

Planning Sub-Committee Agenda



To: Councillor Michael Neal (Chair)
Councillor Leila Ben-Hassel (Vice-Chair)
Councillors Ian Parker, Sean Fitzsimons, Joseph Lee and Ellily Ponnuthurai

A meeting of the **Planning Sub-Committee** which you are hereby summoned to attend, will be held on **Thursday, 15 December 2022** at the rise of Planning Committee but not earlier than **7.00 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

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www.croydon.gov.uk/meetings
Wednesday, 7 December 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 - 10)

To approve the minutes of the meeting held on Thursday 20 October 2022 and Thursday 10 November 2022 as accurate records.

3. Disclosure of Interest

Members are invited to declare any disclosable pecuniary interests (DPIs) and other registrable and non-registrable interests they may have in relation to any item(s) of business on today's agenda.

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 11 - 14)

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

5.1 22/00530/FUL - 19 Ashburton Road, Croydon, CR0 6AP
(Pages 15 - 32)

Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling.

Ward: Addiscombe East
Recommendation: Grant permission

5.2 22/03215/FUL - 19 Ashburton Road, Croydon, CR0 6AP
(Pages 33 - 48)

Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling.

Ward: Addiscombe East
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 held on Thursday, 20 October 2022 at 8.33 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);
Councillor Leila Ben-Hassel (Vice-Chair);
Councillors Sean Fitzsimons, Clive Fraser, Holly Ramsey and Luke Shortland

Also Present: Councillors Danielle Denton and Alasdair Stewart

Apologies: Councillors Joseph Lee, Ian Parker and Elily Ponnuthurai

PART A

A42/22 **Minutes of the previous meeting**

RESOLVED that the minutes of the meetings held on Thursday 28 July 2022 and Thursday 11 August 2022 be signed as correct records.

A43/22 **Disclosure of Interest**

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

A44/22 **Urgent Business (if any)**

There was none.

A45/22 **Planning applications for decision**

A46/22 **22/02827/FUL - 70 Croham Road, South Croydon, CR2 7BD**

Conversion of two self-contained flats into one single dwellinghouse.

Ward: South Croydon

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

Andy Lang spoke in support of the application.

The Ward Member Councillor Danielle Denton addressed the committee with her view on 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 REFUSE the application based on the officer's recommendation was proposed by Councillor Fitzsimons. This was seconded by Councillor Fraser.

The motion to grant the application was taken to a vote and fell with two Members voting in favour, three Members voting against and one Member abstaining.

Councillor Ramsey proposed to GRANT the application on the basis that there was a need for larger family homes within the borough. This was seconded by Councillor Ben-Hassel.

The motion to grant the application was taken to a vote and carried with four Members voting in favour and two Members voting against the application.

The Committee **RESOLVED** to **GRANT** the application for the development at 70 Croham Road, South Croydon, CR2 7BD.

Councillors requested that an informative was included on the decision notice to clarify that the proposal is a departure from planning policy which is only considered acceptable in this specific circumstance by the Planning Subcommittee due to the particular needs of the family occupying the dwelling and should not be used as a precedent for the nature of this development (loss of a residential unit).

The Chair called for a vote to extend the Planning Committee meeting past the 10pm guillotine, this was taken to a vote and carried with all Members voting to extend the meeting.

A47/22 22/00419/FUL - 9 The Spinney, Purley CR8 1AB

Demolition of existing property and garage and erection of 5 x 3 storey town houses with associated parking & landscaping.

Ward: Purley Oaks And Riddlesdown

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

James Robertson spoke in objection to the application.

Adem Mehmet spoke in support of the application.

The Ward Member Councillor Alasdair Stewart addressed the committee with his view on 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 proposed by Councillor Fraser. This was seconded by Councillor Ben-Hassel.

The motion to grant the application was taken to a vote and carried with six Members voting in favour and no Members voting against.

The Committee **RESOLVED** to **GRANT** the application for the development at 9 The Spinney, Purley CR8 1AB.

The meeting ended at 10.30 pm

Signed:

Date:

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Planning Sub-Committee

Meeting held on Thursday, 10 November 2022 at 9.33 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Michael Neal (Chair);
Councillor Leila Ben-Hassel (Vice-Chair);
Councillors Ian Parker, Sean Fitzsimons, Clive Fraser and Joseph Lee

Apologies: Councillor Ellily Ponnuthurai

PART A

The Chair called for a vote to extend the Planning Committee meeting past the 10pm guillotine, this was taken to a vote and carried with all Members voting to extend the meeting.

A1/22 Minutes of the previous meeting

RESOLVED that the minutes of the meeting held on Thursday 27 January 2022 be signed as a correct record.

A2/22 Disclosure of Interest

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

A3/22 Urgent Business (if any)

There was none.

A4/22 Planning applications for decision

A5/22 22/00495/FUL - Ground Floor Commercial Units, Smitham Yard, Leaden Hill, Coulsdon, CR5 2BQ

Change of use from restricted Class B1(a) [now (Class E(g)(i), offices] to unrestricted Class E (commercial, business and service) and Class F.1 (learning and non-residential institutions).

Ward: Coulsdon Town

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

Katy Mourant 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 proposed by Councillor Parker. This was seconded by Councillor Fraser.

The motion to grant the application was taken to a vote and carried with six Members voting in favour and no Members voting against.

The Committee **RESOLVED** to **GRANT** the application for the development at Ground Floor Commercial Units, Smitham Yard, Leaden Hill, Coulsdon, CR5 2BQ.

The meeting ended at 10.00 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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1.0 APPLICATION DETAILS

Ref: 22/00530/FUL
Location: 19 Ashburton Road, Croydon, CR0 6AP
Ward: Addiscombe East
Description: Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling
Drawings: 269 3, 269 EX.00, 269 EX.01 A, 269 EX.02 A, 269 EX.03, 269 PR.00 A, 269 PR.01 B, 269 PR.02, 269 PR.03, 269 PR.04
Statements: Design, Access & Planning Statement, Fire Statement
Agent: Ike Obanye. Iketecture
Case Officer: George Clarke

1.1 This application is being reported to Planning 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 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. Three-year time limit for commencement.
2. Requirement for development to be carried out in accordance with the approved drawings and reports.

