighbouring development – Planning Permission Granted.

18/04376/FUL – Construction of 3-storey residential building at rear comprising 9 units (6 x 2 bed and 3 x 3 bed flats) with associated car parking, cycle storage, amenity space and refuse storage, and refurbishment of existing building with associated external alterations – Planning Permission Granted.

73/20/1071 – Erection of three storey block of 6 two bedroom flats and garages – Planning Permission Granted.

72/20/2993 – Demolition of existing premises and erection of 1 three-storey block of 6 two-bedroom flats with garages – Planning Permission Granted.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the intensified residential development is acceptable;
- The quality of accommodation is acceptable for future residents;
- The design and appearance of the development is an acceptable quality, and it is not considered that it would harm the character of the surrounding area;
- The proposal would not create undue harm to the amenity of nearby residential properties and their occupiers;
- The level of parking and impact upon highway safety and efficiency would be acceptable;
- Sustainability aspects can be controlled by conditions.

5.0 LOCAL REPRESENTATION

5.1 The application was publicised by letters of notification to neighbouring properties. The number of representations received in response to the notification of the application are as follows:

No of individual responses: 14; Objecting: 14; Supporting: 0

5.2 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.

Objection	Officer comment		
Character and design			
Obtrusive by design	Acknowledged and addressed in		
Not in keeping with the area	paragraphs 7.6 – 7.9 of this report		
Impacts on neighbouring amenity			
Overlooking	Acknowledged and addressed in paragraphs 7.10-7.13 of this report		
Loss of light			
Overbearing			
Noise from construction	A construction logistics and management plan condition would be imposed. Construction works cannot take place out of permitted hours as outlined on the Council's website. The construction process would need to comply with environmental health legislation.		
Transport and highways impacts			
Traffic	Acknowledged and addressed in paragraphs 7.20-7.23 of this report		
Other matters			
Impact on property prices	This is not a material planning consideration		

Oversupply of flats in Croydon	Addressed in 7.2-7.5

6.0 RELEVANT PLANNING POLICIES AND GUIDANCE

- 6.1 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 London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012).
- 6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) (2021). 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.
- 6.3 The main planning Policies relevant in the assessment of this application are:

London Plan (2021):

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D11 Safety, security and resistance to emergency
- D12 Fire Safety
- H1 Increasing housing supply
- H2 Small sites
- H10 Housing size mix
- SI3 Energy infrastructure
- SI5 Water infrastructure
- 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 (2018):

- SP2 Homes
- DM1 Housing choice for sustainable communities
- SP4 Urban Design and Local Character
- DM10 Design and character
- DM13 Refuse and recycling
- SP6 Environment and Climate Change
- DM23 Development and construction

- DM25 Sustainable drainage systems and reducing floor risk
- SP8 Transport and communications
- DM29 Promoting sustainable travel and reducing congestion
- DM30 Car and cycle parking in new development

Supplementary Planning Documents/Guidance

- London Housing SPG (Mayor of London, 2016)
- Character and Context SPG (Mayor of London, 2014)
- Sustainable Design and Construction SPG (Mayor of London, 2014)

7.0 MATERIAL PLANNING CONSIDERATIONS

- 7.1 The main planning issues relevant in the assessment of this application are as follows:
 - Principle of development
 - Design and impact on the character of the area
 - Residential amenity for neighbours
 - Quality of accommodation for future occupiers
 - Transport
 - Refuse
 - Sustainability
 - Other planning considerations
 - Conclusion

Principle of development

7.2 Policy SP2.1 of the Croydon Local Plan (2018) states that 'in order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of development of new homes provided applications for residential development meet the requirements of Policy SP2, SP3.14 and other applicable policies of the development plan'.

- 7.3 Laurel Court consists of 6 x 2 bedroom flats. Planning Permission has been granted for the construction of a 3-storey residential building at the rear comprising 9 units (6 x 2 bed and 3 x 3 bed flats) with associated car parking, cycle storage, amenity space and refuse storage, and refurbishment of the existing building with associated external alterations under application 18/04376/FUL.
- 7.4 Consideration has been given regarding whether the introduction of two further flats would result in the application being considered as a major application thus whether affordable housing should be provided (Policy SP2, Policy 2.5, DM.1 of the Croydon Local Plan 2018). Given that the consented scheme has been completed and the time that has passed since permission was granted, the addition of two units that do not require significant works to other parts of the buildings would not result in the classification of this application as major.
- 7.5 The principle of additional units in this location is therefore acceptable.

