

1 SUMMARY OF APPLICATION DETAILS

Ref: 20/01776/FUL
Location: 6 Craignish Avenue, London, SW16 4RN
Ward: Norbury and Pollards Hill
Description: Change of use from small House in Multiple Occupation (HMO) (C4 Use Class) to large 8 person HMO (Sui Generis)
Drawing Nos: 261-EX/01, 261-EX/02, 261-EX/03, 261-EX/04, 261-EX/05, 261-EX/06, 261-EX/07, 261-LP/01, 261-LP/02, 261-LP/03, 261-LP/04, 261-LP/05, 261-LP/06, 261-LP/07
Applicant/Agent: Mrs D Aquino/Ike Obanye
Case Officer: Sera Elobisi

- 1.1 This application is being reported to committee because the ward councillors (Cllr Leila Ben-Hassel and Cllr Shafi Khan) made representations in accordance with the Committee Consideration Criteria and requested Committee Consideration.

2 RECOMMENDATION

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

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

Conditions

- 1) Commencement within three years of consent being granted
- 2) Development carried out in accordance with approved drawings and reports.

Pre-occupation

- 3) Refuse Management Plan, including elevations and materials of store, waste and recycling management, to be submitted for approval

Compliance

- 4) Provision of secure cycle storage as specified
- 5) HMO restricted to no more than 8 residents
- 6) In accordance with fire statement
- 7) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration.

Informatives

- 1) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration.

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The site is a detached residential dwelling located in Craignish Avenue, Norbury. The property was originally a 4 bedroom house that has been extended at the rear to create larger accommodation.



Image 1: location plan

- 3.2 The proposal seeks permission for the use of the building as a large HMO (sui generis use class) for 8 persons' occupation. The dwelling is already in use as a small HMO for up to 6 occupants (C4 use class) and has obtained a licence from the Council's HMO team.
- 3.3 The submitted plans show 6 bedrooms with shared amenities. The existing refuse and off street parking arrangements would be retained. An outdoor communal area is proposed in the rear garden. No extensions are proposed.
- 3.4 Additional information was provided in the form of a fire statement and a site plan showing the proposed refuse and cycle storage area during the course of the application assessment. These raised no new matters that required a further round of public consultation.