Pre-Commencement of Development Conditions

3. Submission and approval of a Construction Management Plan and Construction Logistics Plan.
4. Submission and approval of material details
5. Submission of mirror glazing details
6. Submission and approval of cycle and refuse storage details
7. Submission and approval of landscaping details including the green roof
8. Submission of a waste management plan

Compliance Conditions

9. Compliance with fire strategy
10. Compliance with dwelling emissions rate and water efficiency standard.

11. 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. Compliance with Building/Fire Regulations
 4. Construction Logistics Informative
 5. Refuse and cycle storage Informative
 6. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport
- 2.3 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the East India Estate Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application seeks planning permission for changes to convert an existing rear outbuilding into a two bedroom dwelling. The footprint of the existing building would be reduced by approximately 86m², with new private gardens created around it with boundary treatment.

Amendments

- 3.2 A change was made to the size of the two bedrooms so that they each meet the London Plan size requirement for double occupancy. An emergency access route which was shown from College Court has been removed. A formal car parking space to the existing front drive area is also now shown. Amended plans were also received which corrected inconsistencies in dimensions stated. These changes are minor in nature and re-consultation was not deemed necessary.

Site and Surroundings



Figure 1 – Google maps view of site

- 3.3 The building subject to the application is single storey and is located at the end of the rear garden of 19 Ashburton Road. Since the outbuilding was constructed the original single family dwellinghouse at 19 Ashburton Road has gained planning permission and implemented the use as 4 flats. The site is bounded to the south by the driveway and rear parking area serving a three storey block of flats called College Court. To the north, the site is bounded by a pair of semi-detached houses. The site is bounded to the rear by the gardens of properties on Outram Road. The site is within the East India Estate Conservation Area.
- 3.4 The application site has a Public Transport Accessibility Level (PTAL) of 4 (on a scale of 1a to 6b) and is within a Controlled Parking Zone (CPZ).
- 3.5 The site is in Flood Zone 1 (low risk).

Relevant Planning History

- 3.6 22/03215/FUL - Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling. **This application has also been referred to this committee for members' consideration**
- 3.7 22/00983/FUL - Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling. Permission refused 16/06/2022 *Reason: Poor living conditions for future occupiers*. Appeal lodged
- 3.8 21/04945/FUL - Alterations to the building at the rear of the site as part of the proposed change of use from storage and leisure into a self-contained dwelling. Permission refused 28/01/2022 *Reasons: Poor living conditions for future occupiers, harm to neighbours, not suitable for disabled end users specified*. Dismissed at appeal ref: APP/L5240/W/22/3293516

- 3.9 20/02685/FUL - Alterations to the exterior of the building as part of the 'change of use from an outbuilding under C3 - single dwelling houses' use, to a separate C3 use - single dwelling house. The proposal also makes external, fenestration, and internal alterations in order to cater for the much needed accommodation, without negatively effecting the surrounding properties or streetscene. Permission refused 04/09/2020 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, inadequate car and cycle parking, loss of amenity for occupiers of 19 Ashburton Road.* Dismissed at appeal ref: APP/L5240/W/21/3266452
- 3.10 19/03971/FUL - Conversion of existing outbuilding to residential flat. Permission refused 25/10/2019 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, harm to neighbours.* Dismissed at Appeal ref: APP/L5240/W/19/3242553. Inspector's decision upheld at The Court of Appeal
- 3.11 19/01717/FUL - Conversion of existing outbuilding into residential flat. Permission Refused 21/06/2019 *Reasons: Harmful appearance, inadequate refuse storage, inadequate cycle storage, harm to neighbours.*
- 3.12 18/03434/FUL- Conversion of the existing outbuilding to form a three bedroom residential flat with cycle and refuse storage. Permission refused 12/09/2018 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, inadequate cycle storage, harm to neighbours*
- 3.13 17/03956/LE - LDC refused for use of building at rear for purposes within class B8 (storage and distribution). 06/09/2017
- 3.14 14/00420/RES - Approval - Discharge of condition 2 attached to planning permission 11/03663/P. 17/04/2014
- 3.15 12/02679/P - Granted planning permission for erection of dormer extensions in front and rear roof slopes and single storey rear extension. 06/12/2012
- 3.16 12/01781/P - Refused planning permission for alterations; use as house in multiple occupation to include erection of dormer extensions in rear roof slopes and single storey rear extension. 30/08/2012
- 3.17 12/00173/LP - Granted lawful development certificate for erection of single storey detached building at rear. 14/03/2012
- 3.18 11/03663/P - Granted planning permission for alterations; conversion to form 1 two bedroom, 1 studio and 2 one bedroom flats; erection of single storey rear extension and construction of dormer roof extensions in front and rear roof slopes; provision of associated parking. 09/03/2012

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of changing the use of the building to residential would contribute to the Borough's housing targets is acceptable.
- The design and appearance of the development is acceptable and would improve the existing appearance of the site. Planning conditions are recommended to ensure that the development would use high quality materials and have good quality landscaping.
- The living standards for future occupiers would be acceptable
- The living conditions of adjoining occupiers would be protected from harm
- The level of parking and impact upon the local transport network is considered acceptable
- The proposal's impact on trees and biodiversity is acceptable

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 37 neighbouring properties were notified of the application and invited to comment. A site notice was erected on 03/03/2022 and the application was publicised in the local press on 10/03/2022. A total of 22 representations were received, all of which were in objection to the proposal.

