

1.0 SUMMARY OF APPLICATION DETAILS

Ref:	19/05533/FUL
Location:	49 Crown Lane, Norbury, London, SW16 3JE
Ward:	Norbury Park
Description:	Change of use from Class C4 (HMO) to sui generis use as a larger HMO. Erection of single storey rear extension (amended description).
Drawing Nos:	048 - PLP, 048 - P01, 048 - P02, 048 - P03, 048 - P04, 048 - P05, 048 - P06, 048 - P07 Revision B, 048 - P08 Revision B, 048 - P09 Revision B, 048 - P10 Revision B, 048 - P11 Revision B and 048 - P12 Revision B
Applicant:	Mr & Mrs Girard
Agent:	Mr Petros Nicolaou
Case Officer:	James Udall

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

2.0 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
1. In accordance with the approved plans.
 2. Development to be commenced within three years.
 3. The number of occupiers shall not exceed 10 people
 4. Samples and details (as appropriate) of materials.
 5. Refuse store to be provided prior to use.
 6. Details of cycle storage to be submitted
 7. Roof of the proposed rear extension is not to be used as a balcony except where shown on the plans
 8. Details of screening to balconies to be submitted for approval.
 9. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport.

Informatives.

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

3.0 PROPOSAL AND LOCATION DETAILS

3.1 Full planning permission is sought for 'Change of use from Class C4 (HMO) to sui generis use as a larger HMO. Erection of single storey rear extension. Amended drawings were received 06.02.2020 removing the previously proposed two storey rear extension.

Site and Surroundings

3.2 The application site consists of a detached 2-storey building with roof space accommodation currently used as a 6-bed house of multiple occupation (HMO) on the southern side of Crown Lane. The building has a hipped roof is a set back from the road by a front garden. The dwelling has a two storey front projection, a two storey side extension with an integral garage and a part single/part two storey rear extension.

3.3 The surrounding area is predominantly residential in character with a mix of detached, semi-detached dwellings and terraced properties which vary in character, form and design. The site is within the Norwood Grove Conservation Area however the building is not nationally or locally listed. The site is within a 'very low' risk area of surface water flooding.

3.4 The application site is location within Ryecroft Road Character Area which forms part of the Norwood Grove Conservation Area. The Norwood Grove Conservation Area is located in the northern part of the borough. The conservation area is divided into the following character areas:

- Norwood Grove
- St Joseph's College
- Ryecroft Road

3.5 The Norwood Grove Conservation Area Appraisal notes the Ryecroft Road Character Area area contains residential development on Ryecroft Road, Jerviston Gardens and the south side of Crown Lane, dating from the Edwardian, Inter-War and Post-War periods.



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

Planning History

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

- 15/01489/P – Demolition of existing dwelling house: erection of three storey building providing 3 No x 3 bedroom units and 4 No x 2 bedroom units with ancillary cycle storage, bin storage, parking and landscaping – Planning Permission refused.
- 18/03917/FUL - Change of use from Class C4 (HMO) to sui generis use as a larger HMO. Conversion of existing garage into bedroom and replacement of garage roller door with windows - Planning Permission granted This planning consent would have effectively enabled the property to be licensed for 8 occupants

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The current use of the application site is as a House in Multiple Occupation.
- Given the character of the surrounding area and the planning history of the site, the design and appearance of the development is appropriate.
- There would be no unacceptable impact on the living conditions of adjoining occupiers.
- The sustainability aspects of the application are considered to be acceptable.

5.0 CONSULTATION RESPONSE

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

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by 14 letters of notification to neighbouring properties in the vicinity of the application site. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application are as follows:

No of individual responses: 12 Objecting: 13 Supporting: 0

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

Summary of objections	Response
Obtrusive by design/Out of Character	The proposed development has been amended removing the previously proposed two storey rear extensions and green roof with the result that the proposed development would not appear out of character for the area.
The Site notice was not displayed correctly	A site notice was displayed incorrectly for a few days but this was then corrected, a notice was

	placed in the local newspaper and the nearest occupants were notified of the application scheme by post, all comments received have been taken into consideration when assessing the application
Detrimental Impact on Trees	Due to the design and scale of the proposed works they would not harm neighbouring trees.
We object to the fact that a single occupancy dwelling is being turned into a multi-occupancy residence which is over imposing on the site and doesn't fit with the surrounding neighbourhood	The application dwelling is currently in use as an HMO and this has been extended by planning permission granted under reference: 18/03917/FUL
Traffic/Highways	The additional increase of occupants is too small to have a significant adverse impact on traffic and highways.
Environmental Impact	There would be limited environmental impact for the application scheme
Noise	The application building is currently used as an HMO, the increase in occupants is not significant to lead to such an increase of noise and disturbance as to harm the amenities of the neighbouring occupants.
There are no HMO's in the area	The applications building is currently in use as a HMO
The proposed office block down in the garden we feel is completely unacceptable in this conservation area. This is a residential area and not a commercial area. We don't see why a hot tub needs a building either	The outbuilding have been existing since 2011 and as such does not require planning permission
Refuse	This could be adequately controlled by the imposition of a suitably worded planning condition on any grant of planning permission
Overlooking	As amended the proposed scheme would not cause significant overlooking to neighbouring occupants and overlooking could be reduced by the imposition of suitably worded planning conditions.
Building becoming 'hostel like'	The application building is currently used as an HMO and has planning permission for additional residents under application reference: 18/03917/FUL. The application scheme would increase the use of the building but not to a significant degree. Furthermore the application building would largely retain its front façade with the result that the proposed building would not appear hostel like.