Design and impact on the character of the area

- 7.6 Policies D3 and D4 of the London Plan (2021) generally require that development should make a positive contribution to local character, as well as the public realm and streetscape. Policy DM10 of the Croydon Local Plan (2018) requires the siting, layout and form of new development to respect the character and appearance of existing areas. DM10.1 seeks to achieve a minimum height of 3 storeys, whilst respecting scale, height, massing and density. Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.
- 7.7 The existing building is contemporary in character. The additional storey would have openings to match the floors below and a similar contemporary appearance. It would be set back from the front façade in order to appear subordinate. The façade would be zinc, with final detail of materials would be conditioned, which would aid subordination.
- 7.8 Within the streetscene, the height of the extension would appear proportionate to both neighbours. There is a slope North/South along South Park Hill Road. The height of the building would be taller than numbers 3-5 but shorter than number 9 which largely matches the gradient of the road. 11 South Park Hill Road (two plots to the south) is also three storeys with a set back fourth storey (granted under 18/00693/FUL).



Figure 2: Proposed streetscene elevation

Figure 3: CGI

7.9 In summary, the upwards extension would be generally in keeping with the design of the existing building and wider streetscene in accordance with SP4.1 and DM10 of the Croydon Local Plan and D3 of the London Plan.

Impact on Neighbour Amenity

- 7.10 Policy D3 of the London Plan indicates that in their neighbourhoods, people should have a good quality environment. Policy DM10 of the Croydon Local Plan requires the Council to have regard to the privacy and amenity of adjoining occupiers. Policies SP4.1 and SP4.2 seek to respect and enhance character, to create sustainable communities and enhance social cohesion and well-being.
- 7.11 To the north is 3-5 South Park Hill Road which is a hotel which has a temporary permission expiring in September 2022 for use as a boarding house. This building has side facing windows at the second floor. The side windows are secondary that appear to serve the ensuite bathrooms, with the main rooms having outlook to the front and rear. Outlook or lighting is therefore not significantly compromised. A side facing window is proposed on the proposed extension serving a bedroom. This will be conditioned as obscurely glazed and non-opening below 1.7 metres to protect privacy.
- 7.12 To the south is 9 South Park Hill Road which is a nursery. This property has windows that face on the application site, including one at roof level which would be a similar height to the proposed extension, one at first floor level and two at ground floor. There would be no side windows in the proposed extension, and the terrace would have a 1.7 metre perforated screen to prevent overlooking to the nursery's roof level window. With regards to outlook and lighting, the neighbour's roof level window would not be significantly affected; it is north facing and there would be a separation distance of 4 metres. Given the non-residential use, this relationship would be acceptable.
- 7.13 The two-bedroom flat would have windows to the rear which slightly overlook the existing flats with south facing windows to the rear of the site, although the angle would be perpendicular as opposed to direct. As the lower floors have windows in the same location, facing to the rear, the proposed two windows would not result in a significant increase in harm to these neighbours. There is also a roof top terrace at the rear of the site; given there is a 22 metre separation between the extension and this terrace, which has obscurely glazed screening, this relationship would be acceptable.

Quality of accommodation for future occupiers

7.14 D6 of the London Plan specifies overall flat sizes for various house and flat types. The proposed mix includes 1 x 2 bedroom 3 person unit and 1 x 1 bedroom 2 person unit. The internal floor to ceiling height would be 2.5 metres. Both meet the standards. As only two units are proposed, on balance family housing is not required.