6.2 The following local groups/societies made representations:

- The Mid-Croydon Conservation Area Advisory Panel (objecting)
- The HOME Resident's Association (objecting)

6.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

SUMMARY OF OBJECTIONS	RESPONSE
Principle of development	
Overdevelopment	See paragraphs 8.2-8.3 and 8.6-8.12
Design	
Harmful appearance and unsuitable for a Conservation Area	See paragraphs 8.6-8.12
Inappropriate back land development	See paragraphs 8.6-8.12
Green roof would become an eyesore	A maintenance program can be required as part of a landscaping condition

Amenity	
Loss of privacy	See paragraphs 8.19-8.24
Noise	See paragraph 8.24
Poor light and outlook for new dwelling	See paragraphs 8.13-8.16
Inappropriate/narrow access	See paragraph 8.16
Loss of the existing garden space	See paragraph 8.23
Highways & Parking	
Insufficient car parking	See paragraphs 8.26-8.27
Negative impact on highway safety	See paragraphs 8.26-8.30
Cycle storage not enclosed	See paragraph 8.28
Landscaping	
Trees have been lost	See paragraphs 8.33-8.34
Lack of soft landscaping	See paragraph 8.33
Fencing and gates inadequately specified	See paragraph 8.22
Other matters	
Maintenance concerns	The reduction in built footprint would improve access to the site and maintenance program can be required as part of a landscaping condition
Building may not be lawful and should be demolished	The building has been at the site for approximately 10 years. This proposal would reduce the size of this significantly to the benefit of the area
No mention of flood prevention/protection	See paragraphs 8.36-8.38
Incorrect ownership information	An application form with corrected certificate b information was received on the 3 rd of May 2022
Bin storage a long way from dwelling	See paragraph 8.29
Inconsistencies in the plans for the dimensions of the existing building	Amended plans were received which confirm the dimensions of the existing outbuilding

6.4 The following additional issues were raised in representations that officers have considered, and would like to bring make the Committee aware of, noting that they are not material to the determination of the application:

- Shared boundary issues
- Too many applications submitted for this site
- Some errors in the planning statement

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- HC1 Heritage Conservation and Growth
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM18 Heritage Assets and Conservation
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM35 Addiscombe

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). 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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues relevant in the assessment of this application are as follows:

1. Principle of Development
2. Design and Appearance
3. Housing Quality
4. Impact on Surrounding Neighbours
5. Highways, Parking and Refuse
6. Trees and Biodiversity
7. Flood Risk and Sustainable Drainage
8. Fire Safety
9. Other Matters

Principle of Development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher target of 2,079 homes per year.

- 8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with an small-sites housing target of 641 per year.
- 8.4 The application relates to an existing outbuilding which has been constructed larger than as shown on the plans granted a Lawful Development Certificate under reference 12/00173/LP. This was granted with a depth of 19.5m and the building on site has a depth of just over 22m. It has however been in situ for approximately 10 years and may be lawful through the passage of time. The lawful use of the outbuilding was to be incidental to that of the single family dwelling at 19 Ashburton Road. In 2014 the main house was lawfully converted into flats and the applicant's Design, Access & Planning Statement asserts that the building subject to this application is vacant, but also that historically it 'has been used for residential purposes ancillary to the residential use of the house'
- 8.5 Similar applications seeking to convert the outbuilding into a dwelling have been refused previously and these decisions, along with their associated appeals, have been taken into account in the assessment of this proposal. There is no in principle objection to the conversion of this building into a dwelling if the proposal complies with all other relevant policies within the Council's Development Plan.

Design and Appearance

- 8.6 Policies SP4.1 and DM10.1 of the Local Plan state 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.
- 8.7 The site is within the East India Conservation Area. Local Plan Policy DM18 seeks to preserve and enhance the character, appearance and setting of heritage assets. Policy HC1 of the London Plan (2021) requires development proposals affecting heritage assets and their setting to conserve their significance and the cumulative impacts of incremental change should be actively managed.
- 8.8 The site is located within a largely residential area featuring mainly large detached and semi-detached dwellings within deep plots. The Inspector for the most recent appeal decision associated with application 20/02685/FUL found that 'the long rear gardens add to the spacious quality of the area'.
- 8.9 The Inspector from the appeal for 20/02685/FUL also found that 'The existing building already detracts from the character and appearance of the CA, due to a combination of its overall size and scale and appearance.' The Council acknowledges that the existing building has been in situ for many years and has fallen into a poor state of repair.

8.10 The proposal would demolish significant sections of the building, reducing the building footprint by half, from approximately 172m² to 86m². This would bring the building away from the rear boundary shared with Outram Road and restore formally green areas at the site. A green roof is also proposed which would help the development blend into its back land setting. A condition is recommended to specify details and maintenance of the landscaping including the green roof and boundary treatment.

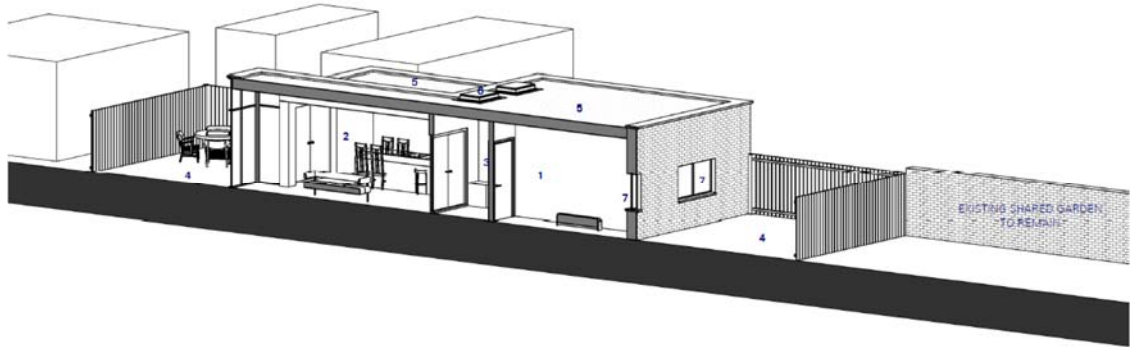


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8.12 In summary, subject to conditions the proposal would significantly improve the existing appearance of the site through a large reduction in the built footprint and improvement to the quality of the appearance of the building. It therefore would have an acceptable impact on the East India Estate Conservation Area.

Housing Quality

8.13 London Plan Policy D6 requires housing developments to be of a high quality design and contains space standards for new dwellings. The provision of dual aspect dwellings should be maximised and a single aspect dwelling should only be provided where a more appropriate design solution to meet the requirements of Part B in Policy D3 (optimising site capacity through the design led approach). The design should provide sufficient daylight and sunlight and ensure the usability of outdoor space is maximised.