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations. Such 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 (February 2018), and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) revised in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development including:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design

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

7.4 Consolidated London Plan 2015

- 3.5 - Quality and design of housing developments
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.13 – Parking
- 7.4 - Local Character
- 7.6 - Architecture
- 7.8 - Heritage Assets and Archeology
- 7.15 - Reducing and managing noise

7.5 Croydon Local Plan 2018

- SP1 -The Places of Croydon.
- SP2 – Homes
- SP4 -Urban Design and Local Character
- SP8 - Transport and Communication
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM18- Heritage Assets and Conservation.
- DM23 - Development and construction
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

Emerging London Plan

7.6 Whilst the emerging New London Plan is a material consideration, the weight afforded is down to the decision maker linked to the stage a plan has reached in its

development. The Plan appears to be close to adoption and therefore, the New London Plan's weight has increased following on from the publication of the Panel Report and the London Mayor's publication of the Intend to Publish New London Plan. The Planning Inspectors' Panel Report accepted the need for London to deliver 66,000 new homes per annum (significantly higher than existing adopted targets), but questioned the London Plan's ability to deliver the level of housing predicted on "small sites" with insufficient evidence having been presented to the Examination to give confidence that the targets were realistic and/or achievable. This conclusion resulted in the Panel Report recommending a reduction in London's and Croydon's "small sites" target.

- 7.7 The Mayor in his Intend to Publish New London Plan has accepted the reduced Croydon's overall 10 year net housing figures from 29,490 to 20,790 homes, with the "small sites" reduced from 15,110 to 6,470 homes. Crucially, the lower windfall housing target for Croydon (641 homes a year) is not dissimilar to but slightly larger the current adopted 2018 Croydon Local Plan target of 592 homes on windfall sites each year.
- 7.8 It is important to note, that whilst the Secretary of State has not supported the Intend to Publish New London Plan, that the overall housing target in the New London Plan would be 2,079 new homes per annum (2019 – 2029) compared with 1,645 in the Croydon Local Plan 2018. Therefore, even with the possible reduction in the overall New London Plan housing targets, assuming it is adopted, Croydon will be required to deliver more new homes than our current Croydon Local Plan 2018 and current London Plan (incorporating alterations 2016) targets.
- 7.9 For clarity, the Croydon Local Plan 2018, current London Plan (incorporating alterations 2016) and South London Waste Plan 2012 remain the primary consideration when determining planning applications

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Planning Committee are required are as follows:
1. Principle of development
 2. Impact on the character and appearance of the Conservation Area
 3. Residential amenity for neighbouring occupants
 4. Impact upon future occupiers
 5. Impact of the development on parking and the local highway network.
 6. Flood Risk Impact
 7. Refuse storage
 8. Other planning matters

Principle of Development

- 8.2 It is noted that concerns have been raised by neighbouring occupants over the use of the application site and the density of development. The site is located within a residential area and it not designated to be used for any other purpose. The premises have been in use as a HMO for up to 6 people since 2015. As highlighted above in the Planning history section planning permission was granted in 2018 which would have enabled the property to accommodate an HMO for up to 8 occupants. The proposal would provide further residential accommodation within the existing HMO

taking the total number of rooms available to ten (10 occupants). The existing property is not in use as a single family dwelling and the proposal would not result in a loss of a family dwelling as defined by Policy DM1.2. As such, the principle of the development in this location can be supported providing that the proposal respects the character and appearance of the surrounding area and there are no other impact issues.

