

PART 5: Planning Applications for Decision

Item 5.1

1 SUMMARY OF APPLICATION DETAILS

Ref: 18/05651/FUL
 Location: 93 Melfort Road, Thornton Heath, CR7 7RT
 Ward: Bensham Manor.
 Description: Change of use of 6-bedroom house in multiple occupation (C4) to an 8-bedroom house in multiple occupation (sui generis).
 Drawing Nos: OS Location Plan (No Ref), Block Plan Showing Refuse Storage Location (No Ref), Existing & Proposed Floorplans (No Ref), Planning Statement (No Ref).
 Applicant: Mr Roland Symonds Sanctum Properties Ltd
 Agent: N/A
 Case Officer: Robert Lester

1.1 This application is being reported to committee because objections above the threshold for committee criteria have been received (12 objections from local neighbours).

2 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) Development to be carried out in accordance with the approved drawings and reports except where specified by conditions.
- 2) Refuse and recycling storage provided prior to use of additional bedrooms.
- 3) Cycle storage provided prior to use of additional bedrooms.
- 4) Hard and soft landscaping in front garden.
- 5) HMO restricted to 8 persons.
- 6) Commencement of development within three years of consent being granted
- 7) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

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

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The proposal comprises the change of use of the existing 6-bedroom house in multiple occupation (6 people) (C4) to an 8-bedroom house in multiple occupation (8 People)

(sui generis). The additional two HMO bedrooms would be provided in the converted roofspace at second floor level. These bedrooms would have access to an existing bathroom at second floor level. The internal layout of the ground and first floors would remain as existing with three bedrooms and a kitchen/dining room at ground floor level and three bedrooms at first floor level. Five of the bedrooms have ensuite bathrooms. The property has a rear garden amenity space with cycle storage shed and refuse storage would be provided within a timber enclosure in the front garden. No extensions or external alterations to the building are proposed as part of this application apart from refuse and cycle storage.

Site and Surroundings

- 3.2 The application site is located on the western side of Melfort Road close to the junction with Melfort Avenue. The site contains a mid-terraced building which was originally a dwellinghouse (C3). The property has a small front garden enclosed by a low garden wall and a large rear garden. The property has no off street car parking.
- 3.3 The building on the site has a single storey rear extension which was obtained prior approval ref: 18/01906/GPDO dated 30.05.2018 under the procedure for larger home extensions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). The roofspace of the building was also converted and a rear dormer roof extension added using Part 1 Class B & C permitted development rights.
- 3.4 The property has also been converted to a 6-person HMO (C4) Using Part 3 Class L permitted development rights in the GPDO 2015 (as amended). A 6-person HMO (C4) is therefore the existing use. The property has also been granted an HMO Licence by Croydon Council to operate the property as an HMO for 6 occupants.

Planning History

- 3.5 18/01906/GPDO – Erection of single storey rear extension projecting out 6 metres with a maximum height of 4 metres - Prior Approval No Jurisdiction (GPDO) – 30.05.2018.

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 4.1 An HMO is considered acceptable at this location given it's accessibility within a Local Centre and public transport connections. The HMO has been designed to meet HMO guidance. Adequate refuse and recycling storage and cycle storage arrangements would be provided.
- 4.2 There would be no undue harm to the residential amenities of adjoining occupiers
- 4.3 The living standards of future occupiers are acceptable and compliant with the Local Plan and HMO guidance.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 Letters were sent to adjoining occupiers to advertise the application. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 12 Objecting: 12 Supporting: 0 Comment: 0

5.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of objections	Response
<i>Use</i>	
Loss of family housing.	The development proposes the conversion of an existing 6 bedroom/person HMO to an 8 bedroom/person HMO. There would be no loss of family housing. Refer to paragraphs 7.2-7.3 of this report
<i>Amenity Impact</i>	
Increased noise, disturbance and anti-social behaviour. Including the cumulative impact with other HMO's.	HMOs are a type of residential use and do not necessarily result in additional amenity impacts on the local area compared to large single family dwellings. This property is already a 6 bedroom/person HMO and this application is only concerned with the increase to an 8 bedroom/person HMO. Refer to paragraphs 7.10-7.12 of this report.
HMO would be harmful to the residential character of the area.	The development would not involve external extensions and alterations. HMO use is a type of residential use. The proposed is an existing 6 person HMO and the increase to an 8 person HMO would have no impact on the residential character of the area.
There is an overconcentration of HMOs in the area which puts pressure on local services.	HMOs are a type of residential use and do not necessarily result in additional amenity impacts on the local area compared to large single family dwellings. Refer to paragraphs 7.2-7.3 of this report
<i>Transport Issues</i>	
Additional strain on on-street parking.	Refer to paragraphs 7.13-7.15 of this report
<i>Refuse problems</i>	
The development has inadequate waste management arrangements.	Adequate refuse and recycling storage arrangements are proposed. Refer to paragraphs 7.17-7.19 of this report.
The area already has a litter/fly tipping problem and additional HMOS will make this problem worse.	There is no evidence that local HMO tenants cause litter/fly tipping. Adequate refuse storage is proposed to be secured by condition
Poor Standard of Accommodation	The proposed HMO would comply with the Council's HMO Standards and would provide adequate living conditions for future residents.