8.14 The development would create a two bedroom dwelling with a four person occupancy. The internal floor area would be 76m² as measured on plan which exceeds the London Plan requirement of 70m². Each of the bedrooms would be larger than the 11.5m² minimum for double occupancy. The home would be multiple aspect with openings on the west, east and south elevations. This would provide occupiers with good levels of natural light, ventilation and outlook.

8.15 The dwelling would be afforded over 100m² of garden space on three sides. The garden area to the east of the building would be approximately 17m from rear first floor rear windows at 19 Ashburton Road. The area to the west would offer greater privacy and overall, the size and quality of the amenity space satisfies Local Plan Policy DM10.4.

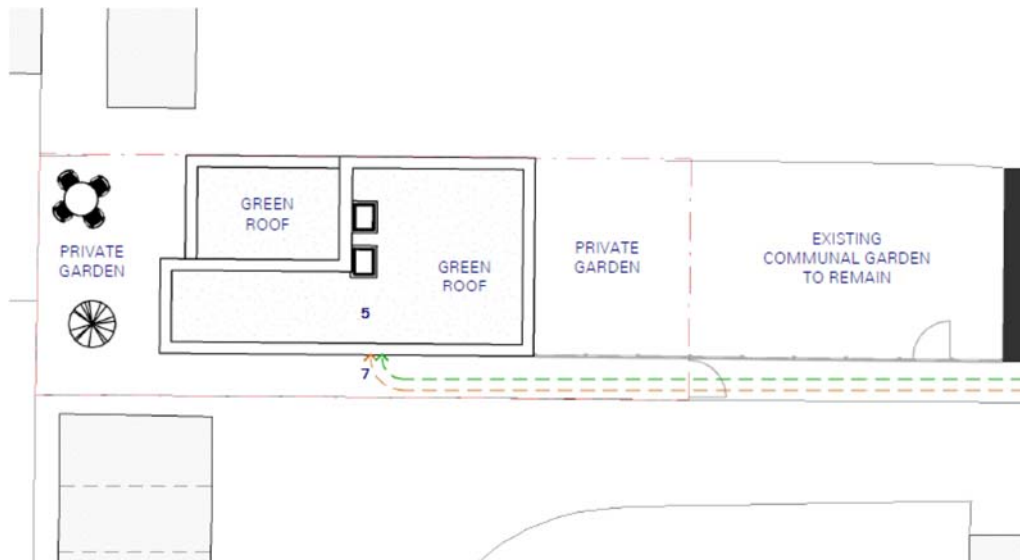


Figure 3 – Proposed Block Plan

8.16 London Plan Policy D7 requires new dwellings to be building regulation M4(2) compliant for use by persons with disabilities. The access to the proposed dwelling is shown as having a suitable 1.5m width and a disabled parking space is proposed within the existing driveway. The Council is satisfied that the dwelling would be suitably accessible.

Impact on Surrounding Neighbours

8.17 The London Plan (2021) Policy D6 states that “development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.”

8.18 Policy DM10.6 of the Croydon Local Plan (2018) states the Local Planning Authority would not support development proposals, which would harm the amenities of the occupiers of adjoining buildings.

8.19 The immediate neighbours bordering the site are 21 Ashburton Road to the North, 32 and 34 Outram Road to the west and rear garages of College Court to the south. The potential impact upon living conditions of the existing flats within the frontage building at 19 Ashburton Road also requires assessment.

- 8.20 The proposed dwelling would have a maximum height of 3m, which is 400mm taller than the existing building. The length of wall adjacent to the shared boundary with 21 Ashburton Road would however be reduced by 10m and it is considered that despite the height increase, the relationship between the building and this neighbour would be improved as the extent of the building would be significantly reduced.
- 8.21 The alterations to the building would also move the western wall 4m away from the boundary shared with 32 and 34 Outram Road and it is considered that this would result in an improved relationship (when compared with the existing situation), with these neighbours.
- 8.22 The distance between the first floor rear windows of the frontage building at 19 Ashburton Road and the proposed east facing windows in the new dwelling would be greater than 20m. The separation distance is similar to the first floor rear windows of 21 Ashburton Road. As a single storey home, privacy to the windows of ground floor rooms would be protected by boundary fencing. A condition is recommended requiring details of this boundary fencing, to ensure it is suitable for screening.
- 8.23 The existing communal rear garden space afforded to 19 Ashburton Road would be reduced in size by approximately 20m² to 77m². Whilst not an insignificant loss it is considered that on balance the development would not be harmful to occupiers of 19 Ashburton Road as they would benefit from a reduction in the building's size an increased separation, factors which would greatly improve outlook from first floor rear windows and the environment of the site. Given that the existing outbuilding is not used by residents of the frontage building there is not considered to be any conflict with Local Plan Policy DM10.4, as more than a 10m depth and over half of the existing communal garden area would be retained. The creation of a private garden area between the new dwelling and the existing communal garden serving 19 Ashburton Road would prevent any loss of privacy for this space. Glazing with backout technology is proposed to prevent views into the new home and mitigate light pollution out from the residential use. It is recommended that a condition be applied so the Council can require details of this technology.
- 8.24 Objections were raised regarding access arrangements which originally showed a passage to the site through College Court. Amendments were received which removed this and the scale and position of the development would not harm these neighbours in any way. The use as a two bedroom dwelling would not be expected to result in the generation of excessive noise. In summary, the proposal is not considered harmful to living conditions at any neighbour.