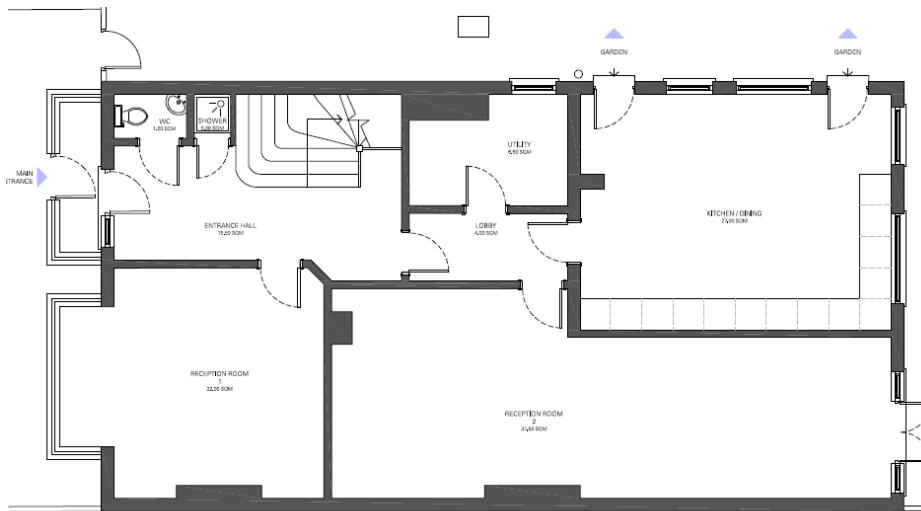


Image 2 Existing Ground Floor Plan

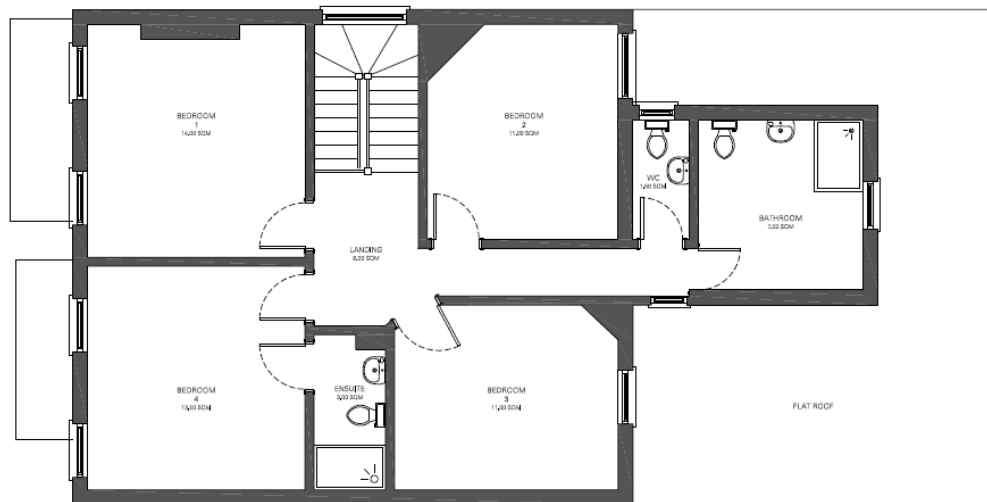


Image 3 Existing First Floor Plan

Site and Surroundings

- 3.5 The area is residential and comprises a mix of semi-detached and detached houses in single family use. The site is within walking distance to London Road and local amenities and is within Norbury District Centre.
- 3.6 The site is located within Flood Zone 1 and in an area at high risk of surface water levels. The site has a Public Transport Accessibility Level of 4.

Planning History

- 3.7 16/04980/GPDO – Prior approval granted for erection of single storey rear extension projecting 6.0 metres. This permission has been implemented.

3.8 18/01588/LP – Permitted development granted for erection of dormer extensions in side/rear roofslope. This permission has not been implemented.

4. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- A larger HMO is considered acceptable in this location given the property is already in use as a small HMO, its accessibility within a District Centre and public transport connections.
- The development meets the Council's HMO guidance standards.
- The living standards of future occupiers would be acceptable and compliant with the Local Plan and HMO guidance standards.
- Suitable waste management and cycle arrangements have been provided within the site.
- There would be no undue harm to the residential amenities of adjoining occupiers.

5. CONSULTATION RESPONSE

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

6. LOCAL REPRESENTATION

6.1 Letters were sent out to neighbouring occupiers to advertise the application. The number of representations received from neighbours, local groups etc. in response to initial consultation notification and publicity of the application were as follows:

No of individual responses: 4 Objecting: 4 Supporting: 0

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 home.	Refer to paragraphs 7.2 to 7.6 of this report.
Use already started and possible use as a guest house	Refer to paragraphs 7.2 to 7.6 of this report.
Impact on neighbours	
<i>Noise</i>	Refer to paragraphs 7.7 to 7.8 of this report.

Anti-social behaviour	There has been no registered complaint to the Council regarding anti-social behaviour.
Number of occupants may exceed 8 persons	Refer to paragraphs 7.9 to 7.11 of this report.

6.2 Councillor Ben-Hassel and on behalf of Councillor Khan has made the following representations:

- The proposal goes against the Croydon Local Plan to protect family homes (and the basis for the introduction of the article 4 directive)
- Impact on parking in Craginsh Avenue particularly at the end of the street where a large residential development is soon to be built.

6.3 On further engagement with the planning officer and the Council's HMO Team, Councillor Ben-Hassel noted that the property was in HMO Use Class C4 and therefore the loss of a family home and article 4 direction no longer relevant grounds for referral. Councillor Ben-Hassel expressed preference over the use of the proposed office space on the ground floor to be occupied by a warden/charge to avoid possible anti-social behaviour.

7. RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the London Plan 2021 the Croydon Local Plan 2018.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF) most recently updated in July 2021. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Achieving well designed places

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

London Plan 2021 (LP):

- GG2 Making the best use of land

- GG4 Delivering the Homes Londoners need
- D2 Infrastructure requirements for sustainable densities
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H10 Housing mix and size
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI12 Flood risk management
- T1 Strategic approach to transport
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking

Croydon Local Plan 2018 (CLP):

- SP2 – Homes
- SP4 – Urban design and local character
- SP6.3 - Sustainable Design and Construction
- DM1 - Housing choice for sustainable communities
- DM10 - Design and character
- DM13 - Refuse and recycling
- DM23 - Development and construction
- SP8 – Transport and communication
- DM29 - Promoting sustainable travel and reducing congestion
- DM30 - Car and cycle parking in new development

7.4 There is relevant guidance as follows

- HMO Housing Standards Act (2004)

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of development
2. Townscape and visual impact
3. Residential amenity of adjoining occupiers
4. Residential amenity of future occupiers
5. Highways and Parking
6. Refuse

Principle of development

- 8.2 The 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. The London Plan (policy H9) states 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.
- 8.3 Policy DM1.2 of the Croydon Plan seeks to protect residential dwellings from conversion where they have a floor space of less than 130sqm or 3 bedrooms as originally built. The property as originally built was a four bedroom house.
- 8.4 The property was confirmed (by the Council's HMO Team) to be in HMO use within Use Class C4 prior to 28th January 2020, when an Article 4 Direction came in to place restricting the possibility of converting such a property from a single family dwelling house (C3 use) to a small Houses in Multiple Occupation with 3-6 occupants (C4 use) without the benefit of planning permission. The property is therefore no longer in use as a family dwellinghouse.
- 8.5 The principle of conversion from an established small HMO of 3 – 6 persons (C4 Use Class) to an 8 persons HMO (Sui Generis) is therefore acceptable as it would not result in the loss of a small family home.