- 7.15 Both units would be dual aspect allowing for natural lighting and cross ventilation. The 1 bedroom flat would have an obscurely glazed window in the bedroom. Whilst not ideal, there is a lesser expectation of outlook from a bedroom, a roof light is also proposed whilst the overall quality of this unit would not be compromised as the living room has a large set of doors onto the terrace that have an unobstructed outlook.
- 7.16 DM10.4c of the Croydon Local Plan requires all proposals to provide a minimum amount of private amenity space of 5m2 per 1-2 person unit and an extra 1m2 per extra occupant thereafter. Both units would have terraces meeting the standards. The flats would also have access to the communal garden and play area, accessed through the ground floor entrance lobby.
- 7.17 D7 of the London Plan states that 10% of new dwellings should meet M4(3) standards and 90% M4(2). Given the scheme is for two units, a M4(3) unit is not required. To be M4(2) a lift is required in the building, but this was not provided in the refurbishment and extension scheme (18/04376/FUL). The London Plan states that homes not on the ground floor on minor development can comply with M4(1) standard, which does not require step-free access, where provision of step-free access would be unfeasible. Given this extension is above an existing building without a lift, it is accepted by officers as unfeasible to expect a lift to be provided to an existing building that would serve only two new homes.
- 7.18 Policy D12 of the London Plan requires the highest standards of fire safety to be achieved and a fire safety strategy should demonstrate how the policy is met. A strategy has been provided which addresses this.
- 7.19 In summary, both units would have a good level of internal accommodation, external private amenity space, and access to communal and playspace in the wider development. This accords with D6 and D12 of the London Plan and DM10 of the Croydon Local Plan.

Transport

- 7.20 The site is located within an area of good public transport accessibility (PTAL level 4 on a scale of 1a-6b (where 6b is the most accessible). The site is well located for bus routes and in close proximity to South Croydon Train Station and Lloyd Park Tram Stop.
- 7.21 No off street car parking would be provided for the two units. No stopping is allowed on South Park Hill Road Monday-Saturday 7am-7pm, no parking is allowed on Rosamund Close or Coombe Road and there are a low number of bays on Birdhurst Gardens restricted to parking permit holders. Given that there are very few places to park, and access to public transport is good in this location, no parking provision is acceptable.
- 7.22 As only two new units are proposed, the proposal would not generate a significant amount of traffic.

7.23 Four cycle parking space are proposed in the basement. This provision is in accordance with T5 of the London Plan. Implementation will be conditioned

Refuse storage

7.24 Refuse storage for the additional units would be located in the basement. This is in accordance with DM13 of the Croydon Local Plan which promotes the integration of refuse facilities within the building line. Implementation will be conditioned.

Sustainability

7.25 Conditions would secure a 19% carbon dioxide emission reduction and a water use target of 110L per head per day thereby meeting sustainability targets.

Other Planning Considerations

- 7.26 There is a protected tree (TPO 1, 1994) located on the front boundary within the site. There is also an area TPO at the rear of the site (No. 5, 1993). The Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan submitted in the previous approval (18/04376/FUL) were deemed acceptable by the Tree Team. The proposed works do not go below ground, so the risk of harm to the protected tree at the front of the site would be negligible. A precommencement condition is required to ensure the trees are suitably protected during construction.
- 7.27 If permitted, the development would be liable for a charge under the Community Infrastructure Levy (CIL). This payment will contribute to delivering infrastructure to support the development of the area, such as local schools.
- 7.28 All other planning considerations including equalities have been taken into account.

Conclusion

7.29 All material considerations have been taken into account, including responses to the public consultation. Considering the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning policy terms. The application is recommended for approval.



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PART 5: Planning Applications for Decision

Item 5.2

1 SUMMARY OF APPLICATION DETAILS

Ref: 20/03380/HSE

Location: 37B Brighton Road, Purley, CR8 2LR

Ward: Purley and Woodcote

Description: Alterations and the erection of a single storey side extension including

pitched roof and conversion of garage to a granny annexe and

forecourt parking.

Drawing Nos: Site Location Plan, GM80-07 (existing), GM80-08 Rev A (except for

the "Key Plan"), GM80-09 Rev B, GM80-10 Rev A, GM80-11, GM80-

12 Rev B, GM80-13 Rev A

Applicant: London Borough of Croydon Councillor

Case Officer: Hayley Crabb

1.1 This application is being reported to Planning Sub Committee as the applicant is a Councillor and the Director of Planning and Strategic Transport considers it most appropriate for the planning application to be afforded Planning Sub Committee scrutiny in accordance with the Council's constitution..