Highways, Parking and Refuse

- 8.25 Policy SP8 of the Local Plan (2018) is in relation to traffic generation, sustainable travelling and parking standards. Local Plan Policy DM30 seeks to ensure that there is an appropriate level of car and cycle parking for developments
- 8.26 The site has a PTAL of 4 indicating that it has moderate access to public transport. The London Plan and Policy DM30 of the Croydon Local Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels.
- 8.27 Table 10.3 of the London Plan gives a maximum car parking provision of 0.5 - 0.75 spaces per 1-2 bed home. The street is in a Controlled Parking Zone. One disabled accessible off street car parking space is proposed at the front of 19 Ashburton Road and would be the only car parking space for both buildings on site. The appeal decision from application 20/02685/FUL found that there would be no harmful effect to on-street car parking pressures from the one additional residential unit and the proposed plans show the same car parking layout as that scheme. The car parking as proposed is therefore acceptable.
- 8.28 Cycle storage for both 19 Ashburton Road and the proposed development would be accommodated within the existing front drive. This storage area is large enough to provide 7 spaces as required by London Plan Table 10.2. A condition is recommended requiring details of this facility which must be suitably accessible, sheltered and secure.
- 8.29 Bins are also shown within this frontage area. There is sufficient space to meet the requirements of all the dwellings within the site and the location is suitable for collection from the street. The bin storage would be over 40m from the new dwelling entrance although the private garden area would be approximately 35m away. Whilst this is not ideal in terms of a carry distance for residents, a Waste Management Plan could be secured by condition. A condition is also recommended to require details of a bin store to be submitted, in the interest of protecting the appearance of the East India Estate Conservation Area.
- 8.30 Officers are satisfied that the scheme would not harm the safety and efficiency of the highway network. It is considered the network and transport impacts associated with the developments on traffic and transport would be negligible and it is unlikely to have a significant impact on highway safety.

Trees and biodiversity

- 8.31 Local Plan Policy DM28 states that the Council will protect and enhance the borough's trees and hedgerows by not permitting development that would result in the avoidable loss or excessive pruning of preserved trees or hedgerows or those that make a positive contribution to the character of an area. London Plan Policy G6 seeks development to provide a biodiversity net gain and G7 seeks to ensure trees of value are retained.

- 8.32 Local Plan Policy DM27 outlines that development proposals should enhance biodiversity across the borough and improve access to nature.
- 8.33 The proposal would reduce the built site coverage by approximately half and the building would be fitted with a green roof. This would result in a significant environmental improvement from existing. To ensure a suitable mix of planting is installed, a condition requiring details of the soft landscaping including a maintenance schedule is recommended.
- 8.34 The nearest mature tree to the development is close to the rear boundary of 34 Outram Road. The proposal would demolish the existing part of the building closest to this tree and the new dwelling would be sited more than 6m away from the tree. The development is not considered threat to this or any other trees surrounding the site.
- 8.35 Croydon Local Plan Policy SP6.3 requires all new build residential development to achieve the national technical standard for energy efficiency in new homes set at a minimum of 19% CO2 reduction beyond Part L of the Building Regulations and requiring new build development to meet a minimum water efficiency standard of 110 litres/person/day. Consequently, it is recommended that conditions be imposed to ensure that the development achieves both requirements.

Flood Risk and Sustainable Drainage

- 8.36 In order for the Council to ensure that development within the borough reduces flood risk and minimises the impact of flooding, Policy DM25 of the Local Plan (2018) requires development proposed within areas at risk of flooding development to incorporate flood resilience and resistant measures into the design, layout and form of buildings to reduce the level of flood risk both on site and elsewhere.
- 8.37 The site is within Flood Zone 1 which indicates a low risk of flooding. There is a also a low risk of surface water flooding according to the Government's long term flood risk service website.
- 8.38 There would be a significant increase in permeable areas within the site resulting from the development. The green roof would also help reduce surface water run off rates. The proposal is therefore considered to suitably reduce flood risk for this and surrounding sites.

Fire Safety

- 8.39 Policy D12 of the London Plan (2021) requires all development proposals to achieve the highest standards of fire safety.

8.40 A Fire Statement has been submitted in support of the application. It confirms that the building will be constructed with fire resistant materials meeting British Standards. A fire detection system and emergency lighting is to be installed.

8.41 The details provided are sufficient to demonstrate that the development can achieve a high standard of fire safety and the proposal complies with Policy D12 of the London Plan (2021).

Other Matters

8.42 All material considerations have been taken into account, including responses to the public consultation. Taking into account 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.

Conclusion

8.43 The principle of providing a new dwelling at this site is supported. The design of the scheme is of an acceptable standard and appropriate in relation to residential amenity, transport and sustainability matters. Therefore, it is recommended that planning permission be **GRANTED**.

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1.0 APPLICATION DETAILS

Ref: 22/03215/FUL
Location: 19 Ashburton Road, Croydon, CR0 6AP
Ward: Addiscombe East
Description: Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling
Drawings: A100 REV02, A101 REV02, A102 REV02, A103 REV02, A104 REV02, A105 REV02, A106 REV02, A107 REV02, A108 REV02, A109 REV02, A110 REV02, A111 REV02
Statements: Design, Access, Planning and Fire Statement
Agent: Mr Abbas Dato
Case Officer: George Clarke

1.1 This application is being reported to Planning 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 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. Three-year time limit for commencement.
2. Requirement for development to be carried out in accordance with the approved drawings and reports.

Pre-Commencement of Development Conditions

3. Submission and approval of a Construction Management Plan and Construction Logistics Plan.
4. Submission and approval of material details
5. Submission of 'smart glass' glazing details
6. Submission and approval of cycle and refuse storage details
7. Submission and approval of landscaping details including the green roof
8. Submission of a waste management plan

Compliance Conditions

9. Compliance with fire strategy

10. Compliance with dwelling emissions rate and water efficiency standard.
11. 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. Compliance with Building/Fire Regulations
 4. Construction Logistics Informative
 5. Refuse and cycle storage Informative
 6. Any other informative(s) considered necessary by the Director of Planning and Strategic Transport
- 2.3 That the Committee confirms that it has paid special attention to the desirability of preserving or enhancing the character and appearance of the East India Estate Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application seeks planning permission for changes to an existing rear outbuilding to convert it into a two bedroom dwelling. The footprint of the existing building would be reduced by approximately 56m², with a private garden created to the south featuring boundary treatment.

Amendments

- 3.2 An updated application form with Certificate B completed with the details of other owners of the site was received on 03/11/2022. Amended plans were also received to correct the scale of some drawings.