	Refer to paragraphs 7.4-7.7 of this report
Inadequate level of local greenspace to support further HMOs.	The site is located close to Thornton Heath Recreation Ground. The property also has a large rear garden which provides adequate amenity space for the residents.
<i>Drainage</i>	
Additional strain on the local sewer system.	Internal modifications would need to be approved by Building Control

6 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 Consolidated London Plan 2016, 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) 2018. 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, including requiring good design that takes the opportunities available for improving the character and quality of an area and the way it functions.
- 6.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 3.5 - Quality and design of housing developments
- 3.8 - Housing Choice
- 6.13 - Parking
- 7.4 - Local Character

Croydon Local Plan 2018 (CLP):

- SP2 - Homes
- SP6 - Environment and Climate Change
- SP8 - Transport and Communication
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

7 MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development.
2. Residential amenity of future occupiers.
3. Residential amenity of adjoining occupiers.
4. Transport issues including cycle storage.
5. Refuse and recycling storage.

Principle of development

7.2 The principle of the conversion of the property to an 8 person HMO (Sui Generis) is acceptable. The property has already been converted to a 6 person HMO (C4 use) using permitted development rights under Part 3 Class L of the GPDO 2015 (as amended). Policy SP2 (Homes) of the Croydon Local Plan seeks to ensure that a choice of homes are available in the borough that will address the borough's need for homes of different sizes. Policy 3.8 (Housing Choice) of the London Plan also suggests that houses in multiple occupation play a strategically important part of London's housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock. The principle of a house in multiple occupation is considered acceptable subject to the considerations below.

7.3 It is noted that policy DM1 (Housing choice for sustainable communities) does not permit the conversion of houses with 3 bedroom homes (as originally built) or the loss of homes smaller than 130m². However, this property was converted from a dwellinghouse (C3 use) to a 6 person HMO (C4 use) under permitted development rights, therefore the Council had no control over this change of use or the loss of the former dwelling. The proposed change of use is therefore from a 6 person HMO (C4 use) to an 8 person HMO (Sui Generis) and the development does not result in the loss of a small dwellinghouse.

Residential amenity of future occupiers

7.4 London Plan Policy 3.5 (Quality and design of housing developments) require all types of housing development to be high quality. The Council also has Occupation Standards for Shared House HMOs (2015).

7.5 The existing property is a 6 bedroom/person HMO (C4 use). The property has been granted an HMO Licence by Croydon Council to operate the property as an HMO for 6 occupants. The property has 3 bedrooms at ground floor level (two of which are en-suite rooms) and three rooms at first floor level (all of which are en suite). The proposed additional two bedrooms (which would not be en-suite) would be located in the converted roofspace at second floor level and would use a shared bathroom at this level. The rooms all meet the Council's HMO standards set out in House in Multiple Occupation guidance which states that for a single occupancy rooms must be at least 10m². The proposed internal layout and shared kitchen and bathroom facilities also comply with the Council's HMO standards.

7.6 The bedrooms are all single occupancy and the Council's HMO team have requested that the number of occupants be secured at a maximum of 8 persons. A planning condition has therefore been added to restrict the maximum occupancy to 8 persons.



7.7 There is no requirement to provide external amenity space for a HMO, but the rear garden would measure 90m² which would provide adequate shared external amenity space for the occupants of the HMO.

7.8 The applicant has also stated that they are a member of the National Landlord's Association providing high quality shared accommodation for local professionals and key workers.

Residential amenity of adjoining occupiers

7.9 Policy DM10 (Design and Character of the Croydon Local Plan seeks to ensure that the amenity of the occupiers of adjoining buildings is protected. Policy SP6 (Environment and Climate Change) of the Croydon Local Plan requires new development to minimise noise pollution.

7.10 The development does not involve external extensions or alterations to the building. The refuse and recycling storage enclosure structure which would be sited in the front garden would not impact on the amenity of the neighbouring property at 95 Melfort Road. The cycle storage located in the south west corner of the rear garden would not project higher than the boundary fence and would result in no amenity impact on neighbouring properties. The external refuse storage and cycle storage structures would not harm neighbouring amenity in accordance with policy DM10 (Design and character).