RECOMMENDATION

- 2.1 That the 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) Three Years
- 2) In accordance with plans
- 3) Obscured glazed windows
- 4) Materials to match the existing
- 5) Parking layout
- 6) Fire Safety (Prior to the commencement of works above ground level)
- 7) Flood mitigation measures/Water butt
- 8) No separate use of Annexe

Informatives

- 1) Party Wall
- 2) Transport for London
- 3) Boundary informative

4) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

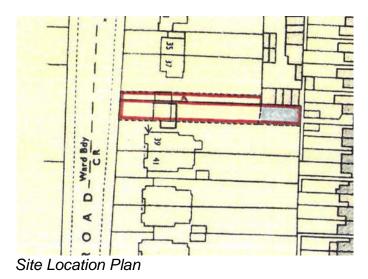
3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal seeks planning permission to erect a single storey side extension including pitched roof and conversion of garage to a granny annexe and forecourt parking.
- 3.2 It should be noted that drawing GM80-08 Rev A shows the proposed side extension (internal layout). This drawing however also shows the integral garage as a garage. The internal changes to the existing house/garage is however shown on drawing GM80-12 Rev A. Whilst the whole of the ground floor/changes have not been shown on the same drawing, it is considered the level of information is sufficient in order to assess and determine the application.

Site and Surroundings

- 3.3 The application site consists of a two storey house with an integral garage.
- 3.4 The area is primarily residential in character, however it is within close proximity to Purley Town Centre.
- 3.5 The site falls within a PTAL 3 Moderate accessibility to public transport links. It should be noted Brighton Road is a truck road (TFL road). The site is identified as at risk of flooding.



Planning History

3.6 20/03050/CONR - Variation of condition 4 (i) turning space within the premises shall also be kept free of parked vehicles attached to planning permission 78/20/991 for erection of detached house with integral garage, no 37 and vehicle access to no 39.— Application withdrawn (21.07.2022).

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The design and appearance of the development is appropriate.
- The living conditions of adjacent occupiers would be protected from undue harm subject to conditions.
- The level of parking and impact upon highway safety and efficiency is acceptable;

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 A total of 29 neighbouring properties were notified about the application and invited to comment. Site Notices were also erected. The number of representations received in response to notification and publicity of the application were as follows:

No of individual responses: 1 Objecting: 0 Supporting: 0 Comment: 1

No responses were received from neighbours or local groups. Two representations were made from an address elsewhere in the borough (approximately 1.5km away), raising the following issues which are addressed in this report:

- Loss of garage/reduction in car parking spaces/turning space
- Plans confusing (The change of the garage to a living space (annexe) including shower room has been shown as clarified in paragraph 3.2 above)
- 6.2 Transport for London (TFL) were consulted. TFL have raised no objection, subject to informatives being placed on the decision.

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 London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012).

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The principal planning issues relate to:
 - a. Townscape and visual impact
 - b. Residential amenity of neighbouring occupiers
 - c. Transport and highways
 - d. Fire Safety Strategy
 - e. Other

Principle of Development

8.1.1 The Local Plan supports householder extensions subject to acceptable design and character and impacts on the surrounding area. The proposed extension would be an annexe, which would be intrinsically linked to the main dwelling without separate access, and it would not be capable of being used as a separate dwelling without alteration. A condition is recommended to be attached to the permission preventing the use of the annexe as a separate dwelling. The proposed annexe would not conflict with the development plan.

Townscape and visual impact

- 8.2 Policy D3 of the London Plan (2021) explains that proposals should deliver buildings that enhance local context, respond to local distinctiveness, building types, forms and proportions; and be high quality, pay attention to detail and use attractive and robust materials. Policy D4 of the London Plan (2021) is also of relevance. Policy SP1.1 of the Croydon Local Plan (2018) indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character. Policy DM10 of the Croydon Local Plan (2018) explains that all new developments should contribute to enhancing a sense of place and improving the character of the area.
- 8.3 The application includes the erection of a single storey side extension and conversion of the existing garage into an annexe. This includes the removal of the garage door which would be replaced with a window. It is considered the proposed development would be acceptable in terms of its impact on the host house. It would be in keeping with the scale and character of surrounding buildings and their associated settings, and respect the character and visual amenities of the area.

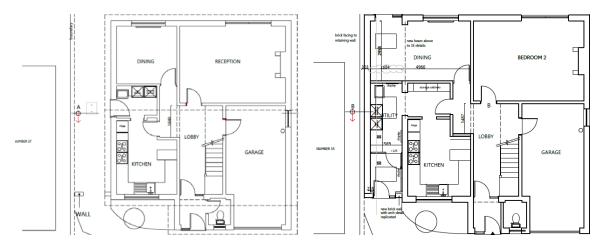


Existing and Proposed front elevations

8.4 With regard to parking on the frontage, historic photos show that the access/dropped kerb appears to have been there in excess of 7 years. It is proposed to reduce the existing grass area within the front garden, adjacent to the boundary with no. 39. Given that there is already a driveway and other frontages have parking on the frontage, it is considered this would not have an undue impact on the visual amenity of the street scene and character of the area in this instance.