Site and Surroundings

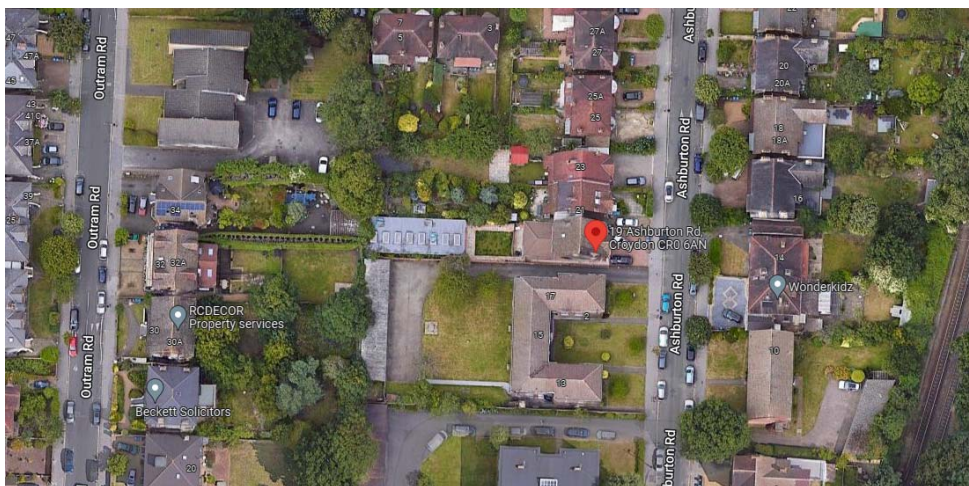


Figure 1 – Google maps view of site

- 3.3 The building subject to the application is single storey and is located at the end of the rear garden of 19 Ashburton Road. Since the outbuilding was constructed the original single family dwellinghouse at 19 Ashburton Road has gained planning permission and implemented the use as 4 flats. The site is bounded to the south by the driveway and rear parking area serving a three storey block of flats called College Court. To the north, the site is bounded by a pair of semi-detached houses. The site is bounded to the rear by the gardens of properties on Outram Road. The site is within the East India Estate Conservation Area.
- 3.4 The application site has a Public Transport Accessibility Level (PTAL) of 4 (on a scale of 1a to 6b) and is within a Controlled Parking Zone (CPZ).
- 3.5 The site is in Flood Zone 1 (low risk).

Relevant Planning History

- 3.6 22/00530/FUL - Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling. **This application has also been referred to this committee for members' consideration**
- 3.7 22/00983/FUL - Alterations to the building at the rear of the site and associated alterations as part of the proposed change of use from storage and leisure into a self-contained dwelling. Permission refused 16/06/2022 *Reason: Poor living conditions for future occupiers.* Appeal lodged
- 3.8 21/21/04945/FUL - Alterations to the building at the rear of the site as part of the proposed change of use from storage and leisure into a self-contained dwelling. Permission refused 28/01/2022 *Reasons: Poor living conditions for future occupiers, harm to neighbours, not suitable for disabled end users specified.* Dismissed at appeal ref: APP/L5240/W/22/3293516
- 3.9 20/02685/FUL - Alterations to the exterior of the building as part of the 'change of use from an outbuilding under C3 - single dwelling houses' use, to a separate C3 use - single dwelling house. The proposal also makes external, fenestration, and internal alterations in order to cater for the much needed accommodation, without negatively effecting the surrounding properties or streetscene. Permission refused 04/09/2020 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, inadequate car and cycle parking, loss of amenity for occupiers of 19 Ashburton Road.* Dismissed at appeal ref: APP/L5240/W/21/3266452
- 3.10 19/03971/FUL - Conversion of existing outbuilding to residential flat. Permission refused 25/10/2019 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, harm to neighbours.* Dismissed at Appeal ref: APP/L5240/W/19/3242553. Inspector's decision upheld at The Court of Appeal

- 3.11 19/01717/FUL - Conversion of existing outbuilding into residential flat. Permission Refused 21/06/2019 *Reasons: Harmful appearance, inadequate refuse storage, inadequate cycle storage, harm to neighbours.*
- 3.12 18/03434/FUL- Conversion of the existing outbuilding to form a three bedroom residential flat with cycle and refuse storage. Permission refused 12/09/2018 *Reasons: Poor living conditions for future occupiers, harmful appearance, inadequate refuse storage, inadequate cycle storage, harm to neighbours*
- 3.13 17/03956/LE - LDC refused for use of building at rear for purposes within class B8 (storage and distribution). 06/09/2017
- 3.14 14/00420/RES - Approval - Discharge of condition 2 attached to planning permission 11/03663/P. 17/04/2014
- 3.15 12/02679/P - Granted planning permission for erection of dormer extensions in front and rear roof slopes and single storey rear extension. 06/12/2012
- 3.16 12/01781/P - Refused planning permission for alterations; use as house in multiple occupation to include erection of dormer extensions in rear roof slopes and single storey rear extension. 30/08/2012
- 3.17 12/00173/LP - Granted lawful development certificate for erection of single storey detached building at rear. 14/03/2012
- 3.18 11/03663/P - Granted planning permission for alterations; conversion to form 1 two bedroom, 1 studio and 2 one bedroom flats; erection of single storey rear extension and construction of dormer roof extensions in front and rear roof slopes; provision of associated parking. 09/03/2012

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of changing the use of the building to residential would contribute to the Borough's housing targets is acceptable.
- The design and appearance of the development is acceptable and would improve the existing appearance of the site. Planning conditions are recommended to ensure that the development would use high quality materials and have good quality landscaping.
- The living standards for future occupiers would be acceptable
- The living conditions of adjoining occupiers would be protected from harm
- The level of parking and impact upon the local transport network is considered acceptable
- The proposal's impact on trees and biodiversity is acceptable

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 38 neighbouring properties were notified of the application and invited to comment. A site notice was erected on 19/08/2022 and the application was publicised in the local press on 25/08/2022. A total of 20 representations were received, all of which were in objection to the proposal.