Townscape and visual impact

- 8.6 There are no new extensions to the building proposed as part of this application. The application does however propose that refuse storage facilities would be provided in the front garden area of the property as per the existing arrangements. Further consideration of the point is detailed below.

Residential amenity of adjoining occupiers

- 8.7 The proposed scheme would not result in any additions of built form to the building with the result that the application scheme would not harm the outlook, daylight or privacy of the neighbouring occupants.
- 8.8 The property currently has a licence to operate as a 6 person HMO. The application seeks to increase the maximum number of residents from 6 to 8 with alterations proposed to the existing ground floor layout to provide two additional bedrooms. Whilst the proposal would increase the intensity of the use, the additional persons on the site is relatively modest. HMOs are essentially a residential use, and it is not considered that two additional residents would generate significant levels of noise and disturbance to the extent which could warrant refusal of planning permission. The property, which is detached and reasonably spaced, would retain its residential use. A condition is recommended limiting the number of occupiers to 8. A HMO licence would also restrict the number of occupants as per the planning permission.
- 8.9 Twenty four hour CCTV would be provided on site as well as an onsite warden who would serve as a main port of call for any property and safety related issues.

Residential amenity of future occupiers

- 8.10 The HMO would provide six bedrooms and an entrance hall, a kitchen/dining room, a reception room, an office, 2 bathroom/shower rooms and 2 W/C's. The proposal makes provision for an outdoor communal area in the rear garden which would be accessible to all via the kitchen/dining room.
- 8.11 The size of the rooms and facilities available have been reviewed by officers and considered by the HMO Team; they comply with the Council's HMO guidance standards and are acceptable.
- 8.12 An office would be located on the ground floor for use by the onsite warden and would house the termination points for all CCTV feeds.
- 8.13 Given the existing lawful use and the appropriate layout, the proposal is acceptable on future occupier amenity grounds.



Image 4: Proposed Ground Floor Plan

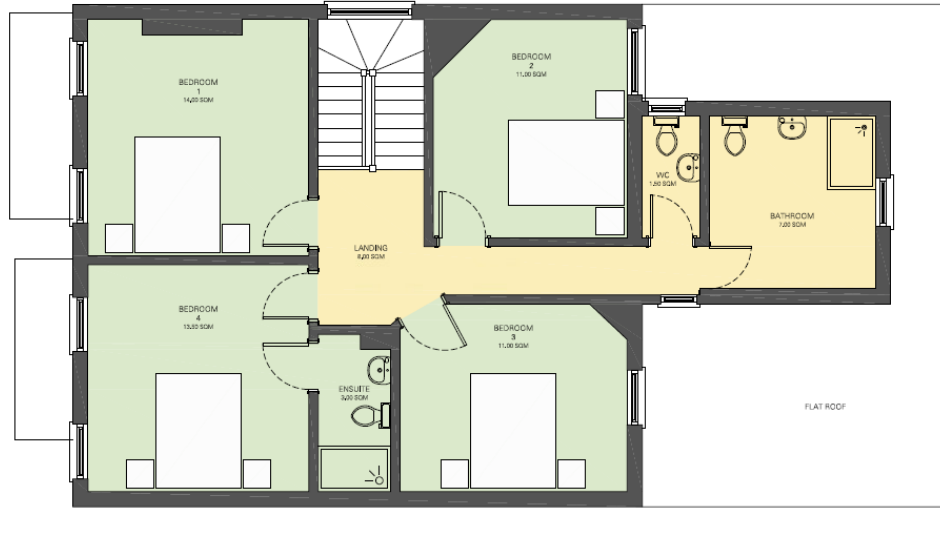


Image 5: Proposed First Floor Plan

8.14 Policy D12 of London Plan 2021 states that “In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety”. A Fire Safety Statement has been provided which fulfils these requirements.

Highways and parking

8.15 The location for the proposed development has a PTAL level of 4, which indicates a good level of accessibility to public transport links. The site is also within walking distance of bus stops and local amenities on nearby London Road as well as Norbury Train Station. The London Plan 2021 does not have specific guidance regarding parking standards for HMO’s.

8.16 The existing parking area which can provide off-street parking for up to two cars on the forecourt would be retained. Given the existing lawful use for 6 people, it is considered the modest uplift of 2 people, combined with the accessible location of the site would not result in a significant impact upon on street parking in the area and is acceptable in this instance. A cycle storage area is proposed in the rear garden in line with the London Plan, details of which would be secured by a condition.

Refuse

8.17 Policy DM13 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.

- 8.18 Provision is made for refuse and recycling storage in the front garden which subject to approval, shall be provided prior to first occupation of the property and in accordance with approved plans. A refuse management plan condition is recommended to ensure no impact is caused to the ground floor front bedroom as a result of the proposed refuse storage location to the frontage.

Conclusion

- 8.19 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 a resolution to grant planning permission subject to conditions.
- 8.20 All other relevant policies and considerations, including equalities, have been taken into account.