Residential amenity of neighbouring occupiers

- 8.5 Policy D3 of the London Plan (2021) states development proposals should provide secure safe and inclusive environments, secure outlook, privacy and amenity. Policy DM10.6 of the Croydon Local Plan (2018) explains that the Council will not support development proposals which would have adverse effects on the amenities of the occupiers of adjoining buildings.
- 8.6 The proposed single storey side extension would be located adjacent to the boundary with no. 37 Brighton Road. Amended drawings have been submitted demonstrating that the proposed extension/roofing would fall within the curtilage of the site. The side elevation at no.37 has no side facing windows, therefore there would be no loss of amenity in that respect. The proposed extension would not project forward of the front elevation of no.37, and it would only project 2.3m further rearwards than no.37 with a separation distance of approximately 95cm (mostly within the curtilage of no.37). Given the size, siting and design of the extension, it is considered the proposed development would not have a significant effect on the amenities of no. 37 by reason of loss of light, loss of privacy/overlooking and visual intrusion such as to withhold planning permission. It is recommended for an informative to be placed on the decision for the applicant to measure the development prior to commencement to ensure no part of the extension/roofing would overhang the boundary. It is considered the proposed development would not have an undue impact on any other neighbouring property in this instance.



Existing and proposed relationship with no.37 (shown to the left)

Transport and highways

- 8.7 Policy T4 and T6 of the London Plan (2021) seek to ensure that the road network is safe for all while ensuring that an appropriate level of parking is provided in new developments Policy SP8 of the Croydon Local Plan (2018) is concerned with traffic generation, sustainable travelling and parking standards. Policy DM29 of the Local Plan (Promoting sustainable travel and reducing congestion) part (b) requires that development must have a positive impact and must not have a detrimental impact on highway safety for pedestrians, cyclists, public transport users and private vehicles. At paragraph 10.29 the supporting text states "All development has an impact on traffic movement in the borough. In order to reduce impact on traffic movement the Council will require new development to promote measures to increase the use of public transport, cycling and walking. Policy DM30 promotes sustainable growth and reducing impact of car parking in new development.
- 8.8 The subject site is in an area with a PTAL accessibility rating of 3 (on a scale of 1a 6b, where 6b is the most accessible) as indicated on maps produced by TFL and provides moderate access to public transport.
- 8.9 Planning permission was granted under application 78/20/991 for the erection of detached house with integral garage, no. 37 and vehicle access to no. 39. A condition was attached 4 (i) requiring that a turning space within the premises shall also be kept free of parked vehicles.
- 8.10 The current proposal seeks to remove the existing garage which would allow two cars to be able to comfortably park on the frontage, given there would not be any manoeuvring from a vehicle in the existing garage. This would allow two cars parked on the frontage sufficient space to turn on site and leave in forward gear. Brighton Road is part of the Transport for London (TFL) Road Network, therefore TFL were consulted. TFL have not raised an objection subject to an informative being placed on the decision in respect of TFL recommendations. It is also recommended for a

condition to be attached for the car parking to be provided as specified in the application prior to occupation of the development so that the vehicular access (crossover) to serve the proposed house shall be implemented as proposed.

Fire Safety Strategy

8.11 A Fire Safety statement has been submitted which accords with London Plan Policy D12 and is acceptable with regard to planning policy.

Flood Risk

8.12 SP6.4 of the Croydon Local Plan (2018) requires planning decisions to ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding. Policy DM25 is also of relevance. The site falls within an area identified as at risk of flooding. A Flood Risk Assessment (FRA) has been submitted which explains that the surface water will drain into existing areas of planting (although officers have noted above that one of these areas will be lost, some will remain) and an existing soakaway. It is recommended to secure the mitigation measures as outlined in the FRA in addition to the provision of a water butt to minimise surface water run-off.

Summary

8.13 The proposed development would comply with the development plan, subject to the recommended conditions, and no material considerations have been identified which outweigh the compliance with the development plan. It is therefore recommended that permission is granted subject to the above planning conditions.

6. OTHER MATTERS

6.1 All other planning considerations including equalities have been taken into account.