6.2 The following local groups/societies made representations:

- The Mid-Croydon Conservation Area Advisory Panel (objecting)
- The HOME Resident's Association (objecting)

6.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

SUMMARY OF OBJECTIONS	RESPONSE
Principle of development	
Overdevelopment	See paragraphs 8.2-8.3 and 8.6-8.12
Design	
Harmful appearance and unsuitable for a Conservation Area	See paragraphs 8.6-8.12
Inappropriate back land development	See paragraphs 8.6-8.12
Amenity	
New home would be overlooked	See paragraphs 8.15 and 8.22
Noise	See paragraph 8.24
Inappropriate access	See paragraph 8.16
Loss of the existing garden space	See paragraph 8.23
Highways & Parking	
Insufficient car parking	See paragraphs 8.26-8.27
Negative impact on highway safety	See paragraphs 8.26-8.30
Landscaping	
No tree report submitted	See paragraphs 8.33-8.34
Lack of soft landscaping	See paragraph 8.33
Fencing and gates inadequately specified	See paragraph 8.22

Other matters	
Maintenance concerns	The reduction in built footprint would improve access to the site and maintenance program can be required as part of a landscaping condition
Building is larger than originally allowed	The building has been at the site for approximately 10 years. This proposal would reduce the size of this significantly to the benefit of the area
Bin storage a long way from dwelling	See paragraph 8.29

6.4 The following additional issues were raised in representations that officers have considered, and would like to bring make the Committee aware of, noting that they are not material to the determination of the application:

- Shared boundary issues
- Too many applications submitted for this site
- Some errors in the planning statement

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- HC1 Heritage Conservation and Growth
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change

- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM18 Heritage Assets and Conservation
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM35 Addiscombe

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). 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:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues relevant in the assessment of this application are as follows:

1. Principle of Development
2. Design and Appearance
3. Housing Quality
4. Impact on Surrounding Neighbours
5. Highways, Parking and Refuse
6. Trees and Biodiversity
7. Flood Risk and Sustainable Drainage
8. Fire Safety
9. Other Matters

Principle of Development

8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher target of 2,079 homes per year.

8.3 The Croydon Local Plan also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with an small-sites housing target of 641 per year.

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- 8.10 The proposal would demolish much of the southern section of the existing outbuilding, reducing the building footprint from approximately 172m² to 116m². This would reduce the extent of the building close to the rear boundary shared with properties on Outram Road and restore some of former garden at the site. A green roof is also proposed which would help the development blend into its back land setting. A condition is recommended to specify details and maintenance of the landscaping including the green roof and boundary treatment.

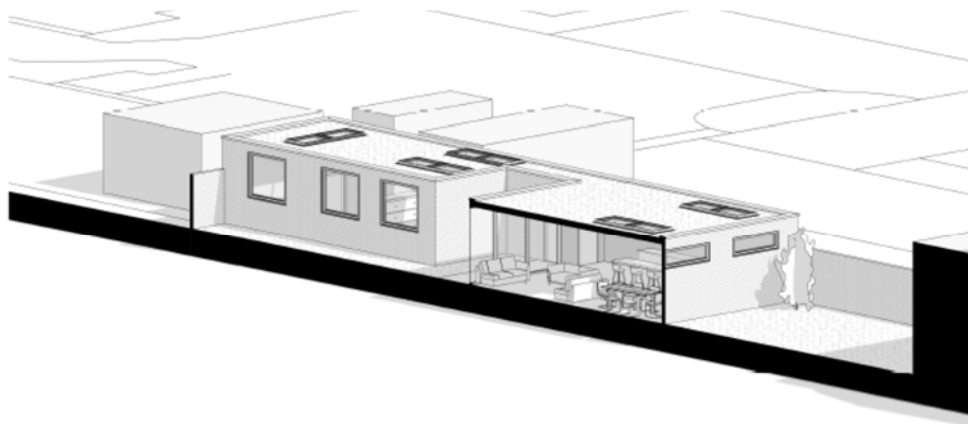


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8.12 In summary, subject to conditions the proposal would significantly improve the existing appearance of the site through a large reduction in the built footprint and improvement to the quality of the appearance of the building. It therefore would have an acceptable impact on the East India Estate Conservation Area.

Housing Quality

8.13 London Plan Policy D6 requires housing developments to be of a high quality design and contains space standards for new dwellings. The provision of dual aspect dwellings should be maximised and a single aspect dwelling should only be provided where a more appropriate design solution to meet the requirements of Part B in Policy D3 (optimising site capacity through the design led approach). The design should provide sufficient daylight and sunlight and ensure the usability of outdoor space is maximised.

8.14 The development would create a two bedroom dwelling with a three person occupancy (one of the bedroom is a single). The internal floor area would be 113m² as measured on plan which exceeds the London Plan requirement of 61m². Each of the bedrooms would be suitable sized, with an 18m² double and a 9m² single bedroom. The home would be multiple aspect with openings on the west, east and south elevations. This would provide occupiers with good levels of natural light, ventilation and outlook.

8.15 The dwelling would be have a 46m² private garden. This would be more than 30m away from the first floor rear windows of the existing dwellings at 19 Ashburton Road and would therefore have good privacy. Overall, the size and quality of the amenity space satisfies Local Plan Policy DM10.4.



Figure 3 – Proposed Block Plan

8.16 London Plan Policy D7 requires new dwellings to be building regulation M4(2) compliant for use by persons with disabilities. The access to the proposed dwelling is shown as having a suitable 1.5m width and a disabled parking space is proposed within the existing driveway. The Council is satisfied that the dwelling would be suitably accessible.

Impact on Surrounding Neighbours

8.17 The London Plan (2021) Policy D6 states that “development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.”

8.18 Policy DM10.6 of the Croydon Local Plan (2018) states the Local Planning Authority would not support development proposals, which would harm the amenities of the occupiers of adjoining buildings.

8.19 The immediate neighbours bordering the site are 21 Ashburton Road to the North, 32 and 34 Outram Road to the west and rear garages of College Court to the south. The potential impact upon living conditions of the existing flats within the frontage building at 19 Ashburton Road also requires assessment.

8.20 The proposed dwelling would have a maximum height of 2.8m, which is 200mm taller than the existing building. The current length of wall adjoining the boundary with 21 Ashburton Road would be only slightly reduced from existing. In consideration of the modest height increase and the position approximately 20m from the rear wall at 21 Ashburton Road however, it is considered that there would be no harm to living conditions at this neighbour.

8.21 The alterations to the building would result in it no longer adjoining the boundary with 32 Outram Road and the depth along the boundary with 34 Outram Road would also be reduced. It is considered that this would result in an improved relationship (when compared to the existing situation) with these neighbours.