Impact on the character and appearance of the Conservation Area

- 8.3 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to pay special attention to the desirability of preserving the character and appearance of a Conservation Area.
- 8.4 Paragraph 126 of the National Planning Policy Framework recognises the value of 'sustaining and enhancing heritage assets' and paragraph 64 states that 'permission should be refused for developments of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.
- 8.5 Croydon Local Plan (2018) SP4 concerns Urban Design & Local Character. SP4.1 is of particular relevance to this proposal which states that the Council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities. Policy SP4.12 of the Croydon Local Plan (2018) states the Council and its partners will respect, and optimise opportunities to enhance Croydon's heritage assets, their setting and the historic landscape, including through high quality new development and public realm that respects the local character and is well integrated.
- 8.6 The application site lies within the Ryecroft Road Character Area of the Norwood Grove Conservation Area which contains residential development on Ryecroft Road, Jerviston Gardens and the south side of Crown Lane, dating from the Edwardian, Inter-War and Post-War periods.
- 8.7 The proposal would include the conversion of the existing garage to provide an additional room within the HMO. This part of the application scheme has previously been granted planning permission under reference: 18/03917/FUL.
- 8.8 The proposed extension would have a depth of 5m and a width of 15.5m. It would have a height to the eaves of 3.4m rising to a maximum height of 3.5m. Due to its size and design the proposed single storey rear extension would appear subservient to the existing building.



8.9 The proposed works would include the erection of a rear balcony. The balcony would have depth of 1.7m and a width of 3.8m. Due to its size and design the proposed balcony it would not harm the visual appearance of the application building or the Conservation Area.

8.10 Given the small scale and nature of the proposed alterations it is considered that the proposed development would preserve the Conservation Area and would not be significantly harmful to the character or appearance of Crown Lane or the wider area

with the result that the application scheme would comply with Policy DM18 of the Croydon Local Plan 2018.



Residential amenity for neighbouring occupants

- 8.11 The SDG states that “single storey rear extensions are not normally visible from the streetscene, so are usually less visually intrusive than side or two-storey rear extensions. However, these extensions can still have an impact on neighbouring amenity including access to sunlight and daylight and outlook. To resolve these potential issues, single storey rear extensions should be designed to ensure:
- 8.12 That in a detached dwelling, it is no deeper than 45 degrees (in plan) as measured from the centre of the window of the nearest habitable room in the neighbouring property or 3.5m from the rear elevation of the original dwelling, whichever is greater”.
- 8.13 The proposed extension would comply with the guidance contained in the SPG with the result that the scheme would not harm the outlook or daylight of the neighbouring occupants.
- 8.14 The proposed single storey rear extension would have one window facing the shared boundary with No.47. The window would face onto screening with the result that the window would not harm the privacy of the neighbouring occupants.
- 8.15 The proposed extension would not have any windows in the flank elevation facing No.51 with the result that the proposed extension would not harm the privacy of the neighbouring occupants.
- 8.16 The application scheme would include the erection of a rear balcony. The proposed balcony would be in same size, location and design of the existing rear balcony with the result that it would not have any greater impact on the privacy of the neighbouring occupants than the existing balcony. Details of screening can be secured by way of a condition.

8.17 The additional bedrooms would increase the intensity of the use of the building to allow a further 2 occupants. However, the building is already in residential use and it is not considered that the additional bedrooms would result in a significant increase in noise or disturbance to significantly harm the amenities of neighbouring properties to warrant the refusal of permission.

Impact upon future occupiers

8.18 The proposed bedroom will allow for an additional bedrooms within the HMO over that granted by planning application reference: 18/03917/FUL. The building has been laid out to provide sufficient space for a double bedrooms some of which would have en-suites. The Council's Environmental Health Team assessed the proposal confirmed that, from the HMO licensing perspective, all the bedrooms have ample space to meet the required standards. However due to the kitchen provision the building should be restricted to 10 occupants.

8.19 There is no requirement to provide external amenity space for a HMO but the internal shared amenity space meets the Council's HMO guidance in addition to this a large communal garden is provided for the occupants. The proposed building would provide an acceptable standard of accommodation for future occupiers.

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

8.20 Policy aims to actively manage the pattern of urban growth and the use of land to make the fullest use of public transport and co-locate facilities in order to reduce the need to travel. It also encourages car free development in areas with good access to public transport. Development must not have a detrimental effect on highway safety.

8.21 The application site is located in an area with a PTAL of 2, which is considered to have fairly poor transport options and connectivity to wider community facilities. The proposal would result in the loss of a covered car parking space within the site however there is a large driveway which serves the current HMO which could adequately serve the resulting building. As such, it is not considered that the proposal would have any significant impact upon the existing highway network.

8.22 In order to comply with London Plan standards covered and secure cycle storage should be provided. No cycle storage is shown to be located within the site however there is ample space for this to be included and cycle storage implementation would be secured by planning condition.

Flood Risk Impact

8.23 As previously stated, the site is within a 'very low' risk area of surface water flooding. Given the likelihood of flooding within the site it is not considered that any flood risk mitigation would be required for this development.

Refuse storage

8.24 Refuse stores would be required to be screened and secure to ensure that they would not have an undue impact upon the street scene and would be in an acceptable location for refuse collection. No refuse storage is shown to be located

within the site however, again, there is ample space for this to be included within the site and the implementation of this would be secured by planning condition.

Other Planning Matters

8.25 The plans do not show the location of bin storage. However, it is expected that the bin storage be kept in the courtyard to the rear of the application site.

9.0 Conclusions

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