- 7.11 The property already operates as a 6 bedroom/ person HMO with no reported harm to local amenity by reason of noise and disturbance. The increase to 8 bedrooms/persons would not result in a significant increase in noise and disturbance. The property would remain a residential use and the applicant has also advised that the property has also been refurbished with soundproofing plasterboard to minimise noise and disturbance both within and outside the property.
- 7.12 The applicant has also stated that they would also manage the property to ensure that any issues affecting the other tenants, neighbours or the larger community will be dealt with immediately. The tenants would be vetted, the applicant will liaise with neighbours who will be given contact telephone numbers of the applicant, the applicant will visit the property once a week to check on communal areas, quarterly inspections of all bedrooms will take place to ensure the highest standards are maintained, the weekly cleaner and gardener will also monitor and report any concerns to the applicant.
- 7.13 Overall it is considered that the proposed increase from a 6 person HMO to an 8 person HMO would not result in a significant increase in noise and disturbance in accordance with policy SP6 (Environment and Climate Change) of the Croydon Local Plan.

Transport Issues including Cycle Parking

- 7.14 Policies SP8 (Transport and Communication), DM29 (Promoting sustainable travel and reducing congestion) and DM30 (Car and cycle parking in new development) of the Croydon Local Plan seek to promote development which makes full use of public transport, cycling and walking; does not have a detrimental impact on highway safety for pedestrians, cyclists, public transport users and private vehicles; does result in a severe impact on local transport networks; reduces the impact of car parking; provides car and cycle parking spaces as set out in the Local Plan/London Plan and ensures that cycle parking is designed so that it is secure.
- 7.15 The Croydon Local Plan states that car parking should be provided in line with London Plan Policy 6.13 (Parking), however this does not specify car parking standards for HMO uses. The corresponding car parking standard for a large dwellinghouse in a PTAL 4 location is a maximum of 2 spaces. The site has no off street car parking which is common to properties on Melfort Road and the former 3 bedroom dwellinghouse at the site also had no off street car parking. The site is not located in a Controlled Parking Zone (CPZ), but the Thornton Heath CPZ is located to the south of the site. There is some evidence of parking stress in the area with vehicles typically parked on both sides of the road. However, the site also has a PTAL level of 4 which indicates a good level of accessibility. It is located close to Thornton Heath Railway Station and several bus routes on Brigstock Road. The site has good links to Thornton Heath District Centre, Central London and Croydon Metropolitan Centre. The development also only proposes to increase the number of occupants by 2, from a 6 to an 8 bedroom/person HMO. The applicant has stated that only 1 of the tenants in the existing 6 person HMO owns a car which they keep at the property. They also state that the property is occupied by young professionals and car ownership levels are low. Census data supports this showing that car ownership levels are low in the area for flats.
- 7.16 Overall, taking into account these factors and the accessible location of the site it is not considered that the use would result in a significant impact upon on street parking in the area and the lack of parking for the site is considered acceptable. This is supported by the Council's Transport Planning Section.

7.17 The London Plan normally requires 1 cycle parking space per bedroom for HMO units (Table 6.3 Cycle Parking minimum standards). An 8 bedroom HMO would therefore normally require 8 cycle parking spaces on the site. The existing 6 person/bedroom HMO on the site has a cycle storage shed in the rear garden with space for 4 bicycles. The developer proposes to provide an additional cycle storage shed in the rear garden with space for a further 4 bicycles in accordance with the requirement for 8 spaces in total. All of the cycle parking spaces would also be covered and secured. The Council's Transport Planning Section supports this level of provision. A planning condition has been added requiring the cycle parking to be provided at the site.

Refuse and Recycling Storage

7.18 Policy DM13 (Refuse and Recycling) of the Croydon Local Plan requires development to sensitively integrate refuse and recycling facilities within the building envelope, or within landscape covered facilities located behind the building line; ensure facilities are visually screened; provide adequate space for the temporary storage of waste materials generated by the development; and ensure facilities are safe, conveniently located and easily accessible by occupants, operatives and their vehicles.

7.19 The Council's Environmental Services section have stated that this 8 bedroom HMO requires 1x180ltr landfill bins, 1x240ltr recycling comingled recycling bins, 1x240ltr paper & card recycling bins, 1x23ltr external food caddy and 1x9ltr internal food caddy

7.20 The proposed timber refuse storage enclosure would be sited in the front garden adjacent to the northern boundary of the site. This timber structure would measure 2.63 m width, 0.8 m width and 1.09 m height. This would be large enough to provide the required refuse storage provision for this 8 bedroom HMO listed above, which has been confirmed with the Environmental Services team. The structure itself would be a modest structure which would be suitable with the front garden. It would not harm the character of the property or the streetscene. Planning conditions have been added requiring the refuse and recycling storage to be provided at the site. Environmental Services have stated that the collection team would enter the front garden of the property to empty the bins on collection day.

Conclusions

7.21 It is recommended that planning permission should be granted for the proposal, as it would be acceptable in all respects, subject to conditions.

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