8.22 The distance between the eastern elevation and the ground floor at 19 Ashburton Road would be 11m, which would be similar to the existing situation. The first floor rear windows of 19 Ashburton Road and those east facing in the new dwelling would be approximately 15m. Separation would be approximately 18m to the first floor rear windows of 21 Ashburton Road. The east facing elevation the new dwelling would have two high level windows facing the existing ground floor rear windows. As these windows are high level only they would maintain privacy to the windows at 19 Ashburton Road and they would feature ‘smart glass’ to prevent views in and minimise light pollution out. A condition is recommended to require details of the ‘smart glass’ to ensure that it would be effective.

- 8.23 The existing communal rear garden space afforded to 19 Ashburton Road would be reduced in size by approximately 20m² to 77m². This would cause no significant harm to occupiers of 19 Ashburton Road and they would benefit from a reduction in the building's size and improved outlook. Given that the existing outbuilding is not used by residents of the frontage building there is not considered to be any conflict with Local Plan Policy DM10.4, as more than a 10m depth and over half of the existing communal garden area would be retained. The windows facing the communal garden at 19 Ashburton Road would be high level only which is considered to result in a suitable privacy relationship between this amenity space for the existing flats and the proposed home.
- 8.24 The scale and position of the development would not harm neighbours at College Court. The use as a two bedroom dwelling would not be expected to result in the generation of excessive noise. In summary, the proposal is not considered harmful to living conditions at any neighbour.

Highways, Parking and Refuse

- 8.25 Policy SP8 of the Local Plan (2018) is in relation to traffic generation, sustainable travelling and parking standards. Local Plan Policy DM30 seeks to ensure that there is an appropriate level of car and cycle parking for developments
- 8.26 The site has a PTAL of 4 indicating that it has moderate access to public transport. The London Plan and Policy DM30 of the Croydon Local Plan sets out maximum car parking standards for residential developments based on public transport accessibility levels.
- 8.27 Table 10.3 of the London Plan gives a maximum car parking provision of 0.5 - 0.75 spaces per 1-2 bed home. The street is in a Controlled Parking Zone. One disabled accessible off street car parking space is proposed at the front of 19 Ashburton Road and would be the only car parking space for both buildings on site. The appeal decision from application 20/02685/FUL found that there would be no harmful effect to on-street car parking pressures from the one additional residential unit and the proposed plans show the same car parking layout as that scheme. The car parking as proposed is therefore acceptable.
- 8.28 Cycle storage for both 19 Ashburton Road and the proposed development would be accommodated within the existing front drive. This storage area is large enough to provide 7 spaces as required by London Plan Table 10.2. A condition is recommended requiring details of this facility which must be suitably accessible, sheltered and secure.
- 8.29 Bins are also shown within the front drive. There is enough space to meet the requirements of all the dwellings within the site and the location is suitable for collection from the street. The bin storage would be over 40m from the new dwelling entrance. Whilst this is not ideal in terms of a carry distance for

residents, a Waste Management Plan could be secured by condition. A condition is also recommended to require details of a bin store to be submitted, in the interest of protecting the appearance of the East India Conservation Area.

- 8.30 Officers are satisfied that the scheme would not harm the safety and efficiency of the highway network. It is considered the network and transport impacts associated with the developments on traffic and transport would be negligible and it is unlikely to have a significant impact on highway safety.

Trees and biodiversity

- 8.31 Local Plan Policy DM28 states that the Council will protect and enhance the borough's trees and hedgerows by not permitting development that would result in the avoidable loss or excessive pruning of preserved trees or hedgerows or those that make a positive contribution to the character of an area. London Plan Policy G6 seeks development to provide a biodiversity net gain and G7 seeks to ensure trees of value are retained.
- 8.32 Local Plan Policy DM27 outlines that development proposals should enhance biodiversity across the borough and improve access to nature.
- 8.33 The proposal would reduce the built site coverage by over 50m². This would result in a significant environmental improvement from as existing. To ensure a suitable mix of planting is installed a condition requiring details of the soft landscaping including a maintenance schedule is recommended.
- 8.34 The nearest mature tree to the development is close to the rear boundary of the 34 Outram Road. The building would have a reduced depth close to this tree and the development is not considered threat to this or any other trees surrounding the site.
- 8.35 Croydon Local Plan Policy SP6.3 requires all new build residential development to achieve the national technical standard for energy efficiency in new homes set at a minimum of 19% CO₂ reduction beyond Part L of the Building Regulations and requiring new build development to meet a minimum water efficiency standard of 110 litres/person/day. Consequently, it is recommended that conditions be imposed to ensure that the development achieves both requirements.

Flood Risk and Sustainable Drainage

- 8.36 In order for the Council to ensure that development within the borough reduces flood risk and minimises the impact of flooding, Policy DM25 of the Local Plan (2018) requires development proposed within areas at risk of flooding development to incorporate flood resilience and resistant measures into the

design, layout and form of buildings to reduce the level of flood risk both on site and elsewhere.

8.37 The site is within Flood Zone 1 which indicates a low risk of flooding. There is also a low risk of surface water flooding according to the Government's long term flood risk service website.

8.38 There would be a significant increase in permeable areas within the site resulting from the development. The green roof would also help reduce surface water run off rates. The proposal is therefore considered to suitably reduce flood risk for this and surrounding sites.

Fire Safety

8.39 Policy D12 of the London Plan (2021) requires all development proposals to achieve the highest standards of fire safety.

8.40 A Fire Statement has been submitted in support of the application. It confirms that the building will be constructed with fire resistant materials meeting British Standards. A fire detection system and emergency lighting is to be installed.

8.41 The details provided are sufficient to demonstrate that the development can achieve a high standard of fire safety and the proposal complies with Policy D12 of the London Plan (2021).

Other Matters

8.42 All material considerations have been taken into account, including responses to the public consultation. Taking into account 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.

Conclusion

8.43 The principle of providing a new dwelling at this site is supported. The design of the scheme is of an acceptable standard and appropriate in relation to residential amenity, transport and sustainability matters. Therefore, it is recommended that planning permission be **GRANTED**.